

# VILLA MILANO AT RANCHO SIN VACAS HOMEOWNERS ASSOCIATION

## **Procedure for Disabled Owner or Resident to Request Reasonable Accommodation or Reasonable Modification**

Background: Under the Federal and State Fair Housing Acts, an Owner or resident who is disabled may request reasonable accommodation(s) in the Association's rules, policies, practices, or services when such accommodation(s) may be necessary because of his/her disability. In addition, a disabled Owner or resident also may request permission from the Association to make reasonable structural modifications to his/her Dwelling Unit or to Common Areas when those modifications may be necessary because of his/her disability. For more information on the rules pertaining to requests for reasonable accommodation or reasonable modification, please review the *Joint Statement of the Dept. of Housing and Urban Development and the Department of Justice on Reasonable Accommodations under the Fair Housing Act*. You may request a copy of these publications at the Association's management office.

Submittal of Request: A disabled Owner or resident needs to complete the Association's form to request a reasonable accommodation or reasonable modification. The completed form should be delivered or mailed to the Association's management office.

Procedure for Reviewing a Request for Reasonable Accommodation: If a disabled Owner or resident is requesting reasonable accommodation(s) in the Association's rules, policies, practices, or services, the request form will be reviewed by the Board of Directors within 30 days of receipt in the Association's management office, and the Owner or resident will be notified in writing of the Board's decision. If additional information is required by the Board, the review may take longer, and the submitting Owner or resident will be so advised in writing.

Procedure for Reviewing a Request for Reasonable Structural Modification: If a disabled Owner or resident is requesting permission for a reasonable structural modification, the request form will be reviewed by the Association's Architectural Control Committee (ACC). A request for reasonable structural modification needs to include plans and specifications showing details of the proposed modification. The request form will be reviewed by the ACC within 30 days of receipt in the Association's management office, and the Owner or resident will be notified in writing of the ACC's decision. If additional information is required by the ACC, the review may take longer, and the submitting Owner or resident will be so advised in writing. Please note that the requesting party is responsible for the costs of reasonable structural modifications and also is responsible to obtain any necessary building permit(s) and inspections from Pima County.

Guidelines as to when medical documentation is required and what type of medical documentation is required. The Association is entitled to obtain information in order to be able to evaluate if a requested accommodation or modification may be necessary because of the Owner's or resident's disability. If a person's disability is obvious and if the need for accommodation or modification also is apparent, then the Association will not request any additional information about the requester's disability or the related need for the requested accommodation or modification.

If the requester's disability is not obvious, after reviewing the submitted request form, the Association may request reliable information that is necessary to verify that the requester has a physical or mental impairment that substantially limits one or more major life activities (which is the definition of "disability" under the Fair Housing Acts). If information on the requester's disability is requested by the Association, he/she may provide information verifying that he/she meets the foregoing definition of "disability," for example, by submitting proof that he/she is under 65 years of age and receiving Supplemental Security Income, Social Security Disability Insurance benefits, or private disability insurance benefits; or by a credible statement signed by the requester. In addition, a doctor or other medical professional, a peer support group, a non-medical service agency, or a reliable third party who is in a position to know about the requester's disability, may provide verification of a disability.

If the requester's disability is obvious, but the need for the accommodation or modification is not apparent, the Association may request information that is necessary to evaluate the disability-related need for the requested accommodation or modification. In this case, the Association will request reliable disability-related information that is necessary to evaluate the disability-related need for the accommodation. Typically, the requester may provide this information.

**All information received by the Association in conjunction with a disabled Owner's or resident's request for reasonable accommodation or reasonable modification will be kept confidential. If any other resident or Owner inquires as to why a special accommodation appears to have been made, the Association representative's response will be: "a Federal Fair Housing Act reasonable accommodation (or modification) has been granted." No additional information will be provided regarding the nature of the disability.**

**ADOPTED BY THE BOARD OF DIRECTORS OF VILLA MILANO AT RANCHO SIN VACAS HOMEOWNERS ASSOCIATION ON \_\_\_\_\_.**

\_\_\_\_\_  
President