

**Housing Authority of the City of Eastman, Georgia**  
**REASONABLE ACCOMMODATION POLICY AND PROCEDURES**

**Adopted Board Action January 15, 2013**

**POLICY STATEMENT**

The Eastman Housing Authority (EHA) is committed to ensuring that its policies and procedures do not deny individuals with disabilities the opportunity to participate in, or benefit from, nor otherwise discriminate against individuals with disabilities, on the basis of disability, in connection with the operations of EHA's programs, services and activities. Therefore, if an individual with a disability requires an accommodation such as an accessible feature or modification to an EHA policy, EHA will provide such accommodation unless doing so would result in a fundamental alteration in the nature of the program; or an undue financial and administrative burden. In such a case, the EHA will make another accommodation that would not result in a financial or administrative burden.

A reasonable accommodation is a modification, alteration or adaption in policy, procedure, practice, program, or facility that provides a qualified individual with a disability the opportunity to participate in, or benefit from, a program (housing or non-housing) or activity.

EHA will post a copy of this Reasonable Accommodation Policy and Procedures in the Central Administrative Office located at 824 Griffin Ave, Eastman, Georgia. In addition, individuals may obtain a copy of this Reasonable Accommodation Policy and Procedures, upon request, from the EHA's Management.

**LEGAL AUTHORITY**

The EHA is subject to Federal civil rights laws and regulations. This Reasonable Accommodation Policy is based on the following statutes or regulations. See Section 504 of the Rehabilitation Act of 1973 (Section 504); Title II of the Americans with Disabilities Act of 1990 (ADA); the Fair Housing Act of 1968, as amended (Fair Housing Act); the Architectural Barriers Act of 1968, and the respective implementing regulations for each Act.

**MONITORING AND ENFORCEMENT**

The Executive Director of the EHA is responsible for monitoring EHA's compliance with this Policy. Individuals who have questions regarding this Policy, its interpretation or implementation should contact EHA in writing, by telephone, or by appointment, as follows:

**EHA Executive Director, Michelle Butler**  
**824 Griffin Ave., SW, P.O. Box 100**  
**Eastman, Georgia 31023**  
**Telephone Number: 478-374-5414**  
**TDD/TTY Number: 800-255-0056**  
**Facsimile Number: 478-374-0505**

**STAFF TRAINING**

The Executive Director will ensure that all appropriate EHA staff receive annual training on the Reasonable Accommodation Policy and Procedures, including all applicable Federal, state and local requirements regarding reasonable accommodation.

**REASONABLE ACCOMMODATION**

A person with a disability may request a reasonable accommodation at any time during the application process residency in public housing. The individual, EHA staff or any person identified by the individual, must reduce all requests to writing.

Reasonable accommodation methods or actions that may be appropriate for a particular program and individual may be found to be inappropriate for another program or individual. The decision to approve or deny a request for a reasonable

accommodation is made on a case-by-case basis and takes into consideration the disability and the needs of the individual as well as the nature of the program or activity in which the individual seeks to participate.

## **APPLICATION OF REASONABLE ACCOMMODATION POLICY**

The Reasonable Accommodation Policy applies to individuals with disabilities in the following programs provided by the EHA:

- a. application of public housing;
- b. residents of public housing developments; and
- c. participants in all other programs or activities receiving Federal financial assistance that are conducted or sponsored by the EHA, its agents or contractors including all non-housing facilities and common areas owned or operated by the EHA.

## **PERSON WITH A DISABILITY**

A person with a disability means an individual who has a physical or mental impairment that substantially limits one or more major life activities. As used in this definition, the phrase “physical or mental impairment” includes:

- a. 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; genitor-urinary; anemic and lymphatic; skin; and endocrine; or
- b. 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.

The definition of disability does not include any individual who is an alcoholic or current drug abuser, whose current use of alcohol or drugs prevents the individual from participating in the public housing program or activities; or whose participation, by reason of such current alcohol or drug abuse, would constitute a direct threat to property or the safety of others.

## **EXAMPLES OF REASONABLE ACCOMMODATIONS**

Examples of reasonable accommodations may include, but are not limited to:

- a. 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;
- b. Permitting a family to have a service or assistance animal necessary to assist a family member with a disability;
- c. Allowing a live-in aid to reside in an appropriately sized EHA unit;
- d. Transferring a resident to a larger size unit to provide a separate bedroom for a person with a disability;
- e. Transferring a resident to a unit on a lower level or a unit that is completely on one level;
- f. Making documents available in large type, computer disc or Braille;
- g. Providing qualified sign language interpreters for applicant or resident meetings with EHA staff; or at resident meetings;
- h. Installing strobe type flashing lights and other such equipment for a family member with a hearing impairment;
- i. Permitting an outside agency or family member to assist a resident or an applicant in meeting screening criteria or meeting essential lease obligations;

## **PROCESSING OF REASONABLE ACCOMMODATION REQUESTS**

The EHA will provide the “Request for Reasonable Accommodation”, (“Request Form”), attached hereto, to all applicants, residents or individuals with disabilities who request a reasonable accommodation. The Reasonable Accommodation Request Form includes various forms of reasonable accommodations as well as the general principles of reasonable accommodation.

Individuals may submit their reasonable accommodation request(s) in writing, orally, or by any other equally effective means of communication. However, the EHA will ensure that all reasonable accommodation requests will be reduced to writing. If needed as a reasonable accommodation, the EHA will assist the individual in completing the Request Form.

- a. The EHA will provide all applicants with the Request Form as an attachment to the EHA application. The Request for Reasonable Accommodation Form must be provided in an alternative format, upon request.
- b. Reasonable Accommodations will be made for applicants during the application process. All applications must be taken in an accessible location. Applications will be made available in accessible formats upon request. EHA will provide applicants with appropriate auxiliary aids and services, including qualified sign language interpreters and readers, upon request.
- c. EHA will provide all residents with the Request form during the annual re-certification and upon request. The EHA will provide the Request Form in an alternate form, upon request.
- d. Residents seeking accommodation(s) may contact the housing specialist office, including office of private management companies acting on behalf of the EHA, within their housing development or the regional management office. In addition, residents may also contact the Executive Director office of the EHA directly to request the accommodation(s).
- e. Within seven (7) business days of receipt, the housing specialist office, supervisor or management official will respond to the Resident’s Request.
- f. Within twenty (20) business days of receipt, the Office of the Executive Director of the EHA, or the resident’s regional or management office will respond to the Resident’s Request.
- g. If additional information or documentation is required, the Office of the Executive Director of the EHA will notify the resident, in writing, of the need for the additional information or documentation. The Office of the Executive Director of the EHA will provide the resident with the “Request for Information or Verification Form” [“Request for Information”], a copy of which is attached. The written notification should provide the resident with a reply date for submission of the outstanding information or documentation.
- h. Within thirty (30) business days of receipt of the request and, if necessary, all supporting documentation, EHA will provide written notification to the resident of its decision to approve or deny the residents request(s). Upon request, the written notification will be provided in alternate format. A copy of the “Letter Denying Request for Reasonable Accommodation(s) and “Letter Approving Request for Reasonable Accommodation(s)” are attached.
- i. If EHA approves the accommodation request(s), the resident will be notified of the projected date for implementation.
- j. If the accommodation is denied, the resident will be notified of the reasons for denial. In addition, the notification of the denial will also provide the resident with information regarding EHA’s HUD-approved Grievance Procedures.
- k. All recommendations that have been approved by the Office of the Executive Director of the EHA will be forwarded to the appropriate housing managers for implementation. All requests for reasonable accommodation that are approved by the regional housing manager will promptly be implemented or begin the process of implementation.

## **VERIFICATION OF REASONABLE ACCOMMODATION REQUEST**

EHA may request documentation of the need for a Reasonable Accommodation as identified on the Request for Reasonable Accommodation Form. In addition, EHA may request that the individual provide suggested reasonable accommodations.

The EHA may verify a person’s disability only to the extent necessary to ensure that individuals who have requested a reasonable accommodation have a disability-based need for the requested accommodation.

However, the EHA may not require individuals to disclose confidential medical records in order to verify a disability. In addition, the EHA may not require specific details regarding the individual’s disability. The EHA may only request documentation to confirm the disability-related need(s) for the requested reasonable accommodation(s). The EHA may not require the individual to disclose the specific disability (ies); or the nature or extent of the individual’s disability (ies).

The following may provide verification of a resident's disability and the need for the requested accommodation(s):

- a. Physician;
- b. Licensed health professional;
- c. Professional representing a social service agency; or
- d. Disability agency or clinic.

Upon receipt, the resident's Housing Specialist, including private management companies operating on behalf of EHA, will forward the recommendation, including all supporting documentation, to the EHA's Executive Director within seven (7) days of receipt.

#### **DENIAL OF REASONABLE ACCOMMODATION REQUEST(S)**

- a. Requested accommodations will not be approved if one of the following would occur as a result:
- b. A violation of State and/or federal law;
- c. A fundamental alteration in the nature of the EHA public housing program;
- d. An undue financial and administrative burden on EHA;
- e. A structurally infeasible alternation; or
- f. An alteration requiring the removal or alteration of a load-bearing structural member.

#### **TRANSFER AS REASONABLE ACCOMMODATION**

EHA shall not require a resident with a disability to accept a transfer in lieu of providing a reasonable accommodation. However, if a public housing resident with a disability requests dwelling unit modifications that involve structural EHA changes, including, but not limited to widening entrances, rooms, or hallways, and there is a vacant comparable, appropriately sized UFAS-compliant unit in that resident's project or an adjacent project, EHA may offer to transfer the resident to the vacant unit in his/her project or adjacent project in lieu of providing structural modifications.

If the resident accepts the transfer, EHA will work with the resident to obtain moving expenses from social service agencies or other similar sources. If that effort to obtain moving expenses is unsuccessful within thirty (30) days of the assignment of the dwelling unit, EHA shall pay the reasonable moving expenses, including utilities fees and deposits. Nothing contained in this paragraph is intended to modify the terms of EHA's Tenant and Assignment Plan and any resident's rights there under.

#### **SERVICE OR ASSISTANCE ANIMALS**

Residents of EHA with disabilities are permitted to have assistance animals, if such animals are necessary as a reasonable accommodation for their disabilities. EHA residents or potential residents who need an assistance animal as a reasonable accommodation must request the accommodation in accordance with the reasonable accommodation policy. Assistance animals are not subject to the requirement of EHA's Pet Policy.

#### **RIGHT TO APPEAL/GRIEVANCE PROCESS**

The public housing resident may file a complaint in accordance with EHA's HUD-FHEO approved Grievance Procedure following a formal determination by the EHA's Executive Director.

A public housing applicant may request an informal hearing or meeting to request consideration.

A resident may, exercise their right to appeal an EHA decision through the local HUD Office of the U.S. Department of Justice. Individuals may contact the local HUD office.