

Chapter 2

FAIR HOUSING AND EQUAL OPPORTUNITY

INTRODUCTION

This chapter explains the laws and HUD regulations requiring PHAs to affirmatively further civil rights and fair housing in all federally-assisted housing programs. The letter and spirit of these laws are implemented through consistent policy and procedures. The responsibility to further nondiscrimination pertains to all areas of the PHA's public housing operations.

This chapter describes HUD regulations and PHA policies related to these topics in three parts:

Part I: Nondiscrimination. This part presents the body of laws and regulations governing the responsibilities of the PHA regarding nondiscrimination.

Part II: Policies Related to Persons with Disabilities. This part discusses the rules and policies of the public housing program related to reasonable accommodation for persons with disabilities. These rules and policies are based on the Fair Housing Act (42.U.S.C.) and Section 504 of the Rehabilitation Act of 1973, and incorporate guidance from the Joint Statement of The Department of Housing and Urban Development and the Department of Justice (DOJ), issued May 17, 2004.

Part III: Prohibition of Discrimination Against Limited English Proficiency Persons. This part details the obligations of the PHA to ensure meaningful access to the public housing program and its activities by persons with limited English proficiency (LEP). This part incorporates the Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition against National Origin Discrimination Affecting Limited English Proficient Persons published January 22, 2007, in the *Federal Register*.

PARK CITY COMMUNITIES NONDISCRIMINATION POLICY

It is the policy of the Housing Authority of the City of Bridgeport (“HACB”), doing business as Park City Communities (collectively, “Park City Communities”), to comply with all fair housing and civil rights requirements by ensuring that units are available to all persons without regard to race, color, religion, national origin, sex, familial status, or disability, and other protected classes under federal, state, and local law. This policy means that, among other things, Park City Communities and all its agents, employees, and contractors with the responsibility for renting, managing, or administering any dwelling units must not discriminate in any aspect of the rental of dwellings against qualified applicants, residents, and other individuals because of race, color, religion, national origin, sex, familial status, or disability, among others.

Any resident who believes that this Nondiscrimination Policy has been violated by any individual affiliated with Park City Communities should first contact the Disability Rights Coordinator to resolve the issue within the Park City Communities organization, if possible. Alternatively, residents may contact the U.S. Department of Housing and Urban Development at **(800) 827-5005** or **(617) 994-8300**, or the Connecticut Commission on Human Rights and Opportunities at **(860) 541-3400**.

LEGAL AUTHORITY

This Policy seeks to implement the statutory authorities listed below:

1. Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794 *et seq.* (Section 504);
2. Americans with Disabilities Act of 1990, as amended, 42 U.S.C. § 12101 *et seq.* (ADA);
3. Title VIII of the Civil Rights Act of 1968, as amended, 42 U.S.C. 3601 *et seq.* (the Fair Housing Act);
4. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d *et seq.* (Title VI)
5. 24 C.F.R. parts 1, 5, 8, 100, and 28 C.F.R. part 35; and
6. Connecticut Fair Housing Act (Connecticut General Statutes Sections 46a-64b).

REASONABLE ACCOMMODATION POLICY

Park City Communities is dedicated to ensuring that its policies and practices do not deny persons with disabilities an equal opportunity to participate in, or benefit from, nor otherwise discriminate against persons with disabilities in connection with the operation of Park City Communities’ housing services, programs, and activities. Therefore, if an individual with a disability may need an accommodation, such as an accessible feature or modification to Park City Communities rules, policies, practices, services, or facilities, Park City Communities will provide such accommodation, at its own expense, unless Park City Communities establishes that doing so would result in a fundamental alteration in the nature of the program or an undue financial and administrative burden. In such a case, Park City Communities will make every effort to offer another accommodation that would not result in a fundamental alteration or an undue financial and administrative burden and that would be effective in meeting the disability-related needs of the individual.

A copy of the Housing Authority's Reasonable Accommodation Policy will be publicly available and posted in a conspicuous location in a public area at each public housing development and at the Housing Authority's Main Administrative Office at 150 Highland Avenue, Bridgeport, Connecticut 06604.

REASONABLE ACCOMMODATION POLICY APPLICATION

This Policy applies to individuals with a disability participating or seeking to participate in the following programs provided by Park City Communities:

1. Applicants for Public Housing;
2. Applicants for the Housing Choice Voucher Program;
3. Residents of Public Housing developments;
4. Participants of the Housing Choice Voucher Program;
5. Participants in all other programs or activities receiving federal financial assistance that are conducted or sponsored by the Housing Authority; and
6. Any other individual with a disability who seeks to participate in or benefit from any program or activity operated by Park City Communities.

DISABILITY RIGHTS COORDINATOR (DRC)

The Disability Rights Coordinator is responsible for maintaining compliance with disability rights laws, regulations, and requirements, including this Policy, and all matters relating to reasonable accommodations. The DRC shall be available to applicants, residents, participants, and staff for discussing issues and questions regarding the interpretation or implementation of this Policy. The DRC is the designated Park City Communities employee for receiving disability-related complaints.

The DRC's contact information is provided below:

Director of Legal Services
150 Highland avenue
Bridgeport, CT 06604

DEFINITIONS

Person with a Disability means any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such an impairment as defined in 42 U.S.C. § 12102.

Reasonable accommodation is defined as a change, adjustment, modification, exception, alteration or adaptation in a policy, procedure, practice, program, service, activity, facility, or dwelling unit or public or common use area that may be necessary for a qualified individual with a disability to have an equal opportunity to:

1. Use and enjoy a dwelling, including public and common use areas of a development;
 2. Participate in, and benefit from, a program (housing or non-housing), service, or activity;
- or
3. To avoid discrimination against a person with a disability.

A reasonable accommodation includes any physical or structural change to a housing unit or

public or common use area that would be considered a reasonable modification for purposes of the Fair Housing Act.

WHERE DO YOU MAKE A REASONABLE ACCOMMODATION REQUEST?

The DRC is responsible for all matters relating to reasonable accommodation requests; however, applicants, tenants, and members of the public can make such requests at the site location by submitting requests to their Certified Occupancy Specialist (COS) or Housing Manager (PHM) at their individual development site location. Park City Communities will process reasonable accommodation requests made to any member of its staff.

Applicants should make requests by submitting the request to the Resident Selection Office at 301 Bostwick Avenue, Bridgeport, CT 06605.

A person with a disability can request a reasonable accommodation at any time. Park City Communities will process and respond to each reasonable accommodation request consistent with this Policy regardless of an applicant's or tenant's standing with the housing authority.

HOW DOES A PERSON REQUEST A REASONABLE ACCOMMODATION?

A person may request an accommodation at any time during tenancy or during the application process. Members of the public may also seek reasonable accommodations to participate in services, programs, and activities of Park City Communities. A person may request an accommodation in writing, orally, or through a third party by completing the "Request for Accommodation" form. This form is available at all Park City Communities public offices and property management offices, and on its website at www.parkcitycommunities.org/. Park City Communities staff are available to assist individuals with disabilities in completing forms and making requests. When an individual makes an oral reasonable accommodation request, Park City Communities staff will document the request as specified in this Policy.

Reasonable accommodation requests are processed in the order they are received by the DRC. If additional information or documentation is required, DRC will notify the requester for a reasonable accommodation in writing. If the DRC does not receive the requested information within fifteen - (15) calendar days, the request for a reasonable accommodation will be closed. If the supporting document is submitted after 15 business days PCC will reopen the request previously made and proceed with the review process.

When an individual is requesting an accommodation, it is unnecessary for the individual to use any particular words such as "reasonable accommodation" or "disability." When Park City Communities receives any request for accommodation that may be necessary because of a physical or mental impairment, Park City Communities staff will properly document the request in a Reasonable Accommodation Log and will provide a decision regarding the request in an appropriate time frame relative to the request, but in all circumstances, no later than 30 business days. All decisions will be communicated in writing, or if necessary to ensure effective communication, in an alternative format in order to communicate the decision to the applicant/resident. If a person makes an accommodation request that we can readily resolve on-

the-spot, then Park City Communities staff will immediately do so, and will provide a written summary of the accommodation provided in the Reasonable Accommodation Log and the tenant's case file.

EXAMPLES OF REASONABLE ACCOMMODATIONS WITHIN THE HOUSING CHOICE VOUCHER PROGRAM:

Examples of reasonable accommodations within HCVP may include, but are not limited to:

1. Allowing a live-in aide for a resident or program participant with a disability to reside in an appropriately sized housing unit.
2. Making documents available in larger type, computer disc or Braille.
3. Providing an additional bedroom for a disabled family member's medical equipment.
4. Providing qualified sign language interpreters for applicants, residents and program participants at appointments with Housing Authority staff, Resident Council meetings, or Housing Authority Board of Commissioners meetings.
5. Permitting an outside agency or family member to assist an applicant, resident or program participant with a disability in meeting screening criteria or meeting essential lease obligations; and
6. Permitting requests for extensions of Housing Choice Vouchers if there is a difficulty in locating a housing unit with suitable accessible features or that is otherwise appropriate for the family that has a family member with a disability.
7. Allowing applicants from the waiting list to waive the portability requirements at initial lease up due to disability.

EXAMPLES OF REASONABLE ACCOMMODATIONS/ MODIFICATIONS WITHIN THE PUBLIC HOUSING PROGRAM

Examples of reasonable accommodations may include, but are not limited to:

1. Making an offer to transfer a resident with a disability to a comparable, appropriately sized housing unit with the required accessibility features;
2. Making a housing unit, part of a housing unit, or public and common use areas accessible for an individual with a disability;
3. Permitting a family to have an emotional support animal or service animal to assist a household member with a disability;
4. Allowing a live-in aide for a resident or program participant with a disability to reside in an appropriately sized housing unit, including a family member who serves as a live-in aide;

5. Providing a unit with an extra bedroom which may be needed to accommodate a person's disability;
6. Transferring a resident with a disability who is participating in the Public Housing program to accommodate a disability-related need, such as transferring a person with a disability to a different development to accommodate a disability-related need (*e.g.*, transfer to a ground floor level unit or building with an elevator for a person with a mobility disability);
7. Making documents available in larger type, via an accessible electronic file, or Braille;
8. Providing qualified sign language interpreters for applicants, residents and program participants at appointments with Housing Authority staff, Resident Council meetings, or Housing Authority Board of Commissioners meetings;
9. Installing smoke detectors, strobe type flashing lights and/ or other such emergency equipment for a household member with a hearing impairment;
10. Permitting an outside agency or family member to assist an applicant, resident, or program participant with a disability in meeting screening criteria or meeting essential lease obligations;
11. Adjusting the date when rent is due so it aligns with the receipt of a disability-related benefit such as Social Security Disability Insurance or Supplemental Security Income received by a person with a disability;

PLEASE NOTE: BECAUSE A REASONABLE MODIFICATION INVOLVES A STRUCTURAL CHANGE MADE TO AN EXISTING PREMISES, PARK CITY COMMUNITIES IS ONLY ABLE CONSIDER REQUESTS FOR REASONABLE MODIFICATIONS ON PROPERTIES THAT IT OWNS OR CONTROLS. ACCORDINGLY, PARK CITY COMMUNITIES IS UNABLE TO CONSIDER REQUESTS FOR REASONABLE MODIFICATIONS IN THE HOUSING CHOICE VOUCHER PROGRAM

PARK CITY COMMUNITIES GENERAL PRINCIPLES FOR PROVIDING REASONABLE ACCOMMODATIONS

The following are general principles that provide a foundation for the Reasonable Accommodation Policy and which Park City Communities staff shall apply when responding to requests for reasonable accommodations within all Park City Communities housing programs.

- a. Park City Communities recognizes that persons with disabilities are generally in the best position to know whether or not a particular accommodation will be effective in meeting his or her needs.
- b. The person requesting the accommodations need not be the person with a disability; other individuals may request an accommodation on behalf of an individual with a disability (for example, one member of a household may request an accommodation on behalf of a household member who has a disability).
- c. The procedure for evaluating and responding to requests for reasonable accommodation relies on a cooperative relationship and generally requires an interactive process between Park City Communities and the applicant/resident. This process is **NOT** adversarial.

- d. If the requested accommodation is reasonable, meaning that the accommodation may be necessary to allow the individual with a disability equal participation in and benefit of Park City Communities services, programs, and activities, Park City Communities will grant it.
- e. Park City Communities will grant the request for a reasonable accommodation only to the extent that an undue financial and administrative burden is not created (i.e., significant administrative burden and expense considering all of the resources available to Park City Communities), or where a fundamental alteration (changing the essential nature of the service, program, or activity) would result.
- f. If an accommodation would result in an undue financial and administrative burden or in a fundamental alteration, Park City Communities will nonetheless provide any other reasonable accommodation that may be necessary to allow the individual with a disability to have full and equal participation in Park City Communities services, programs, and activities and which is not an undue financial and administrative burden or fundamental alteration.
- g. All written documents required by or as a result of the Reasonable Accommodation Policy must contain plain language and be in any necessary appropriate alternative formats in order to communicate information and decisions to the individual with a disability.
- h. Any required meetings with a person with a disability will be held in an accessible location.
- i. Park City Communities will provide assistance to individuals with disabilities in completing the reasonable accommodation process, including assisting individuals with in filling out or using forms.

TRANSFER AS A REASONABLE ACCOMMODATION FOR A PUBLIC HOUSING DEVELOPMENT

Once a reasonable accommodation request is granted, and a available unit that meets the needs of the requestor is offered, the requestor has five (5) business days to accept the offer.

- a. The requestor may reject the offer for good cause, in which case PCC will extend a new offer to the requestor.
- b. In order to demonstrate good cause for rejecting an offer, the requestor must be willing to document one of the situations below:
 - i. The offer is inappropriate to meet the medicals needs identified in the reasonable accommodation request.
 - ii. The requestor is willing to accept the offer, but is unable to do so at the time of the offer because of temporary hospitalization or recovery from illness of the head of household, other household members or live-in aide;

- c. If the requestor cannot demonstrate good cause for rejecting the offer, PCC will consider the request for reasonable accommodation closed.
 - i. PCC will promptly notify the requestor of the decision to consider the reasonable accommodation request closed and that the requestor did not have good cause to reject the offer.
 - ii. The notice shall include their right to request a review before the Appeals Officer.

PARK CITY COMMUNITIES PROCEDURES AND STANDARDS FOR PROCESSING REASONABLE ACCOMMODATION REQUESTS

PROCEDURE #1 – COMMUNICATION WITH APPLICANTS AND RESIDENTS

- a. At the time of application, all applicants will be advised of their right to request a reasonable accommodation and upon the applicant's request, the Request Form must be provided in an equally effective format. Park City Communities is responsible for informing all residents that a request may be submitted for reasonable accommodations for an individual with a disability.
- b. A resident may submit a reasonable accommodation request in writing or orally to any member of Park City Communities staff. All residents will be provided the Request Form at the time the reasonable accommodation request is made, or the Park City Communities staff will document any oral request as detailed by this policy.
- c. Upon receiving the request, Park City Communities will promptly respond to the request. The DRC will have up to 20 business days to review the request and make a determination, except when such accommodations should easily be granted or resolved. When an individual's disability or the need for a requested accommodation is not readily apparent or otherwise known to Park City Communities, we may ask for additional information or, when necessary, for documentation. If additional information or documentation is required, a written request should be issued to the individual making the request using the "Request for Information or Verification" form. Such requests for information or verification will be narrowly tailored. Information and verification requests, and the information received in response, will be held confidentially by Park City Communities and will only be disclosed to staff with a need to know. The need to make certain reasonable accommodations is obvious. In such circumstances, Park City Communities will not require documentation and will immediately grant the request.
- d. The process for requesting and receiving reasonable accommodations should be straightforward and not burdensome. Park City Communities will grant or deny the request within no more than 20 business days after receiving all needed information and documentation from the requesting individual. All decisions to grant or deny reasonable accommodations will be communicated in writing or if required, in an alternative, accessible format in order to communicate the decisions to the applicant/resident.

Exceptions to the 30 business day period for notification of Park City Communities' decision on the request should be provided to the resident in writing setting forth the reasons for the delay.

If the request is approved, but cannot be honored at the time of determination, Park City Communities will notify the resident or program participant. Park City Communities will make every effort to provide interim accommodations, described in the Letter Approving Request for Reasonable Accommodations, until such time that the request can be fully effectuated.

- e. In the event a reasonable accommodation request is denied, residents and program participants have a right to appeal and must do so in writing within 14 business days of receipt of the letter memorializing the denial. Park City Communities will honor extensions where there is good cause. Park City Communities will follow up with the resident or program participant advising the family of their hearing date. Families should attend the hearing with all appropriate supporting documentation. An appeal may also be submitted as a complaint to the U.S. Department of Housing and Urban Development or Connecticut Commission on Human Rights.

PROCEDURE #2 – SEQUENCE FOR MAKING DECISIONS

1. Is the applicant/resident an individual with a disability, meaning that such individual is actually an individual with a disability, has a record of being a person with a disability, or is regarded as having a disability as set forth in 42 U.S.C. 12102?
 - a. If **NO**, Park City Communities is not obligated to make a reasonable accommodation; therefore Park City Communities may deny the request.
 - b. If **YES**, go to Step 2.
 - c. If more information is needed, and the disability is not readily apparent or otherwise known to Park City Communities, Park City Communities will contact the requesting individual using the Request for Information or Verification form or will request a meeting using the standard Request for Meeting Letter.
2. Is there a nexus between the requested accommodation and the disability?
 - a. If **NO**, Park City Communities is not obligated to make the accommodation; therefore, Park City Communities may deny the request.
 - b. If **YES**, go to Step 3.
 - c. If more information is needed, Park City Communities will contact the requesting individual using the Request for Information or Verification form or will request a meeting using the standard Request for Meeting Letter.
3. Is the requested accommodation reasonable? This determination will be made by following Procedure #3 – Guidelines for Determining Reasonableness
 - a. If **YES**, Park City Communities will approve the request for reasonable accommodation. A written description of the accommodation will be prepared and included in the Letter Approving Request for Reasonable Accommodations.
 - b. If **NO**, Park City Communities may deny the request. A statement of the reasons for the denial of the request shall be included in the Letter Denying Request for Reasonable Accommodation.

- c. If more information is needed, Park City Communities will contact the requesting individual using the Request for Information or Verification form or will request a meeting using the standard Request for Meeting Letter.

PROCEDURE #3 – GUIDELINES FOR DETERMINING REASONABLENESS

1. Park City Communities will consider the requested method for providing reasonable accommodations for an individual with a disability. Park City Communities may require the individual with a disability to provide further information to demonstrate that the requested accommodation may be necessary for the individual to use and enjoy their housing, to access or participate in Park City Communities programs and services on an equal basis with persons who do not have disabilities, or to otherwise avoid discrimination. There must be a relationship (i.e., nexus) between the nature of the person's disability and the accommodation requested. Park City Communities may offer equally effective alternatives to the requested accommodation, and/or alternative methods for providing the requested accommodation. Residents or applicants are not required to accept an alternative accommodation that does not meet his or her needs. Park City Communities recognizes that persons with disabilities are generally in the best position to know whether or not a particular accommodation will be effective in meeting his or her needs.
2. Requests for reasonable accommodations will be considered on a case-by-case basis. Decisions regarding reasonable accommodations will be in compliance with all applicable nondiscrimination and accessibility laws and requirements. Additionally, in those circumstances where Park City Communities determines that a proposed reasonable accommodation would fundamentally alter the essential nature of a service, program, or activity, or would result in undue financial and administrative burdens, Park City Communities has the burden of proving that such result(s) would actually occur.
3. The responsibility for the decision that a proposed reasonable accommodation would result in such alteration or burdens shall rest with the Executive Director or his/her designee after considering all resources available for use in the funding and operation of the service, program, or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action would result in such an alteration or such burdens, Park City Communities shall propose any other action that will not result in or require fundamental alteration or undue financial and administrative burden.
4. Park City Communities is obligated to provide accommodations for an individual with a disability provided that the requested accommodation is not an undue and financial administrative burden.

The determination of undue financial and administrative burden will be determined on a case-by-case basis. Relevant factors include:

- a. The administrative cost and burden of the requested accommodation in comparison with the administrative cost of regular operations,
- b. Limits or availability of Park City Communities' overall resources;
- c. The benefits that the accommodation would provide the family,

- d. The availability of other, less expensive, alternative accommodations that would effectively meet the family's disability-related needs, and
 - e. The possibility of recouping costs from another source.
5. Individuals with disabilities cannot be required to pay for any costs associated with reasonable accommodations.

VERIFICATION

Park City Communities may verify that applicants are eligible for the housing for which they are applying. In the case of housing that provides services specifically for individuals with disabilities, Park City Communities may only verify a person's disability to the extent necessary to ensure the applicants are qualified, provided such housing is legally authorized by federal statute to provide services specifically for individuals with disabilities. Park City Communities may also verify a person's disability to the extent necessary to ensure that applicants are qualified for the accessibility features in the unit for which they are applying; that applicants are qualified for deductions used in determining adjusted income; that applicants are entitled to any preference they may claim; and that applicants or tenants who have requested a reasonable accommodation have a need for the requested accommodation. Park City Communities may not request or require applicants or tenants to provide access to confidential medical records in order to verify a disability nor may Park City Communities request or require specific details as to the disability. Unless the disability or disability-related need are readily apparent or otherwise known to Park City Communities, Park City Communities may require documentation that there is a disability that causes a need for a specific accommodation or accessible unit. Park City Communities may not ask what the specific disability is.

Park City Communities may request the minimum information or verification that is necessary in order to decide whether the reasonable accommodation request should be granted or denied. Park City Communities' "Request for Information or Verification" form includes all of these necessary information/verification requirements. This form is designed to provide the additional information that Park City Communities needs to evaluate the reasonable accommodation request, without requesting information about the nature or severity of a person's disabilities or other intrusive requests, in accordance with the requirements of the Fair Housing Act, Section 504, and the ADA.

Individuals are welcome to submit a letter from a medical or social service professional verifying that an individual has a disability and the connection between the disability and the requested accommodation, but Park City Communities may not require that the resident or program participant have a physician or licensed practitioner submit any information. Further, verification may come from the individual or someone else with knowledge of the individual's disability and need for the accommodation. Information from the individual, such as a determination of disability by the Social Security Administration or a credible statement of need for the requested accommodation, may provide sufficient information to enable Park City Communities to grant or deny the request. Park City Communities will ensure that any documentation is contained in the Reasonable Accommodation Log, which has security and confidentiality measures, including

who may and may not access the information contained in the log.

PARK CITY COMMUNITIES' REASONABLE ACCOMMODATION FORMS

Park City Communities has developed standard forms for all procedures relating to requests for reasonable accommodation . These forms include:

- The **Request for Reasonable Accommodation** form. This form asks the participant to describe the accommodation requested.
- The **DRC-Completed Reasonable Accommodation** form. This form is to be completed by the DRC if a requester is unable or chooses not to complete the written form.
- A **Request for Information or Verification** form. This form should be used when Park City Communities needs more information when evaluating a reasonable accommodation request.
- A **Letter Approving Request for Reasonable Accommodations** template. This letter should be sent to the individual requesting the accommodation, describe the accommodation being provided, and a copy placed in the case file.
- A **Letter Denying Request for Reasonable Accommodations** template. This letter should be sent to the individual requesting the accommodation, describe the reasons for the denial, and a copy placed in the case file.
- A **Request for Meeting Letter**. This letter should be used when a meeting between Park City Communities and the individual requesting the accommodation is needed to evaluate the request in a cooperative manner.

A copy of these forms will be provided to program participants when making a reasonable accommodation request, in hearings, at briefings and during annual re-certifications. These forms will also be included in the public housing lease packet.

These forms and this Policy are available at all Park City Communities offices, including Park City Communities' main office at 150 Highland Avenue, and Park City Communities' property management offices, as well as on Park City Communities' website. They are also available by contacting the DRC, at the contact information provided above. If an applicant, resident, or program participant has a disability that prevents them from picking up a packet; one can be mailed to them.

Park City Communities will document all stages of the process for reasonable accommodations for the following reason: In many cases, an accommodation request requires take measures or make exceptions to policy that we can only provide as a reasonable accommodation of disability and could not provide to other program participants.

DOCUMENTING REASONABLE ACCOMMODATION REQUESTS

Reasonable Accommodation requests will be kept in the Reasonable Accommodations Log, as well as resident and program participant case files. Individual and multiple requests will also be kept in the tenant file. Park City Communities will document any accommodation requests received orally in the tenant files. All communications, including approvals or denials of reasonable accommodations requests will be maintained in the tenant file. Any denial of a reasonable accommodation request, in whole or in part, must state with specificity all of the

reasons for the denial. Information, including any confidential medical verification that is provided to Park City Communities will be maintained by the DRC in secure files that are separate from tenant files.

HCV NOTIFICATIONS AND PROCEDURES

The above procedures provide for multiple written notices to families, at multiple stages of the reasonable accommodation process.

In the Section 8 program, families do not reside on the premises of PIH developments. Therefore, there is minimal interaction with staff. In previous years, Park City Communities staff have conveyed notice to families through regular contact such as phone calls rather than through written notice in order to serve families more quickly. It has been Park City Communities' aim to make a determination regarding an accommodation request more quickly, for the benefit of the family. However, this may leave room for error or delay in acting on a specific request. Therefore, effective immediately all correspondence must be issued in writing and copies must be placed in individual case files. Park City Communities HCV Case Managers should be advising Park City Communities program participants to forward copies of reasonable accommodation requests made to landlords to their Case Managers to document the case file. Park City Communities is in no way halting communication with program participants via telephonic means of communication. Staff should continue to utilize the telephone as a source of communication while following up with written correspondence.

IF A FAMILY DISAGREES WITH PARK CITY COMMUNITIES' DETERMINATION

If a family disagrees with Park City Communities' determination regarding their request for an accommodation of disability, the family should contact the DRC directly to schedule a grievance hearing at the contact information stated above. Park City Communities' aim is to help our families as much as we can.

According to Park City Communities' Grievance Procedures, the family should make a written request for a grievance hearing within 14 business days. Upon Park City Communities' receipt of the written grievance, Park City Communities may attempt resolution through an informal conference. Grievances that are not resolved through an informal conference may proceed to a formal grievance hearing with the Asset Management Director.

RIGHT TO APPEAL DENIAL TO HUD

Applicants, residents, and participants may at any time exercise their right to appeal a Housing Authority decision through a fair housing complaint filed with the local HUD office:

**United States Department of Housing and Urban Development
Office of Fair Housing and Equal Opportunity
Thomas P. O'Neill Jr. Federal Building
10 Causeway Street
Room 321
Boston, MA 02222
(800) 827-5005 or (617) 994-8300**

FAX: (617) 565-7313
TTY: (617) 565-5453
Email: Complaints office 01@hud.gov

COMPLAINT POLICY

Park City Communities is committed to resolving complaints by applicants and tenants. Park City Communities will receive and respond to any disability-related complaints about accessibility, discrimination, and reasonable accommodations by a resident or prospective resident. Complaints will be directed to the Disability Rights Coordinator (“DRC”), or another Park City Communities agent or employee, who will promptly forward the complaint to the DRC.

The procedures for resolving complaints is as follows:

1. Within 2 business days after a disability-related complaint is received, Park City Communities will commence an investigation, including contacting the complainant, if necessary, to find out the allegations of the complaint and will investigate the complaint with the appropriate Park City Communities staff where the complaint originated;
2. Park City Communities will complete its investigation and respond to the complainant within 10 days after the complaint is received, including discussing with the complainant, where appropriate, possible resolutions, including reasonable accommodations, formal and/or informal training for Park City Communities staff, and the relief for the complainant.
3. Park City Communities will maintain written records of all disability-related complaints by residents or prospective residents, its investigations, and its responses.