



Longmont Housing Authority Reasonable Accommodation Policy

APPROVED BY HUD 12/17/2020
UPDATED: 8/9/2022

Reviewed and Approved:



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8-9-2022
Date



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Reasonable Accommodation Request Forms



REASONABLE ACCOMMODATION DEFINITION AND LHA PHILOSOPHY

Under Section 504 of the Rehabilitation Act of 1973, a Reasonable Accommodation is a change, adaptation or modification to a policy, program, service, or workplace that will allow a qualified person with a disability to participate fully in a program, take advantage of a service, or perform a job. Under the Fair Housing Act, a Reasonable Accommodation is a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces. Reasonable Accommodations for the Longmont Housing Authority (LHA) may include, but are not limited to, modifications that are necessary for a person with a disability to apply for housing assistance; use, enjoy and maintain a dwelling, including public and common use spaces; and attend meetings. Since a person with a disability may have special needs due to their disability, in some cases, simply treating them exactly the same as others may not ensure that they have an equal opportunity to use and enjoy a dwelling.

In order to show that a requested accommodation may be necessary, there must be an identifiable relationship between the request and the individual's disability. What is *reasonable* will be determined on a case-by-case basis.

LHA is committed to ensuring that its policies and procedures do not deny individuals with disabilities the opportunity to participate in, benefit from, nor otherwise discriminate against individuals with disabilities, on the basis of disability, in connection with the operations of LHA's programs, services and activities.

Staff will approve a Reasonable Accommodation for a person with a disability when one is necessary to ensure equal access to the LHA, as well as its amenities, services and programs. In the event the requested accommodation is structurally infeasible, causes undue financial and administrative burden or requires fundamental changes to the program, LHA will engage in an interactive process with the requestor to determine if an alternative accommodation is available and/or appropriate.

APPLICATION OF REASONABLE ACCOMMODATION POLICIES

LHA's Reasonable Accommodation policies apply to applicants, program participants and residents with a disability through the following services it administers:

- Affordable housing units;
- Housing assistance (voucher) programs;
- Other programs or activities receiving Federal financial assistance that are conducted or sponsored by LHA, its agents or contractors including all non-housing facilities and common areas owned or operated by the LHA.

NOTIFICATION OF POLICIES

Staff, including Community Managers and Housing Specialists, will inform their applicants and residents of their right to a Reasonable Accommodation during the application process and at lease-up for an



LHA property and/or at issuance of a Housing Choice Voucher. This information will also be included in relevant publications regarding LHA unit vacancies and waiting list/lottery openings, and with all applications, lease violation notices, eviction notices and recertifications. Such a notice will also be made available in large print by request, and made available in other formats for people who cannot read them.

DEFINITION OF A PERSON WITH A DISABILITY

The definition of a person with a disability for purposes of a Reasonable Accommodation follows the definition in Section 504, a person with a physical or mental impairment that substantially limits one or more activities of daily living, has a history or a record of such an impairment or is regarded as having such an impairment. As used in this definition, the phrase "physical or mental impairment" includes:

1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or
2. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term "physical or mental impairment" includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism. "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing and learning.
3. The definition of disability does not include any individual who is an alcoholic or drug abuser whose current use of alcohol or drugs prevents the individual from participating in the public housing program, Housing Choice Voucher Program, Moderate Rehabilitation Program or activities; or whose participation would constitute a direct threat to property or the safety of others.

EXAMPLES OF REASONABLE ACCOMMODATION

Examples of a Reasonable Accommodation may include, but are not limited to:

- Making a unit, part of a unit or public and common use element accessible for the head of household or a household member with a disability who is on the lease;
- Permitting a family to have a service or assistance animal necessary to assist a family member with a disability;
- Allowing a live-in aide to reside in an appropriately-sized LHA unit;
- Transferring a resident to a larger-sized unit to provide a separate bedroom for a person with a disability;
- Transferring a resident to a unit on a lower level or a unit that is completely on one level;
- Making documents available in large type, computer disc or Braille;



- Providing qualified sign language interpreters for applicant or resident meetings with LHA staff; or at resident meetings;
- Installing strobe type flashing lights and other such equipment for a family member with a hearing impairment;
- Permitting an outside agency or family member to assist a resident or an applicant in meeting screening criteria or meeting essential lease obligations;
- Permitting requests for extensions of Housing Choice Vouchers if there is a difficulty in locating a unit with suitable accessible features or otherwise appropriate for the family;
- As a Reasonable Accommodation for a family member with a disability, approving a request for exception payment standard amounts under the HUD Housing Choice Voucher Program in accordance with 24 C.F.R. §§ 8.28 and 982.504 (b)(2).

REQUESTS - PROCESSING PROCEDURES

1. LHA's "Reasonable Accommodation Request Packet" is available to all applicants, residents, third parties and program participants. The packet, provided upon request, outlines definitions, explains processes, provides schedules and collects information regarding the request and the need for it, including forms for providers to complete. The forms may also be provided in an alternative format, upon request.
2. Individuals are encouraged to submit their request(s) in writing to the Community Manager or Housing Specialist. If requested, LHA staff will assist an individual in completing paperwork based on an oral request. Along with the submittal, a Community Manager, Housing Specialist, Supportive Services Coordinator, the Section 504/ADA Coordinator, or other designated staff will complete the RA Request Form.
3. While LHA provides reasonable accommodation forms for the requests to be made in writing, these forms are not required. Applicants, residents, and the public may request a reasonable accommodation orally or by any other effective means.
4. This does not prohibit LHA staff to transfer the request to its standard forms so long as such transfer of information to a standard form does not involve unnecessary delay in processing the request.
5. LHA will only require documentation of a disability or a disability-related need if the persons disability and/or disability-related need is not apparent.
6. Once a person's disability and disability-related need is known, LHA will not require additional verification, if additional requests for reasonable accommodations and modifications are requested, unless the disability-related need is not clear in the additional requests.
7. Within seven (7) business days of receipt, the request will be forwarded to the 504 Coordinator for consideration. If LHA receives a request that can be approved, immediately thereafter it will approve the request.
8. If additional information or documentation is required, the Community Manager or Housing Specialist will notify the resident, in writing, of that need. The letter will include a reply date for submission of the outstanding information or documentation.



9. LHA will engage in an interactive dialogue any time a request for accommodation or modification may not be reasonable due to the request imposing an undue financial and administrative burden or fundamentally altering the nature of the program.

10. The interactive dialogue will also begin as soon as LHA determines it requires additional information to process the request for accommodation or modification.

11. In addition, the interactive process will entail LHA, when applicable, discussing with the Requestor whether there is an alternative accommodation that would be equally effective in addressing the requester's disability-related need. If the Requestor agrees an alternative accommodation will effectively meet their disability-related needs and is reasonable, LHA will grant the accommodation or modification.

Requests that are denied are subject to the Grievance Policy.

REQUESTS - VERIFICATION

As part of the Request Packet, LHA will request documentation supporting the need for an accommodation. Staff will verify an individual's disability only to the extent necessary to ensure that those who request an accommodation have a disability-based need for it. They will not be required to disclose the specific disability/ies or the nature or extent of it or provide confidential medical records for verification.

Although LHA provides reasonable accommodation and modification forms, use of the forms is not required. This explanation to the Requestor does not prohibit LHA staff from placing or transferring the request to one of its standard forms so long as such transfer of information to a standard form does not involve unnecessary delay in processing the request.

Documentation of reasonable accommodations can be provided by a physician, psychiatrist, social worker, therapist, nonmedical service agency, or a reliable third party who is in position to know about the individual's disability and disability-related needs.

GRIEVANCE PROCESS

If the requestor receives a denial and disagrees with LHA's decision, they are welcome to resubmit their request with additional information which would aid in the decision-making process. In addition, they may request an informal hearing, conducted under the guidance of the Executive Director, during which a hearing officer will consider whether the decision was made in accordance with the law, HUD regulations, and Longmont Housing Authority policies. Requests for an informal hearing must be made within ten (10) days of denial and must be submitted to the Section 504/ADA Coordinator (303-651-8581; TDD: 800-659-2656) by email (Lisa.Gallinar@longmontcolorado.gov), fax (303-682-2899) or mail to LHA, ATTN: Lisa Gallinar, 350 Kimbark Street, Longmont, CO 80501. A written decision will be issued within ten (10) days of the hearing.

A requestor may also, at any time, file a fair housing complaint through the local U.S. Department of Housing and Urban Development (HUD) office or the U.S. Department of Justice. Individuals may contact the local HUD office at: 1670 Broadway St, Denver, CO 80202, Phone: (303) 672-5437 or 1-(800)877-7353; TDD/TTY Number: Dial "7-1-1".



NONDISCRIMINATION

The Longmont Housing Authority shall comply with all federal, state and local fair housing and civil rights laws and with all equal opportunity requirements as required by law. Federal laws forbid discrimination based on disability. Longmont Housing Authority does not discriminate on the basis of disability in the admission to, access to, or operations of programs, services or activities.

Questions regarding the interpretations and implementations of the above policies and procedures may be addressed by the Section 504/ADA Coordinator in writing, by telephone, or by appointment, as follows:

Name of Section 504/ADA Coordinator:	Lisa Gallinar
Email:	Lisa.Gallinar@longmontcolorado.gov
Address:	350 Kimbark Street Street, Longmont, CO 80501
Telephone Number:	303-651-8581
Fax Number:	303-682-2899
TDD:	800-659-2656



