	Public Housing Reasonable Accommodation Procedure	SOP #
		Revision #
		Effective Date:
		Approval
Responsible:	Housing Manager, 504 Coordinator, Hearing Officer	

Purpose

HRHA is responsible for processing tenant requested reasonable accommodation requests. All reasonable accommodation requests are processed in accordance with the HRHA Admissions and Continued Occupancy Policy (ACOP), HRHA procedures and HUD regulations. The Reasonable Accommodation Procedure outlines the steps HRHA follows to process reasonable accommodation requests.

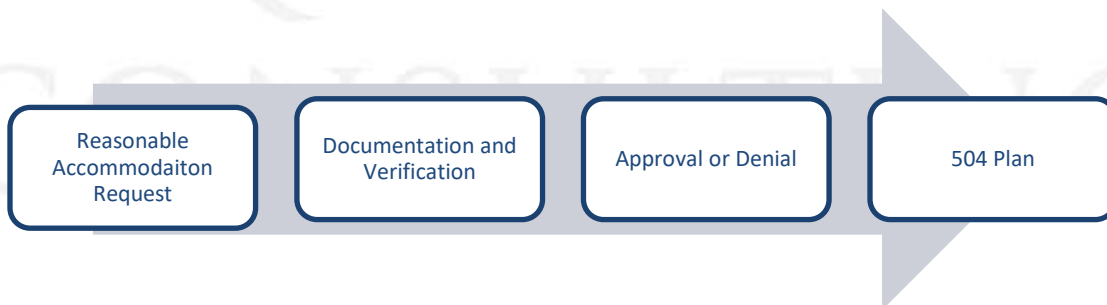
Needed Information/Documents

- Reasonable Accommodation request
- Verification documents
- Approval/denial notice
- Informal Hearing/Grievance policy

Goals

- Treat all participants in a fair, equitable and professional manner.
- Process all reasonable accommodation requests accurately, consistently, and timely.
- Maintain accurate reasonable accommodation records.

Process Overview



Steps

1. Reasonable Accommodation Information

Reasonable accommodation information will be included at application, annual re-examination, in the denial notice, in the termination notice and in any adverse action notice.

2. Reasonable Accommodation Requests

A person with a disability may request a reasonable accommodation during the application process and while a Public Housing tenant. The person with a disability may submit all requests in writing, orally, or by any other equally effective means of communication. If the person with a disability is unable to submit a request in writing, the HRHA will assist the document the request in writing: name, type of request, date, the name of HRHA staff taking request.

The HRHA personnel who receives a request for reasonable accommodation will immediately provide a copy of the request to the HRHA 504 Coordinator. The *HRHA 504 Coordinator* will record the date of the request, date received, type of accommodation requested in the Reasonable Accommodation Tracking spreadsheet.

If additional information or documentation is required, the Housing Manager will notify the family of the additional information needed and acceptable format of the information and will provide the family with thirty (30) calendar days to respond. If the HRHA staff responsible does not receive the requested information within thirty (30) calendar days, the request for a reasonable accommodation will be closed.

If the family submits the requested information after thirty (30) calendar days, the request for a reasonable accommodation will be processed as a new reasonable accommodation request in the order it was received.

Within thirty (30) calendar days of receipt of all required supporting documentation, the HRHA will issue a determination on the request for a reasonable accommodation and notify the family in writing. Upon request, the written notification will be provided in an alternate format.

Notifications of denied reasonable accommodation requests will provide information on the procedures for appealing the determination.

3. Verification of Reasonable Accommodation

The Housing Manager will contact the licensed health care professional named by the person with the disability requesting the accommodation to verify the need for the requested accommodation. The HRHA may request documentation to verify that the person requesting an accommodation is a person with a disability and such person has a disability-related need for the requested reasonable accommodation.

Verification of a person's disability may be submitted by the following licensed health care professionals:

- A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices
- Any other person determined to be capable of providing health care services, which include only:
 - Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors
 - Nurse practitioners, nurse-midwives, clinical social workers and physician assistants who are authorized to practice in the State and performing within the scope of their practice as defined under State law; or
- A health care provider who is authorized to diagnose and treat physical or mental health conditions.

If verification is not received within thirty (30) calendar days, the HRHA will deny the request for a reasonable accommodation due to lack of verification and notify the family in writing.

4. Request Response

Reasonable accommodation requests are processed in the order they are received.

After a request for an accommodation is presented, the Housing Manager will respond, in writing to both the family and to the HRHA 504 Coordinator, within thirty (30) business days. The HRHA response includes the following:

- notification a timeframe for the installation of the accommodation, or;
- a timeframe for when the policy change or modification will go into effect for the requester.
 - Should the initial timeframe not be met due to circumstances outside the control of either party, HRHA will send a notification with an explanation for the delay as well as an updated implementation timeframe.

If the HRHA denies a request for an accommodation the notice will inform the family of the right to appeal the HRHA's decision through an informal hearing (if applicable) or the grievance process.

If the HRHA denies a request for an accommodation because it is not reasonable (it would impose an undue financial and administrative burden or fundamentally alter the nature of the HRHA's operations), the 504 Coordinator will discuss with the family whether an alternative accommodation could effectively address the family's disability-related needs without a fundamental alteration to the public housing program and without imposing an undue financial and administrative burden. The 504 Coordinator will document the discussion and any remedies.

If the HRHA believes that the family has failed to identify a reasonable alternative accommodation after interactive discussion and negotiation, the 504 Coordinator will notify the family, in writing, of its determination within 10 business days from the date of the most recent

discussion or communication with the family. The notice will inform the family of the right to appeal the HRHA's decision through an informal hearing (if applicable) or the grievance process. The Executive Director will serve as the Hearing Officer for all Reasonable Accommodation informal requests.

5. Transfers to Accommodate a Request for Reasonable Accommodations

The HRHA may determine that the reasonable accommodation may be achieved by offering the tenant a move to a unit that provides certain accessibility features. The order for offering a transfer as an accommodation will adhere to the following:

- The tenant's current unit cannot be modified to add the accessible features required by the tenant; and
- If a unit with the disability-related features required by the tenant does not become available within ninety (90) days of the approval of the reasonable accommodation request from the tenant; and
- The tenant has not indicated in writing a willingness to stay in the current unit for longer than ninety (90) days until such time as an accessible unit becomes available or such time that the tenant indicates the willingness to remain in the apartment no longer exists.

In the event that the HRHA cannot accommodate a request for reasonable accommodation at the tenant's current location, the Housing Manager may present the tenant with a list of properties which may have accessibility features needed by the family at other properties owned or managed by the HRHA. The HRHA may provide the tenant with a tenant-based voucher if a suitable unit cannot be provided in HRHA owned properties.

In the event that another may meet the reasonable accommodation, the HRHA shall place that family at the top of the list for such a unit. The family must meet all other applicable selection criteria for such off-site units. Residents transferred to off-site units under this provision or the HRHA's inability to accommodate the resident on-site will not be responsible for moving expenses.

6. Alternative Accommodation

If an alternative accommodation is available, the *504 Coordinator* will offer the family the alternative accommodation and advise the family of the anticipated time to provide the accommodation.

If the HRHA offers a unit with accessible features as opposed to a fully compliant ADA unit to a person with disabilities, that they will inform the person in writing that the unit is not a fully compliant ADA unit, but, instead contains certain accessible features, which HRHA believes will meet the person's accessibility needs.

- The notice will list what features are accessible and allow the person to decline the unit if it does not meet their needs.

- In order to accept this offer of an alternative accommodation, the family must sign the offer letter and submit a copy to the HRHA within ten (10) calendar days of the date of the letter.
- If the family makes a subsequent request for a different reasonable accommodation, the request will be processed as a new reasonable accommodation request.

7. Reasonable Accommodation Denials

Requested accommodations will not be approved if the person's disability is not verified by a health care professional, the individual is not a person with a disability, or the requested accommodation is not necessary and reasonable based on the health care provider's responses.

Additionally, requested accommodations will not be approved if one of the following would occur as a result of the approval:

- A violation of state and/or federal law;
- A fundamental alteration in the nature of the public housing program;
- An undue financial and administrative burden to the Housing Authority;
- A structurally impracticable alteration; or
- A housing unit alteration requires the removal or alteration of a load-bearing structural member.

8. Reasonable Accommodation Denial Appeals

If the request for a reasonable accommodation is denied, the family may request an informal review of the determination to the HRHA. The request for informal review must be submitted within ten (10) business days of the denial.

Section 504

The HRHA ensures that all of its programs and policies are accessible for persons with disabilities, including:

- Outreach and public contact, including contact with applicants and participants
- Eligibility criteria
- Application process
- Admission to the program
- Service delivery
- Employment policies and practices