



Reasonable Accommodation Policy

THE REASONABLE ACCOMMODATION POLICY FOR THE LOW-INCOME PUBLIC HOUSING PROGRAM OF THE CHATTANOOGA HOUSING AUTHORITY

POLICY STATEMENT

The Fair Housing Act (the “Act”) prohibits housing providers from discriminating against applicants or residents due to their disability or the disability of anyone associated with them. Under the Act, the definition of disability includes: (1) individuals with a physical or mental impairment that substantially limits one or more major life activities (“Major life activities” includes such functions as caring for one’s self, performing manual tasks, breathing, walking, seeing, hearing, speaking, bathing and learning); (2) individuals who are regarded as having such an impairment; and (3) individuals with a record of such an impairment. The definition of disability does not include persons who are engaging in the current illegal use of controlled substances or individuals with a disability whose tenancy would constitute a “direct threat” to the health or safety of other individuals or result in substantial physical damage to the property of others.

Except as otherwise provided in 24 C.F.R. §§ 8.21(c), 8.24(a), 8.25 and 8.31, the Chattanooga Housing Authority (“CHA”) shall make reasonable accommodations for persons with disabilities to promote equal access to and participation in the housing programs. The Act defines a reasonable accommodation as a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have equal opportunity to use and enjoy a dwelling, including public and common use spaces. CHA shall permit reasonable modification of existing premises occupied or to be occupied by a person with a disability if such modification may be necessary to afford such person full enjoyment of the premises.

POLICY APPLICATION

This Reasonable Accommodation Policy (the “Policy”) applies to applicants and residents of CHA’s Low-Income Public Housing Program (LIPH) and participants in all other programs or activities receiving federal financial assistance that are conducted or sponsored by CHA, its agents or contractors, including all non-housing facilities and common areas owned or operated by CHA. This Policy does not apply to applicants and participants of the Housing Choice Voucher Program (“HCVP”) (the reasonable accommodation policy of HCVP is addressed separately in HVCP’s Administrative Plan).

A notice regarding reasonable accommodations shall be posted at the Central Office of CHA located at 801 N. Holtzclaw Avenue, Chattanooga, TN 37404 and at the management office of each public housing development (Please see “Notice to Chattanooga Housing Authority Public Housing Applicants and Residents Regarding Reasonable Accommodations” attached hereto). This Policy shall be available for inspection at the aforementioned locations and online at www.chahousing.org.

SUBMITTING AND PROCESSING REASONABLE ACCOMMODATION REQUESTS

Individuals seeking a reasonable accommodation may submit their requests to the site-based management offices in writing, using the Reasonable Accommodation Request Form (Please see “Reasonable Accommodation Request Form” attached hereto); orally; or by any other equally effective means of communication. If a requestor is unable to submit their request in writing, the property manager will assist the individual in reducing their request to written form.

The Section 504/ADA Administrator (the “Administrator”) is responsible for reviewing all requests for accommodations and for responding in writing to the requestors. The Administrator shall provide written notification to the applicant or resident/participant of the decision to approve or deny the request. If the request is approved, the requestor will be notified in writing of the approval and the projected date of implementation (Please see letter regarding “Approval of Request for Reasonable Accommodation” attached hereto). The cost necessary to carry out approved requests, including requests for physical modifications, will be borne by the CHA. If another party pays for the modifications, CHA will seek to have the same entity pay for any restoration costs. If more than one accommodation is equally effective in providing access to CHA’s housing programs and services, CHA retains the right to select the most efficient or economic choice.

If a request for an accommodation is denied, the requestor shall be notified in writing of the denial and the basis for the decision; the denial letter shall also include CHA’s grievance procedures (Please see letter regarding “Denial of Request for Reasonable Accommodation” attached hereto). Requested disability-related accommodations will not be approved if they fundamentally alter the nature of CHA’s programs or impose undue financial and administrative burdens, considering all resources available. The burden of demonstrating that a requested accommodation is unreasonable and imposes an undue administrative and financial burden, or fundamentally alters the nature of the programs is on CHA. When CHA refuses a requested accommodation because it is not reasonable, CHA shall discuss with the requestor whether there is an alternative accommodation that would effectively address the requestor’s disability-related needs without a fundamental alteration to CHA’s operations and without imposing an undue financial and administrative burden.

In order to demonstrate that a requested accommodation may be necessary, there must be an identifiable relationship between the requested accommodation and the individual’s disability. When additional information is necessary to process the reasonable accommodation request, the Administrator will notify the requestor and offer reasonable time to provide the supplementary information (Please see “Request for Additional Information” letter attached hereto). The Administrator shall not request information regarding the specific disability or the nature or extent of the disability.

GRIEVANCE PROCEDURE AND RIGHT TO APPEAL

Through the grievance process, applicants or residents/participants may contest the Administrator's decision to deny an accommodation. A request for a grievance hearing, following the formal determination by the Administrator, must be lodged with the Appeals Coordinator designated in the denial letter. The denial letter shall describe how to obtain the grievance hearing.