

# Navigating the Reasonable Accommodation Process Increased Bedroom

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This toolkit has been created to help Homes for Good applicants and program participants navigate the reasonable accommodation process. We've also provided additional resources you may find helpful.

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# **KEY DEFINITIONS**

Before we review the steps in the reasonable accommodation process, let's define some key terms used throughout this toolkit.

#### **Reasonable Accommodation**

A reasonable accommodation is a change, exception or adjustment to a rule, policy, practice or service that allows a person with a disability to use and enjoy housing, including public and common use areas. Common examples of reasonable accommodations are:

- Providing rental forms in large print
- Providing a reserved accessible parking space near a dwelling
- allowing a service animal in a "no pets" building

#### **Reasonable Modification**

A reasonable modification is a structural change made to a living space or to a common area of a community, which is necessary to enable the resident with a disability to have full use of and enjoyment of the housing. Common examples of reasonable modifications are:

- Installing grab bars in a bathroom
- adding a ramp and handrails to make a main entrance accessible
- Altering a walkway to provide access to a public or common use area

For the purposes of this toolkit, we will use the term "reasonable accommodation" to refer to both accommodations and modifications.



\*If you are a housing choice voucher holder and do not live at a Homes for Good property, please contact your landlord directly to request modifications to your unit.

# **KEY DEFINITIONS**

#### **Disability**

Under Fair Housing laws, a disability is defined as a physical or mental impairment that substantially limits one or more major life activity, a record of having such an impairment, or being regarded as having such an impairment.

#### **Major Life Activity**

A major life activity is a function that is important to most people's daily lives. This can include but is not limited to caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, lifting, bending speaking breathing, learning, reading, concentrating, thinking, communicating and working.

This also includes major bodily functions such as immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions.

#### **Healthcare Provider or Qualified Professional**

If a disability and/or related need are not readily apparent or obvious, Homes for Good may require information from a healthcare provider or qualified professional. This information is typically provided by a doctor or other medical professional. However, a qualified professional such as a peer support advocate, non-medical service agency or a reliable third party who is in a position to know about an individual's disability may also provide verification of a disability and related need.

The documentation that can be requested is a letter of verification from a doctor or other medical professional, or other qualified third party who, in their professional capacity, has knowledge about the person's disability and the need for reasonable accommodation. For more information, see the joint HUD and Dept. of Justice guidance memo on reasonable accommodations online at <a href="https://www.usdoj.gov/crt/housing/joint-statement-ra-5-17-04.pdf">www.usdoj.gov/crt/housing/joint-statement-ra-5-17-04.pdf</a>.



# **Complete Section 1 of the Reasonable Accommodation Request Form**

#### Be sure to:

- Write neatly or type using the digital version of the form
- Provide details about your voucher's current bedroom composition, how many bedrooms you are requesting and why



- If an additional bedroom is being requested for medical equipment,
   be sure to list the equipment, its size and function
- Sign the form giving Homes for Good permission to contact your healthcare provider or qualified professional if necessary to process your request



# Read Section 2 of the Reasonable Accommodation Request Form - Definition of Disability

#### **HUD** defines a disability as:

- A physical or mental impairment that substantially 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

This includes both physical and mental impairments including physiological and psychological disorders and conditions.



# Have your Healthcare Provider or Qualified Professional complete Section 3 of the Reasonable Accommodation Request Form

Your healthcare provider or qualified professional should complete this section. They need to:

- Confirm that a disability related need exists
- Provide the estimated duration of the disability related need
- Provide information about which major life activities are impacted by your impairment





- Describe how the additional bedroom will assist you with the limitation posed by a disability, removing barriers to housing and allowing you to fully access and utilize the program
- Provide alternative accommodations that could potentially meet the disability related need if the original request cannot be granted



- Provide information about medical equipment if applicable
- Provide their contact information
- Sign and date the form

Note: While a letter from your healthcare provider or qualified professional may be acceptable, to ensure quick and efficient processing of your request, we recommend using our form, as it includes the necessary information we need to make a determination.



If your disability is known or obvious, and if the need for the requested accommodation is also readily apparent or known, Homes for Good will not require verification from your healthcare provider or qualified professional.



An applicant with an obvious mobility impairment asks for an assigned parking space near the entrance to the building. The disability and the related need are both readily apparent so additional information is not required.

If your disability is known or obvious, but the need for accommodation is not readily apparent or known, we will request only information that is necessary to evaluate the disability related need for accommodation.



A resident who uses a wheelchair requests to keep an assistance dog in their unit despite a "not pets" policy. The disability is apparent, but the need for an assistance animal is not, so we will ask for more information including a statement from a healthcare provider or qualified professional.



If your disability is not known or obvious, we will request information from your healthcare provider or qualified professional to confirm a disability related need exists, and to confirm that the requested accommodation meets this need.



An applicant with a mental health disorder requests to receive digital communications from Homes for Good instead of letters sent via USPS. Since the disability and related need are not apparent, we will ask for more information including a statement from a healthcare provider or qualified professional.





# **Submit the Completed Request to Homes for Good**

Participants and applicants in a voucher program (Housing Choice Voucher, Project Based Voucher, VASH, Emergency Housing Voucher)







# **Submit the Completed Request to Homes for Good**

Residents who live in a Homes for Good managed community

**Eugene, OR 97401** 



**Drop Off** 



## **Respond to Information Requests**



Sometimes we may need more information about your request and your needs. If this happens, we will let you know what information we need.

You can help speed up the process by:

Completing the entire request form, being sure to sign Section 1

Communicating with the ADA Coordinator.

They can help you complete the form if you have questions or need assistance

Making sure your healthcare provider or qualified professional responds to requests for more information in a timely manner



## **Respond to Information Requests**



If we ask for more information and we do not hear from you within 120 days, we will close your case.

If this happens, we will send you a notice with contact information for the ADA Coordinator with instructions on how to reopen your request.



#### **Interactive Discussion**



We may need to talk to you and/or your health care provider/qualified professional about your specific needs, the suggested accommodation and other options that could meet your disability related need.



#### **Decision**



Once we have the information we need, we will make a decision. Our goal is to work with you to provide accommodations that eliminate barriers to housing so you can fully utilize our programs.

Most of our reasonable accommodation requests are approved. However, we may deny your request if:

The request is not made by or on behalf of a person with a disability, or if there is no disability-related need for the accommodation

Providing the accommodation would impose an undue financial or administrative burden

Providing the accommodation would fundamentally change the nature of the program



#### **Decision**



We recognize that you are most familiar with your disability and are in the best position to determine what type of accommodation will be effective to meet a disability related need.

If we deny a request for accommodation, we will discuss other options with you that could meet your disability related need without a fundamental change to our operations and without imposing an undue financial or administrative burden.



#### Resources

**HUD Reasonable Accommodation FAQs** 

Joint Statement - HUD & DOJ - Reasonable Accommodations Under the Fair Housing Act

<u>Joint Statement - HUD & DOJ - Reasonable Modifications Under the Fair Housing Act</u>

**Legal Aid Services of Oregon - Oregon Landlord - Tenant Law** 

**Notice on Service Animals & Assistance Animals for People with Disabilities in HUD-funded Programs** 

**Fair Housing Council of Oregon** 



#### **Common Disability Accommodations & Modifications**

Some common reasonable accommodations and modifications are listed below by disability. Please know that this list is not exhaustive, as each request for accommodation is unique to the individual and their disability related needs.

Vision	Hearing	Cognitive	Physical	Psychiatric	Environmental
Disabilities	Disabilities	Disabilities	Disabilities	Disabilities	Disabilities
<ul> <li>Allow a guide dog</li> <li>Read notices         aloud or put them         in large font or         braille.</li> <li>Provide ample         lighting</li> <li>Provide         documents in         digital format</li> <li>Remove objects         that protrude into         hallways</li> <li>Put non-slip, color         contrast strips on         stairs</li> </ul>	signaler.  Provide a visual smoke alarm system.  Add voice amplification for phones in common areas.  Provide sign language interpreters for important	<ul> <li>Explain the rental agreement &amp; community rules.</li> <li>Write application, rental agreement &amp; notices in simple terms.</li> <li>Show how to use appliances.</li> <li>Provide monthly reminder that rent is due.</li> </ul>	<ul> <li>Ensure the on-site rental office is accessible.</li> <li>Allow a live-in aide.</li> <li>Provide lever door handles &amp; automatic door closers.</li> <li>Clear shrubs from pathways &amp; trim to low height.</li> <li>Allow modifications for wider doorways, ramps, grab bars</li> </ul>	<ul> <li>Allow a service animal.</li> <li>Upon request, notify an authorized third party of compliance issues.</li> <li>Provide assistance with required paperwork.</li> </ul>	<ul> <li>Use non-toxic fertilizers &amp; cleaning products.</li> <li>Allow removal of carpet.</li> <li>Remove the ballast on fluorescent lights.</li> <li>Post "no smoking" signs in common areas.</li> </ul>



#### **Contacts - General**

Greg Frazer
ADA Coordinator
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U.S Dept of Housing & Urban Development Portland Field Office
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#### **Contacts - Rent Assistance**

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#### **Contacts - Property Management**

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## RENT ASSISTANCE - REASONABLE ACCOMMODATION REQUEST FORM — BEDROOM SIZE For Housing Choice Voucher & other voucher-based subsidy programs

He	ead of Household Name:		Last 4 SSN:
Address:		City, State & Zip:	Phone:
	SECTION 1: CLIENT'S REQU	JEST FOR REASONABLE ACCOMMODATION A	UTHORIZING RELEASE OF INFORMATION
Th	is request is for (family membe	r):	Date of Birth:
1.	We currently have a	bedroom voucher and are requesting a	bedroom voucher because:
2.		eing requested for medical equipment, please l sary):	list the medical equipment, its size and function
the imprediction according to the distance of	e client's disability as defined be partial, knowledgeable and qua ease of this information is nece commodation request.  signing below, you authorize the mes for Good Housing Agency	uthority to obtain confirmation that the reasonal elow. To determine whether your request for actified professional to complete Section 3 of this ssary. This information will be held in confidence on the qualified professional to release specific information verify the request for reasonable accommodation of the disable of the disable disable accommodation.	ccommodation is reasonable, we require an form. Therefore, your consent authorizing the ce for use in evaluating the reasonable rmation requested in Section 3 of this form to ation (this form should be signed by the
X_ 5	Signature Authorizing Release of	f Information	Date

If you have any questions, please call Greg Frazer, ADA Coordinator at (541) 682-3404

#### SECTION 2: HUD DEFINITION OF DISABILITY

Section 504 of the Rehabilitation Act of 1973 & Fair Housing Amendments define a "disability" as:

- A physical or mental impairment that substantially limits one or more of the person's major life activities\*
- A record of having such an impairment, or
- Being regarded as having such impairment
- \*Physical & mental impairments including physiological disorders or conditions, and mental or psychological disorders.

#### SECTION 3: HEALTHCARE/QUALIFIED PROFESSIONAL'S CERTIFICATION OF NEED FOR ACCOMMODATION

Dear Healthcare or qualified professional,

We ask that you carefully review this patient's/client's request and verify, using your professional opinion, the existence of an impairment that substantiates the reasonable accommodation request. Requests will be considered on a case-by-case basis, as people with the same disability may not need or desire the same type of accommodation. To help us make an informed decision, please write legibly.

Please note that such accommodations must be necessary as a result of the person's disability as opposed to a change that merely benefits the individual. We ask that you give careful, thought to this matter as this affects the total number of families we can assist.

FOR HEALTHCARE/QUALIFIED PROFESSIONAL TO COMPLETE: This is not a request for medical records or <u>detailed information about the disability</u>. Please limit your remarks to describing the functional limitation(s) and to confirming that the accommodation that is requested above is relevant to the client's need. Thank you.

Pat	tient Name:	Date of Birth:			
1.	Does the individual have a disability, as defined on the previous p	page?	Yes	□No	
	> If you answered "Yes," please answer questions 2-5. this form.	If you answere	d no, please s	ign and return	
2.	Please give us an idea of how long the need will last.				
	Temporary (12 months or less)	anent (lifelong)	Other		
3.	Please describe how the additional bedroom will assist your patie disability, removing barriers to housing and allowing them to fully				_
  4.	It is my professional opinion that:				_ _ _
	a. The request could be met through another type of accommod If yes, please describe (please print):	dation:	Yes	□No	_
	b. If the accommodation request is for medical equipment:				_
	The medical equipment or assistive device listed on page 1, so the medical equipment could be used/stored in a place other the If yes, please describe (please print):			☐ Yes       N ☐ Yes	
ver tes	ertify that it is my professional opinion that the above-named indiving rifiable need for accommodation in order to fully utilize the housing stify regarding the validity of the information provided in this form. In applicable laws, regulations, standard industry processing the standard industry process.	g program. I unde I further certify t	erstand that I co hat my professi	ould be called to	_ 
Pro	ofessional's Name:	Professional's	s License No.:		_
Ad	dress:				_
Pho	one No.:	Fax No.:			
	ofessional's Signature:		Date: _		
Hor	mes for Good Housing Agency 100 W 13th Avenue Fugene OR 97401	(541) 682-3	755 v	www.homesforgood.org	1