



WASHINGTON
COUNTY,
OREGON

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Sample Procedure for Responding to Requests for Reasonable Accommodation

General Principles

1. The person requesting the reasonable accommodation is usually an expert in regard to his or her own disability and the accommodations that may be appropriate. Generally, we presume that the information the person provides concerning his or her own needs is accurate and the method proposed for accommodating those needs is the most appropriate.
2. This procedure for evaluating and responding to requests for a reasonable accommodation relies on a cooperative relationship between us and the applicant/resident. The process is not adversarial.
3. The Request for Reasonable Accommodation Form is designed to help us and applicants/residents. If an applicant/resident does not, or cannot, use the form, we will still respond to the request for an accommodation.
4. If the accommodation is reasonable (see Procedure 3 below), we will grant it (also see 5 below).
5. Where the reasonable accommodation is requested by an applicant in order to overcome negative information, or by a resident in order to overcome a lease violation, we will make the following additional determinations:

Department of Housing Services
111 N. E. Lincoln St., #200-L, Hillsboro, Oregon, 97124
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- ◆ What is the essential impact of the negative information or lease violation? How serious is it and exactly how does it impact us?
- ◆ Does the requested accommodation eliminate, or satisfactorily reduce, the essential impact, so that the person can occupy the housing with a reasonable expectation of success?

If the requested accommodation is reasonable and produces a reasonable expectation of success, we will grant the request.

6. Reasonable accommodations will be focused on the individual and designed to address each person's situation.
7. In some cases, reasonable accommodations may be perceived (incorrectly) by non-disabled residents as conferring a special advantage on a person with disabilities; however, we will not base our decisions on how the decisions will be perceived, but rather on whether the accommodation is effective in removing the barriers which inhibit a person with disabilities from accessing and using the housing program.
8. Communications under this policy will be in plain language, in a format appropriate to meet the communications needs of the person with disabilities. Where the following procedures refer to written documents this plain language directives shall apply and alternative formats will be used in order to communicate information and decisions to the applicant or resident.
9. Any meetings required by this policy will be held in an accessible location.

Procedure 1 - Communication with applicants and Residents

1. All applicants will be provided the Request for Reasonable Accommodation Form ("Request Form") at the time of application.
2. All residents will be provided the Request Form again at the time of recertification, upon notice of lease violation, and upon request.
3. We will respond in writing to all Request Forms and, if appropriate, use an alternative format intelligible to the person making the request.

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4. All decisions to grant or to deny reasonable accommodations will be communicated in writing (in the appropriate format as noted in 3 above).

Procedure 2 - Sequence for Making Decisions

1. Is the applicant/resident a qualified "individual with handicaps"?
 - (a) If NO, we are not obligated to make a reasonable accommodation, and we may deny the request.
 - (b) If YES, go to step 2.
 - (c) If more information is needed, either write for more information using the standard Request For Information letter, or request a meeting using the standard Request For Meeting letter.
2. Is the requested accommodation related to the disability?
 - (a) If NO, we are not obligated to make the accommodation, and we may deny the request.
 - (b) If YES, go to step 3.
 - (c) If more information is needed, either write for more information using the standard Request For Information letter, or request a meeting using the standard Request For Meeting letter.
3. Is the requested accommodation reasonable? We will make this determination by following Policy 3 - Guidelines For Determining Reasonableness.
 - (a) If YES, we will approve the request for reasonable accommodation. A written description of the accommodation will be prepared and included in the approval letter.
 - (b) If No, we may deny the request. Denial will be made in writing.

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- (c) If more information is needed, either write for more information using the standard Request For Information letter, or request a meeting using the standard Request For Meeting letter.

Policy 3 - Guidelines for Determining Reasonableness

1. In accordance with Principle #1, in most instances we will accept the judgment of the person with a disability that an accommodation is needed. However, we retain the option to require the person with disabilities to show the need for an accommodation to enable him/her to access and use the housing program.
2. In accordance with Principle #1, in most instances we will accept the judgment of the person with disabilities that the requested accommodation is the most appropriate for him or her. However, we retain the option to investigate alternatives to the requested accommodation, and/or alternative methods of providing the requested accommodation.
3. If a number of potential accommodations will satisfy the needs of the person with disabilities (are equally effective), we retain the option to select the accommodation which is most convenient and cost-effective for us. This includes the option to select a change in procedure or policy, rather than to make a structural change, when the procedure change would be equally effective.

The following steps refer to requested accommodations which are needed, and which represent the most appropriate means of accommodating the disability:

4. Does the requested accommodation constitute a fundamental alteration? If so, we will deny the request. (Note: See chapter 5 of the report for a discussion of fundamental alterations.)
5. Does the requested accommodation create undue financial and administrative burdens for us? If so, we will comply with the request only up to the extent that we can do so without creating undue burdens. (Note: See Chapter 5 of the report for a discussion of undue burdens.)

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