



# HOUSING HUMBOLDT

Connecting Families and Homes

## REASONABLE ACCOMMODATION POLICY

### POLICY STATEMENT

Humboldt Bay Housing Development Corporation, dba Housing Humboldt, is committed to nondiscrimination in housing and does not discriminate on the basis of race, color, religion, national origin, ancestry, sexual orientation, age, familial status, or physical or mental disability in the access or admission to its programs, employment, activities, functions or services.

Therefore, Housing Humboldt will make a reasonable accommodation or modification for individuals with disabilities when necessary to ensure equal access to Housing Humboldt's property and property amenities, programs, services and activities.

Reasonable modifications include changes to a building, grounds or an individual apartment and reasonable accommodations include changes to policies, programs, services and procedures.

Housing Humboldt will provide accommodations or modifications as requested unless doing so is unreasonable. A request is unreasonable if it is structurally infeasible, would result in a fundamental alteration in the nature of a Housing Humboldt's program, or would result in an undue financial and/or administrative burden. If a request is unreasonable, Housing Humboldt will work with the individual to try to accommodate his or her needs.

Housing Humboldt will post a copy of this Reasonable Accommodation Policy and Procedures at the following locations:

- The Housing Humboldt website at [www.housinghumboldt.org](http://www.housinghumboldt.org);
- The Corporate Office located at 824 L Street Suite 5, Arcata, Ca. 95521
- The management office in each housing development where an office is on site.
- Individuals may also obtain a copy of this Policy, upon request, from Housing Humboldt at: 824 L Street Suite 5 Arcata, Ca. 95521 or by calling (707) 826-7312

### LEGAL AUTHORITY

Housing Humboldt is subject to Federal and State civil rights laws and regulations. This Policy is based on the following statutes, and the respective implementing regulations for each Federal and State statute:

- Section 504 of the Rehabilitation Act of 1973 (Section 504);
- Title iii of the Americans with Disabilities Act of 1990 (ADA);
- The Fair Housing Act of 1968, as amended (Fair Housing Act);





# HOUSING HUMBOLDT

Connecting Families and Homes

## REASONABLE ACCOMMODATION POLICY

- The Architectural Barriers Act of 1968.
- The California Fair Employment and Housing Act (FEHA)

### MONITORING AND ENFORCEMENT

The Section 504/ADA Coordinator is responsible for monitoring Housing Humboldt's compliance with this Policy. Individuals who have questions regarding this Policy should contact Housing Humboldt's Section 504/ADA Coordinator in writing, by telephone, or by appointment as follows:

Bonnie Hughes Deiter  
824 L Street Suite 5  
Arcata, California 95521  
(707) 496-6843  
(707) 826-7319 (FAX)  
TDD: (800) 735-2922  
TDD VOICE: (800)735-2922

Mailing:  
P.O. Box 4655  
Arcata, Ca. 95518

Email: [bhughes@housinghumboldt.org](mailto:bhughes@housinghumboldt.org)

### STAFF TRAINING

The Section 504/ADA Coordinator will ensure that all appropriate Housing Humboldt staff receive annual training on the Reasonable Accommodation Policy and Procedures, including all applicable Federal, state and local requirements regarding reasonable accommodation.

### REASONABLE ACCOMMODATION

An individual with a disability may request a reasonable accommodation at any time during the application process, residency in Housing Humboldt managed/owned property, or participation in the Housing Humboldt Program. The individual, Housing Humboldt staff or any person identified by the individual shall put all requests in 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





# HOUSING HUMBOLDT

Connecting Families and Homes

## REASONABLE ACCOMMODATION POLICY

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 Housing Humboldt:

- Applicants/residents of managed or owned developments;
- Applicants/participants of in the Homeownership Program;
- Participants in all other programs or activities receiving Federal financial assistance that are conducted or sponsored by the Housing Humboldt, or its agents.

### INDIVIDUAL WITH A DISABILITY

"Individuals with a disability" is defined as:

- has a physical or mental disability that limits (i.e., it makes the achievement of the major life activity difficult) one or more major life activities (construed broadly to include physical, mental, and social activities and working); or
- has a history of such an impairment known to the employer/housing provider; or
- is incorrectly regarded or treated as having or having had such an impairment; or
- is regarded or treated as having or having had such an impairment that has no presently disabling effects but may become a qualifying impairment in the future.

"Physical disabilities" include, but are not limited to:

- any physiological disease, disorder, condition, cosmetic disfigurement or anatomical loss that affects one or more of the following body systems: neurological, immunological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine systems.

- "Medical Condition" is defined as including any health impairment associated with a diagnosis of cancer when competent medical evidence indicates that the cancer victim has been cured or rehabilitated. It also includes certain genetic characteristics as defined in the statute.

- "Mental disabilities" include, but are not limited to, any mental or psychological disorder or condition, such as mental retardation, organic brain syndrome, emotional or mental illness, specific learning disabilities, or any other mental or psychological disorder or condition that requires special education or related services.





# HOUSING HUMBOLDT

Connecting Families and Homes

## REASONABLE ACCOMMODATION POLICY

### EXAMPLES OF REASONABLE ACCOMMODATIONS

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

- Making a Housing Humboldt owned or managed unit, part of a unit, or public and common use areas accessible for the head of household or a household member with a disability who is on the lease (for an individual with a disability);
- Permitting a family to have a service or assistance animal necessary to assist a household member with a disability;
- Allowing a Housing Humboldt-approved live-in aide for a resident or program participant with a disability to reside in an appropriately sized housing unit if the person is determined to be essential to the care of a person with disabilities, and would not otherwise be living in the unit;
- Permitting applications and reexaminations to be completed by mail;
- Conducting home visits;
- Transferring a family that is participating in the housing program to a larger size unit to provide a separate bedroom for a person with a disability;
- Transferring a resident with a disability that is participating in the housing program to a street level unit or a housing unit that is completely one level;
- Providing large-print and audio versions of key program documents,
- Providing qualified sign language interpreters;
- Installing strobe type flashing lights and other such equipment for a family member with a hearing impairment;
- Permitting an authorized designee or advocate to participate in the application or certification process and any other meetings with Housing Humboldt staff;





# HOUSING HUMBOLDT

Connecting Families and Homes

## REASONABLE ACCOMMODATION POLICY

### PROCESSING REASONABLE ACCOMMODATION REQUESTS

Housing Humboldt will provide the "Request for Reasonable Accommodation," ("Request Form"), Attachment A, to all individuals with disabilities who request a reasonable accommodation.

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

1. Housing Humboldt will provide all individuals the Request Form and/or Notice of Right to Reasonable Accommodation (Attachment B) as an attachment to a Housing Humboldt program application. The Request Form will be provided in an alternative format, upon request.
2. Housing Humboldt will make reasonable accommodations for individuals with disabilities during the application process. Housing Humboldt will ensure that all program applications are available in an accessible location. Applications will be made available in accessible formats. Appropriate auxiliary aids and services, including qualified sign language interpreters and readers will be provided upon request.
3. Housing Humboldt will provide all individuals who are residents with a Notice of Right to Reasonable Accommodation during any recertification, and the Request Form upon request. An individual's need for additional bedrooms as a reasonable accommodation will be re-verified during the recertification process. Housing Humboldt will provide the Request Form in an alternate form upon request.
4. Individuals who reside in Housing Humboldt housing or receive Housing Humboldt assistance may seek accommodation(s) by submitting a Request Form at any time.
5. Within twenty (20) business days of receipt, the Housing Humboldt will notify the individual, in writing, if additional information or documentation is needed, and a reply date for the submission of the required information. This notification letter may also request the completion and submittal of additional forms. For purposes of this Policy, "business day" means any day other than (i) a Saturday or a Sunday or (ii) a day on which Housing Humboldt is closed.
6. Within thirty (30) business days of receipt of the request and, if necessary, all supporting documentation, Housing Humboldt will provide written notification to the individual of its decision to approve or deny the request(s). Upon request, the written notification will be provided in an alternate format.

Page | - 5 -



P.O. Box 4655, Arcata, CA 95518  
Phone: (707) 826-7312 Fax: (707) 826-7319 TDD: (800) 735-2922  
Email: [info@housinghumboldt.org](mailto:info@housinghumboldt.org)  
Housing Humboldt is a 501(c)(3) dedicated to developing and managing affordable housing.



Revised 12/4/2017



# HOUSING HUMBOLDT

Connecting Families and Homes

## REASONABLE ACCOMMODATION POLICY

7. If Housing Humboldt approves the accommodation, the individual will be notified of the projected date for implementation.
8. If Housing Humboldt denies the accommodation, the individual will be notified of the reasons for denial. In addition, the notification of the denial will also provide information regarding their right to appeal.

### **VERIFICATION OF REASONABLE ACCOMMODATION REQUEST**

Humboldt Bay Housing may request additional documentation in order to verify the extent of an individual's functional limitations and whether the requested accommodation is substantially related to the functional limitations of the disability. In addition, Housing Humboldt may request that the individual provide suggested reasonable accommodations. However, Housing Humboldt will not require individuals to disclose confidential medical records in order to verify a disability. In addition, Housing Humboldt will not require specific details regarding the disability. Housing Humboldt will only request documentation to confirm the disability-related need(s) for the requested accommodation(s).

Housing Humboldt does not require the individual to disclose the specific disability(ies) or the nature or extent of the individual's disability(ies).

The following, but not limited to, may provide verification of an individual's disability and the need for the requested accommodation(s):

- (1) physician;
- (2) licensed health professional;
- (3) professional representing a social service agency; or
- (4) disability agency or clinic.
- (5) other person or professional that has the knowledge and expertise to verify the individual is disabled and the need of the for an accommodation or modification







# HOUSING HUMBOLDT

Connecting Families and Homes

## REASONABLE ACCOMMODATION POLICY

### DENIAL OF REASONABLE ACCOMMODATION REQUEST(S)

Requested accommodations or modifications will not be approved if one of the following would occur as a result:

1. A violation of state and/or Federal law;
2. A fundamental alteration in the nature of the applicable Housing Humboldt program;
3. An undue financial and/or administrative burden on Housing Humboldt.
4. A structurally infeasible alteration;
5. An alteration requiring the removal or alteration of a load-bearing structural member; or
6. There is no disability-related need for the accommodation.

### TRANSFER AS REASONABLE ACCOMMODATION

When a Housing Humboldt resident with a disability requests dwelling unit modifications that involve structural changes, including, but not limited to widening entrances, rooms, or hallways, and there is a vacant, comparable, appropriately sized UFAS-compliant or accommodating unit in that resident's development or another Housing Humboldt development, Housing Humboldt may offer to transfer the resident to the vacant unit in his/her development or another Housing Humboldt development in lieu of providing structural modifications.

If the resident accepts the transfer, Housing Humboldt will work with the resident to obtain moving expenses from social service agencies or other similar sources. If that effort is unsuccessful within thirty (30) business days of the assignment of the dwelling unit, Housing Humboldt shall pay the reasonable moving expenses, including utility fees and deposits.

### RIGHT TO APPEAL

If a request for accommodation is denied, individuals may file a request for an appeal within 10 days of the denial. Requests for a hearing can be made to the Property Manager, Housing Humboldt Executive Director or the Section 504/ADA Coordinator:

ADA/504 Coordinator  
Bonnie Hughes Deiter  
824 L Street Suite 5  
Arcata, California 95521





# HOUSING HUMBOLDT

Connecting Families and Homes

## REASONABLE ACCOMMODATION POLICY

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TDD VOICE: (800)735-2922

Mailing:  
P.O. Box 4655  
Arcata, Ca. 95518

Email: [bhughes@housinghumboldt.org](mailto:bhughes@housinghumboldt.org)

An individual may, at any time, exercise their right to appeal a Housing Humboldt decision through the local HUD office or the U.S. Department of Justice. Individuals may contact the local HUD office at:

U.S. Department of Housing and Urban Development  
600 Harrison Street, 3rd Floor  
San Francisco, California 94107-1387  
(415) 489-6524  
(800) 347-3739  
TTY (415) 436-6594

### Requesting a hearing

1. **THE INFORMAL HEARING.** The goal of the informal hearing is to settle the problem without the need for a formal hearing. If you have a complaint and request a hearing, you will have an informal hearing with the ADA/504 Coordinator or in their absence the Executive Director. Once requested, the informal hearing must be held between you and management within ten (10) working days after your request. This hearing may be in person or via phone. Furthermore, management is obliged to give you its decision on the matter in writing within fourteen (14) days of the hearing. If the decision is not in your favor or the problem is not settled, you are entitled to request a formal hearing. The written decision will also include the procedures you must follow if you want to appeal the decision in a formal hearing.
2. **PRESENT YOUR REQUEST FOR AN INFORMAL HEARING ON TIME.** You must personally present your grievance either orally or in writing to our office so that you and we may discuss your grievance informally. You must

Page | - 8 -



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Revised 12/4/2017





# HOUSING HUMBOLDT

Connecting Families and Homes

## REASONABLE ACCOMMODATION POLICY

present your grievance within a reasonable time, not to exceed fourteen (14) working days after the denial of your accommodation/modification.

While you can present your grievance orally, it is better to state your grievance in writing. The grievance may be simply stated, but you must specify the particular ground(s) for the grievance and action or relief you seek.

We will prepare a written, dated, and signed summary of our discussion and answer to your grievance within a reasonable time, not to exceed fourteen (14) days. We will mail or deliver one copy to you and keep one in your file. Our answer shall specify 1) the name of the hearing participant, 2) the date of the hearing, 3) the nature of the grievance, 4) the proposed disposition of the grievance and the specific reasons therefore, 5) your right to a formal hearing, and 6) the procedure by which you may request a formal hearing if you are not satisfied with the proposed disposition.

3. THE FORMAL HEARING. If you are dissatisfied with management's decision at the informal hearing, you have a right to a formal hearing. The hearing panel will consist of the Humboldt Bay Housing Development Corporation's Property Management Committee and an impartial person who is mutually agreeable to you and management. In the event you and management cannot agree on such a person, the member shall be appointed by an independent organization contacted by management, such as the Humboldt Mediation Services or Humboldt County Housing Authority.
4. PRESENT YOUR REQUEST FOR A FORMAL HEARING ON TIME. If you want a formal hearing, you may submit a written request to us within ten (10) days after receiving the decision from the informal hearing. If you miss this 10-day deadline, the decision from the informal hearing will become final. This shall not, however, constitute a waiver of your right thereafter to contest the disposition of the grievance in an appropriate judicial proceeding.

As with the informal hearing, you must state the nature of your complaint or grievance, the reasons why you disagree with the decision resulting from the informal hearing and action or relief you seek.





# HOUSING HUMBOLDT

Connecting Families and Homes

## REASONABLE ACCOMMODATION POLICY

5. DO NOT MISS THE HEARING. The hearing will be held no more than two weeks after management receives your request for a hearing. You will be given at least three days' notice of the hearing date. If you or management's representative fail to appear, the hearing officer or panel can either declare that the absent party has waived the right to a hearing or reschedule the hearing for a later date.

### **D. Procedures governing the hearing**

The following procedures are intended to protect your right to a fair hearing:

1. You can bring as much evidence to the hearing as you think you need. However, the hearing officer or panel will determine if it relates sufficiently to the hearing to be considered.
2. You can bring someone to represent you at the hearing, but you must also be present.
3. You and management can have witnesses to support your respective positions, with the right to cross-examine each other's witnesses.
4. You will be given the opportunity before the hearing to examine and copy at your expense all documents, records, and regulations that are relevant to the hearing.
5. The hearing will be private, unless you choose to have a public hearing.
6. Either party may request that the hearing be tape-recorded at their own expense.
7. At the hearing, you must present your side of the dispute and state what you want done. It will then be management's burden to justify its actions under regulations regarding Section 504 or the ADA act.
8. Those present at the hearing must conduct themselves in an orderly fashion. Failure to do so is sufficient grounds for the hearing officer or panel to end the hearing and base the ruling upon the facts presented.
9. If you require an accommodation for the hearing please contact the ADA/504 Coordinator immediately upon notice of the hearing date. This will help ensure that we can provide the accommodation. If we cannot





# HOUSING HUMBOLDT

Connecting Families and Homes

## REASONABLE ACCOMMODATION POLICY

provide the accommodation by the hearing date, you will be given a choice to proceed with the hearing as scheduled or change the date to one when the accommodation can be provided.

10. During the pendency of the informal and formal hearing process and until the delivery of the written decision to you, management will extend the time period imposed pursuant to a formal eviction procedure arising out of the issues in dispute, including any court filing date required of you.

### **E. Decision of the hearing officer or panel**

The hearing officer or panel must send a written decision to all parties within two weeks of the request for the hearing. The decision will be based solely upon a preponderance of the evidence presented at the hearing and in conformance with applicable laws and/or regulations. Provided that the decision is consistent with the applicable laws and regulations, it will be binding on all the parties.

If the decision is in your favor, project management must promptly take all actions necessary to carry out the decision or refrain from any action prohibited by the decision. If the decision is not in your favor, you must promptly comply with the decision.

### **F. Unresolved grievances or additional appeals**

If the parties and hearing officer or panel are unable to resolve the grievance or any party wishes to make an additional appeal, either party may direct their complaint to the local responsible agency for review and recommendation.

Upon a written request from the local agency for interpretation, HUD shall be the final authority for purposes of interpretation of the procedures.

### **G. Right to go to court**

Participation in any of the procedures described above will not waive, or affect in any manner whatsoever, any rights you or management may have to any judicial proceedings that may thereafter be brought on the matter.





# HOUSING HUMBOLDT

Connecting Families and Homes

## REASONABLE ACCOMMODATION POLICY

An individual may, at any time, exercise their right to appeal a Housing Humboldt decision through the local HUD office or the U.S. Department of Justice. Individuals may contact the local HUD office at:

U.S. Department of Housing and Urban Development  
600 Harrison Street, 3rd Floor  
San Francisco, California 94107-1387  
(415) 489-6524  
(800) 347-3739  
TTY (415) 436-6594





# HOUSING HUMBOLDT

Connecting Families and Homes

Attachment A

## Reasonable Accommodation Request and Verification Form

TO: \_\_\_\_\_ RE: \_\_\_\_\_

\_\_\_\_\_

Housing Humboldt is committed to the letter and spirit of Section 504 of the rehabilitation Act and the Fair Housing Act, which, among other things, prohibits discrimination against persons with disabilities. In accordance with our statutory responsibilities and program accessibility policies, we will make reasonable accommodations in our rules, policies, practices, or services, when such accommodations may be necessary to afford persons with disabilities an equal opportunity to use and enjoy their housing communities.

Do you or any member of your family require a reasonable accommodation? Yes \_\_\_\_ No \_\_\_\_

Name of disabled family member requesting reasonable accommodation: \_\_\_\_\_

Please sign this form and, if requesting a reasonable accommodation, in the space marked "TO:" at the top of this page, fill in the name, address, and telephone number of a qualified third-party medical provider who will complete and return this form to Housing Humboldt. Fill in your name and address in the space above marked "RE:".

\_\_\_\_\_  
Printed Name of Resident

\_\_\_\_\_  
Signature of Resident

\*\*\*\*\* My signature above authorizes the verifier to provide the information requested below. \*\*\*\*\*

**MEDICAL PROVIDERS:**  
PLEASE COMPLETE THE VERIFICATION BELOW & RETURN TO  
**Housing Humboldt (fax: 707-826-7319)**

### Verification of need for Reasonable Accommodation

California Fair Employment & Housing Act defines a "disability" as a physical or mental impairment, which limits one or more of a person's major life activities, a record of having such an impairment, or being regarded as having such an impairment.

- 1.) Does this resident have a disability, as defined by the Fair Housing Act? Yes \_\_\_\_ No \_\_\_\_
- 2.) If yes, does this resident, because of this disability, need an accommodation in any rules, policies, practices, or services to have an equal opportunity to use and enjoy his or her home? Yes \_\_\_\_ No \_\_\_\_
- 3.) If yes, please describe the accommodation requested: \_\_\_\_\_

\_\_\_\_\_

### Name and address of qualified medical provider completing this form:

Printed Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

**I declare under penalty of perjury that the foregoing is true and correct.**

\_\_\_\_\_  
Signature of Verifier

\_\_\_\_\_  
Date



P.O. Box 4655, Arcata, CA 95518  
Phone: (707) 826-7312 Fax: (707) 826-7319 Email: info@housinghumboldt.org  
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# HOUSING HUMBOLDT

Connecting Families and Homes

Attachment B

## Notice of Right to Reasonable Accommodation

Housing Humboldt is committed to providing equal access to all its programs and services. Both the ADA and Section 504 of the Rehabilitation Act protect any individual with a physical or mental impairment that limits that person in some major life activity, and any individual who has a history of, or who is regarded as having, such an impairment. If you or a member of your family have a disability, you have the right to request a reasonable accommodation in order to have equal opportunity of use and enjoyment of programs and services provided by Housing Humboldt.

A reasonable accommodation is some modification or change that the company can make to policies or procedures that will assist an otherwise eligible applicant/tenant with a disability to take advantage of the program. Compliance actions may include reasonable accommodations as well as structural modifications to the unit or premises, to the extent these reasonable accommodations can be implemented without creating undue financial or administrative burdens to the property.

If you or a member of your family have a disability and wish to request a reasonable accommodation, please notify management. He/She will assist you in the reasonable accommodation process. You have the right to request an accommodation at any time during your application process and tenancy

