LSG.POL.014
Policy: Responding to a Request for an Accommodation or Modification

Persons Affected

All property personnel

Purpose

To set guidelines for responding to and handling requests by prospects, applicants or residents for Accommodations and/or Modifications to the Lease Agreement, Community Policies, apartment, or amenity.

Policy

The Fair Housing Act prohibits housing discrimination based on an individual's membership in a protected class.

The Fair Housing Act defines Handicap / Disability as:

1. He or she has a physical or mental impairment that substantially limits one or more of his/her major life activities, such as working, walking, talking, hearing, seeing, breathing, learning, performing manual tasks and caring for themselves.

2. He or she has a record of such an impairment.

3. He or she is regarded as having such an impairment.

The term mental or physical impairment may include conditions such as blindness, hearing impairment, mobility impairment, HIV infection, mental retardation, alcoholism, drug addiction, chronic fatigue, learning disability, head injury, and mental illness. Current users of illegal controlled substances, persons convicted for illegal manufacture or distribution of a controlled substance, sex offenders, and juvenile offenders are not considered disabled under the Fair Housing Act, by virtue of that status.

Other individuals who are protected in certain circumstances include people, such as parents, who have an association with an individual known to have a disability.

All requests for reasonable accommodations or modifications, by a prospect, applicant or resident, should be considered and processed as follows:

- Requests for accommodations or modifications should be forwarded to the Property Manager.
• When a prospect or resident makes a request about changing something to the apartment, common areas or a policy, your response should be:

   “We allow reasonable accommodations or modifications for any disabled resident, applicant or occupant who requires them.”

• Use the Request for Reasonable Accommodation or Modification form (FRM.LSG.003) to allow the prospect or resident to make their request.

• Upon receipt of the completed form, submit the Request for Reasonable Accommodation or Modification Form to the Regional Manager for approval. If the request is for a Modification to the premises, the request should then be routed to the Regional Maintenance Supervisor for review and additional approval. The Regional Maintenance Supervisor should approve the plans and contractor that will be performing the work, as well as, any restoration work that will be required upon move out.

• Use the Third-Party Verification form (FRM.LSG.004), if needed, to verify that the person does indeed have a disability, what type of change is needed and how long it will be in effect. If unsure as to whether or not a verification form is needed, request guidance from your Regional Manager as to if the request may be approved without this verification.

• A Third-Party Verification may not be required if the person’s disability is clear (i.e. someone who is restricted to a wheelchair).

• Third-Party Verifications may be completed by persons other than medical care providers, such as counselors, social workers, rehabilitation therapists, peer support group managers, non-medical service agency employees, or other knowledgeable party.

• All forms, addenda and approvals relating to the accommodation or modification must be kept in the Resident File.