

Central Texas Housing Consortium Reasonable Accommodation and Modification Policy

I. Purpose

The Fair Housing Act prohibits discrimination in housing because of a person's race, color, national origin, religion, sex, familial status, or disability. To ensure that persons with disabilities will have full use and enjoyment of their dwellings, the Fair Housing Act makes it unlawful to refuse to make reasonable accommodations in rules, policies, practices, and services when necessary to allow the resident with a disability equal opportunity to use the property and its amenities. It further makes it unlawful to refuse to permit residents with disabilities to make reasonable modifications to either their dwelling unit or to the public and common use areas.

II. Applicability

This policy shall be applicable to all Central Texas Housing Consortium properties.

III. Definitions

A. Reasonable Accommodations - Changes in rules, policies, practices or services to give a person with a disability an equal opportunity to use and enjoy a dwelling unit or common space. Accommodations are "reasonable" when they are practical and feasible.

B. Reasonable Modifications - Physical changes to a unit which are necessary to accommodate a disability. In conventional apartments, reasonable modifications are generally undertaken at the expense of the person with disabilities. However, housing providers who are subject to Section 504 (recipients of federal financial assistance) and/or Title II of the ADA (state and local government activities) generally must provide and pay for reasonable modifications unless to do so would result in "undue financial or administrative hardship". A housing provider may require that funds be set aside to restore the unit to its original condition before the modifications, except for reasonable wear and tear.

IV. Processing Requests for Reasonable Accommodations/Modifications.

The applicant is responsible for requesting a reasonable accommodation or modification. The Consortium will not make assumptions about the specific needs of an applicant with disabilities, and will instead rely on the applicant's request to initiate the process. The request must be submitted in writing explaining the accommodation or modification needed. Supporting documentation must be attached to the letter as it relates to the accommodation or modification requested.

Once the request and required supporting documentation is received, the Consortium will verify that the applicant suffers from a disability as defined in the Fair Housing Act and that the accommodation of the handicap “may be necessary” to afford the applicant an equal opportunity to use and enjoy the dwelling.

A written response, based upon regulatory guidance, will be provided to the applicant stating whether their request is approved or disapproved.

V. Restrictions on processing Reasonable Accommodations/Modifications Requests

The Consortium will not approve reasonable accommodations/modifications requests, at its expense, if other methods of achieving accessibility are effective. In most cases, transfers to available suitably modified units (in the same or other complexes) will be offered as an alternative to reasonable accommodations/modifications requests.

If a reasonable modification request is approved, the modification must be completed in a professional manner under applicable building codes. The Consortium or a contractor approved by the Consortium shall make the modifications.

Applicants may be required to restore the interior of the dwelling to the condition that existed before the modification, reasonable wear and tear excepted. Exterior modifications shall remain as part of the premises.

If a reasonable modification request is approved at the applicant’s expense, the applicant must put money equal to the total cost of the project in escrow before any modifications to the existing unit begin. Upon final completion and acceptance of the work, the escrow money shall be returned to the applicant for payment to the contractor.