

**GREENBELT HOMES,  
INC ADMINISTRATIVE  
POLICY**

**REASONABLE ACCOMMODATION POLICY**

Adopted by the Board of Directors as of February, XX, 2021

**GENERAL**

Greenbelt Homes, Inc. (GHI, or "the Co-operative") takes seriously its responsibilities and obligations under the Fair Housing Laws of the United States and the State of Maryland. These responsibilities and obligations include reasonable accommodations in rules, policies, practices or services and allowing for reasonable accommodations to be made to dwelling units to enable persons with disabilities to fully use and enjoy their dwelling unit, as well the common elements of GHI's property.

The GHI Board of Directors (the "Board") has established the following guidelines and procedures to facilitate the process of making requests for reasonable accommodations and ensure a timely response from the Co-operative. Requests for reasonable accommodation by be made by GHI members, prospective members and other affected individuals. The Co-operative will promptly evaluate, respond, and implement appropriate action on the request.

Note that the Fair Housing laws do not require GHI to pay for reasonable accommodations or provide accommodations that are an undue financial and administrative burden. Whether a particular accommodation will be an undue financial and administrative burden will depend on the facts and circumstances of the individual case. However, the RA Specialist will work with members to determine other funding sources and/or actions that would not result in an undue burden.

**DEFINITIONS**

Unless otherwise provided by Fair Housing laws, the following terms are used in this Policy as defined below.

1. **Accessible.** When used with respect to the public and common use areas of the Co-operative, accessible means that the public or common use areas can be approached, entered, and used by individuals with physical disabilities. The phrase "readily accessible to and usable by" is synonymous with accessible.
2. **Disability:** A disability is (1) a physical or mental impairment, which substantially limits one or more of such a person's major life activities, (2) a record of having such impairment, or (3) being regarded as having such an impairment. Disability does not include the illegal use of or addiction to a controlled substance (as

defined in Section 102 of the Controlled Substances Act (21 U.S.C. § 802)).

3. Reasonable Accommodation. A reasonable accommodation is a change, exception, or adjustment to a rule, policy, practice or service that is generally applicable to everyone so as to make its burden less onerous on a person with disabilities. The Americans with Disabilities Act (ADA) often refers to these types of accommodations as "modifications". It is impossible to determine in advance what, if any, reasonable accommodation is required for any particular situation, since whether an accommodation is "reasonable" is determined by an examination of the facts of the particular circumstances.
4. Reasonable Modification. A reasonable modification is a structural change made to existing premises, occupied or to be occupied by a person with a disability, in order to afford such person full enjoyment of the premises. Reasonable modifications can include structural changes to interiors and exteriors of dwellings and to common and public use areas. It is impossible to determine in advance what, if any, reasonable modification is required for any particular situation since whether a modification is "reasonable" is determined by an examination of the facts of the particular circumstances. For The purposes pf this policy, a reasonable modification is considered a reasonable accommodation.
5. Physical or Mental Impairment: A physical or mental impairment includes (1) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or (2) any mental or psychological disorder, such as developmental disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term physical or mental impairment includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, Human Immunodeficiency Virus infection, developmental disability, emotional illness, drug addiction (other than addiction caused by current, illegal use of a controlled substance) and alcoholism.
6. Undue Burden: An action requiring significant difficulty or expense when considered in light of a number of factors. These factors include the nature and cost of the accommodation in relation to the size, resources, nature, and structure of GHI's operation.

## **REQUESTS FOR REASONABLE ACCOMMODATION**

The GHI General Manager shall designate a Reasonable Accommodation Specialist (RA Specialist) to receive requests for reasonable accommodations. The RA Specialist shall report directly to the General Manager.

All requests for reasonable accommodation must be made to the RA Specialist. The RA Specialist shall log all requests for reasonable accommodation.

Any information provided in a request for reasonable accommodation will be kept confidential. The information will be shared with other persons (e.g., GHI staff or the Board) only if these

persons need the information to make a decision to grant or deny the request or ask that the nature of the requested reasonable accommodation be modified in the event of an undue burden. The reasonable accommodation request, supporting documentation, and any other written documentation associated with the receipt and processing of the request shall be kept in a locked file cabinet and accessible only to the RA Specialist. Any documentation associated with a reasonable accommodation request shall be kept separate from any other member information held by GHI. Documentation associated with a reasonable accommodation request shall be destroyed after seven years.

Although a reasonable accommodation request can be made orally or in writing, it is usually helpful for both the requestor and GHI if the request is made in writing. This will help prevent misunderstandings regarding what is being requested. If the requestor requires assistance in providing a written reasonable accommodation request, the RA Specialist will provide that assistance. The RA Specialist will put any oral requests in writing and may ask the requestor to initial or otherwise confirm the written request.

A reasonable accommodation request can be made directly by a member, prospective member, or unit occupant with a disability; a family member of the person with a disability; or someone else acting on behalf of the person with a disability. All reasonable accommodation requests made by a non-member or non-prospective member must be made with the consent of the member or prospective member that occupies or will occupy the unit to which the reasonable accommodation will be applied.

A reasonable accommodation request must include the following information, at a minimum:

- a. Name of requestor/member.
- b. Name of person with the disability (if not the requestor).
- c. Contact address, phone number, and email address (if any) of the requestor.
- d. Contact address, phone number and email address (if any) of the individual with the disability (if not the requestor).
- e. The disability-related need for the reasonable accommodation.

If a person's disability is obvious, or otherwise known to GHI, and if the need for the requested reasonable accommodation is also readily apparent or known, only the information listed above will be necessary. If the requester's disability is known or readily apparent to GHI, but the need for the accommodation is not readily apparent or known, the RA Specialist may request only that information necessary to evaluate the disability-related need for the accommodation.

If the disability is not obvious, the RA Specialist may ask the following additional information to be provided as part of the reasonable accommodation request.

- a. Information verifying that the person with a disability meets the definition of disability as defined below. This information can be in the form of a credible statement by the person with a disability or provided by a doctor or other medical professional, a peer support group, a non-medical service agency, or reliable third party who is in a position to know about the person's disability.
- b. A description of the needed accommodation.
- c. The relationship between the disability and the need for the requested accommodation.

## REASONABLE ACCOMMODATION SPECIALIST

The RA Specialist shall have sufficient experience and/or training in evaluating requests and collaborating with persons with disabilities.

The RA Specialist will:

- a. Engage with members/requestors who request an accommodation,
- b. Respond in an adequate and proper manner,
- c. Determine if there is need for the request, and
- d. Determine if the request is reasonable.

The RA Specialist shall determine if supporting information is needed to establish that the requestor has a disability. GHI shall be allowed to request only such additional information as is necessary to evaluate the reasonable accommodation request.

The RA Specialist will coordinate with other GHI staff, as needed, to ascertain the degree of difficulty in granting the request, whether the request would result in the need for an exception to an existing rule or regulation of the Co-operative, and/or whether the request will result in an undue financial and administrative burden on the Co-operative.

In determining if the request for reasonable accommodation would present an undue burden, the RA Specialist, in consultation with other staff as needed, will consider the following factors:

- the nature and cost of the accommodation needed;
- the overall financial resources and size of GHI and the effect on expenses and resources of GHI;
- the impact of the accommodation on GHI's operations.

If a particular accommodation would be an undue burden, the RA Specialist will work with the requestor to identify another accommodation that will not pose such a burden. If cost causes the undue burden, the RA Specialist will consider whether funding for an accommodation is available from an outside source and if the cost of providing the accommodation can be offset by state or federal tax credits or deductions.

The RA Specialist shall treat each request as confidential and only provide minimal information to other GHI staff necessary to facilitate this coordination. Should the determination be that the request would require an exception or is an undue burden, the RA Specialist will engage in an interactive dialogue with the requestor to determine if there is an alternative accommodation that would adequately address the requestor's disability-related needs.

In the event that a request for reasonable accommodation is denied, the requestor may appeal directly to the General Manager for reconsideration of the denial. The General Manager will coordinate with the RA Specialist and other GHI staff, as needed, in their reconsideration of the request denial.

The RA Specialist will respond promptly to persons who request a reasonable

accommodation. GHI will handle each request as efficiently as possible. When necessary, the RA Specialist will coordinate with other staff to ensure a smooth process of consideration of a reasonable accommodation request. If the Co-operative is responsible for doing the work to effect the accommodation, that work shall be given priority over similar projects.

The timeframe for approval will vary depending upon the complexity of the accommodation requested. Simple requests such as changing faucet handles can be approved immediately. At the other end of the spectrum are complex requests, such as a request to build an addition of a downstairs bedroom/bathroom that requires exceptions to several rules. This type of request will take the most time. The RA Specialist will work with the requestor to find the simplest solution that will satisfactorily meet the requirements of the needed accommodation.

It is expected that only a small number of reasonable accommodation requests may require approval by the Board of Directors for an exception to GHI's rules and regulations. Board consideration of an exception to GHI's rules and regulations associated with a request for reasonable accommodation will be conducted in an Executive Session to protect the privacy of the member or prospective member with a disability and/or the requestor (if different from the member or prospective member with a disability). The RA Specialist will inform the requester of the Board's decision. If the Board does not approve the exception in whole or in part, the Board, acting through the RA Specialist, will communicate with the requestor to find an acceptable solution that effects the purposes of the Fair Housing laws.

## **COSTS TO IMPLEMENT THE REQUESTED ACCOMMODATION**

The member is responsible for the costs of installing the reasonable accommodation unless the accommodation involves items for which GHI is responsible (e.g., GHI standard plumbing fixtures). The RA Specialist will confer with GHI staff and coordinate with the member regarding the costs for the accommodation for which the member is responsible. The RA specialist will be granted the authority by the General Manager to expend GHI resources, up to a specified dollar amount, without prior approval from the General Manager..

Depending upon the reasonable accommodation requested, the member may need to agree to return the modified premises to its original condition upon transfer of the **membership share** by the member at the member's expense.

## **EXHIBIT A**

**See attached Disability Accommodation Request Form**

## **EXHIBIT B**

### **Confirmation of Disability and Need**

