

BROCKTON HOUSING AUTHORITY

REASONABLE ACCOMMODATION POLICY

The BHA shall make reasonable accommodations as required by law for handicapped/disabled persons to promote the objective of providing equal access to and participation in the public housing programs. Except as otherwise provided in 24 CFR 8.21(c) (1), 8.24(a), 8.25 and 8.31, no individual with disabilities shall be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination because the BHA's facilities are inaccessible to or unusable by persons with disabilities.

POLICIES

1. The 504/ADA Coordinator is Thomas Plouffe, 45 Goddard Road, Brockton, MA 02301- Phone – 508-588-6880, TTY – 800-439-2370 Email – TomP@brocktonha.com, Fax – 508-588-8271.
2. The Brockton Housing Authority does not discriminate on the basis of race, color, religion, national origin, ancestry, sexual orientation, age, familial status, or physical or mental disability in the access or admission to its programs or employment or in its programs, activities, functions or services.
3. The Brockton Housing Authority is covered by Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, Titles II and III, the Fair Housing Act and Massachusetts Chapter 151B as well as other state and local fair housing acts which require reasonable accommodation to persons with disabilities as defined in those laws.
4. The Brockton Housing Authority will make a reasonable accommodation for people with disabilities when an accommodation is necessary to insure equal access to the Brockton Housing Authority, its amenities, services and programs. Reasonable accommodations include changes to the building, grounds or an individual unit and changes to policies, practices and procedures.
5. Accommodations will be made up to the point of structural infeasibility, undue financial and administrative burden or requiring changes fundamental to the program. If the Brockton Housing Authority cannot afford the full cost of an accommodation, the Brockton Housing Authority will meet with the resident to determine the best way to use the funds that are available to address the barrier.
6. The definition of a person with a disability for purposes of a reasonable accommodation follows the definition in Section 504, the ADA, the federal Fair Housing Act, Massachusetts Chapter 151b and any other applicable statutes: a person with a physical or mental

impairment that substantially interferes with one or more activities of daily living, has a history of such an impairment or is regarded as having such an impairment.

7. Notice of the right to reasonable accommodation shall be posted in the management office(s) and included with all applications, lease violation notices, eviction notices and recertifications. Such a notice will also be included in the Resident Handbook and other relevant resident publications. Such notices shall be in large print and posted or included in a manner that is readily seen by persons with all disabilities. Such notices will also be available in other formats for persons who cannot read them.
8. Reasonable accommodation requests will be processed in the order in which necessary documentation is received.

PROCEDURES

The following procedures set out the means by which applicants and tenants may request accommodations and the guidelines that the BHA will follow in determining whether it is reasonable to provide a requested accommodation. Because disabilities are not always apparent, the BHA will ensure that all applicants/tenants are aware of the opportunity to request reasonable accommodations. The BHA acknowledges that any statement made to a BHA staff member that could reasonably be considered a Reasonable Accommodation request will be treated as such.

The BHA also acknowledges that requests for a Reasonable Accommodation are not required to be made in writing and that individuals may submit their reasonable accommodation request(s) in writing, orally, or by any other equally effective means of communication. However, the BHA will ensure that all reasonable accommodation requests that cannot be made in writing by the requestor will be reduced to writing by BHA staff and will be logged.

If needed as a reasonable accommodation, the BHA will assist the individual in completing the Request Form. A request for a Reasonable Accommodation made by an applicant to any staff member shall be conveyed by that staff member to the Tenant Selection Supervisor who shall reduce the request to writing if the request is not already in writing.

A request for a Reasonable Accommodation/Modification made by a resident to any staff member shall be conveyed by that staff member to that development's Asset Manager who shall reduce the request to writing if the request is not already in writing.

A request for a Reasonable Accommodation made by a Housing Choice Voucher Participant to any staff member shall be conveyed by that staff member to Section 8 Administrator who shall reduce the request to writing if the request is not already in writing.

1. Applicants or residents may make Reasonable Accommodation requests at any time and may make them verbally although for reasons of clarity for both parties, the Brockton Housing Authority recommends filling out a written Reasonable Accommodation Request Form for all but routine requests. The forms may be obtained from the Brockton Housing Authority 45

Goddard Road Brockton, MA 02301, 1090 Main Street Brockton, MA 02301, and/or any of the Asset Manager's Office. Staff will assist applicants or residents who need such assistance and will accept requests in alternate format if necessary because of a disability.

2. All requests will be processed by the 504/ADA coordinator, Thomas Plouffe, 45 Goddard Road, Brockton, MA 02301- Phone – 508-588-6880, Fax – 508-588-8271, TTY 800-439-2370, Email – TomP@brocktonha.com.
3. When the disability is obvious or known to the staff of the residence, documentation of the disability will not be required. When the need for the requested accommodation is obvious or known to the staff of the residence, documentation of the need for the accommodation will not be required. When the disability and/or need is not obvious or known to residence staff, requests will require verification of disability status, need for equal access, and/or when relevant, likelihood that the request will resolve problem.
4. When documentation is necessary, Brockton Housing Authority strongly recommends that applicants or residents use Brockton Housing Authority verification form in order to avoid delays. Management reserves the right to require documentation on a verification of need and release form provided by Brockton Housing Authority if other forms of documentation are not sufficient to document need. It is the applicant's or resident's responsibility to secure such documentation or to give Brockton Housing Authority the information necessary to secure such documentation. Documentation must come from a reliable source with sufficient professional and personal knowledge of the applicant/resident to answer the applicable questions.
5. As soon as the 504/ADA coordinator receives a Reasonable Accommodation request, he or she will send applicant's request, verification of need and release form along with a cover letter explaining reasonable accommodations standards and process to the verification source identified by the applicant or resident for verification.
6. Management has the right to sufficient documentation to make a decision, but does not have a right to diagnosis, medical history or treatment unless directly relevant to a reasonable accommodation request, for example chemical sensitivity to certain materials.
7. The 504/ADA coordinator will approve or disapprove a reasonable accommodation request as soon as possible, but within 10 working days if there is no verification required or within 10 working days of receiving sufficient verification to make a decision.
8. NOTE: In some complex cases, a meeting with applicant/resident, and any service providers or other technical assistance sources may be the best way to identify the best solution. Applicants or residents may bring anyone they consider helpful to such a meeting. Such meetings will be arranged as soon as possible at a mutually agreeable time for all participants.
9. If the applicant/resident meets the eligibility definition and the necessity and likely effectiveness of an accommodation is known or documented, the manager will implement the

change as soon as possible, but no later than 10 working days from the time of the decision or as soon as is reasonably possible for items requiring bids, construction, special equipment, etc. Management will notify applicant/resident of reasons for delay and estimated completion time for such requests.

10. If the 504/ADA coordinator believes, based on evidence, that a request is structurally infeasible, poses an undue financial and administrative burden or requires a fundamental change in the nature of the program, they will consult the Executive Director before making a final decision.
11. If the Brockton Housing Authority finds that the request poses an undue financial and administrative burden, they will notify applicant/resident and offer to make changes that do not pose such a burden. This could include paying for a less expensive partial accommodation, combining Brockton Housing Authority funds with resources the applicant/resident may find or waiting until a later time when more funds are available. Any agreement for a partial or delayed accommodation should be in writing or in an alternate permanent format. Applicant/resident may request documentation of basis for determining undue burden.
12. If the Brockton Housing Authority finds that the request is not structurally feasible or requires a fundamental change in the nature of the program, management will give applicant/resident a written explanation and will discuss and carry out any reasonable alternatives that do not require an undue financial and administrative burden or a fundamental change in the nature of the program.
13. If a reasonable accommodation request is denied for any reason, the 504/ADA coordinator will notify applicant and will include in the denial notification a written or alternate format notice of the right to a grievance hearing and the procedures for requesting one. If an applicant/resident disagrees with a reasonable accommodation decision, they may request a grievance hearing by asking the 504/ADA coordinator either verbally or in writing or some alternate format within 10 working days of receiving the decision.
14. Upon request, the 504/ADA coordinator will arrange a grievance hearing with an uninvolved [company or housing authority] official within 10 days of the request at a mutually agreed upon time. The applicant/resident may bring any other person(s) she deems necessary to present her case. The rules of evidence will not apply, but all parties will have opportunity to present documentation of the request and reasons for denial. The grievance official will issue a final written or alternate format decision to all parties within 10 days of the hearing.
15. If, with or without a grievance hearing, an applicant/resident agrees to something other than the request, applicant/resident will sign or otherwise record approval of such an agreement.

10/18/2022