

LOS ALISOS HOMEOWNERS ASSOCIATION

REASONABLE ACCOMMODATION AND REASONABLE MODIFICATION REQUEST POLICY

1. Purpose: Los Alisos Homeowners Association (“Association”) has an obligation under the federal and state fair housing laws to make reasonable accommodations in rules, policies, practices, or services, when such accommodation is necessary to afford a disabled person equal opportunity to use and enjoy their dwelling, including the Association’s Common Areas. Furthermore, the Association has a duty to allow owners and residents who are disabled to make reasonable modifications, at their own expense, to the Common Areas and their Lots if such modification will allow the disabled person full use and enjoyment of their dwelling. This policy provides procedures for residents, including both owners and tenants, to request an accommodation or modification from the Association and for the Board of Directors to evaluate, respond, and implement appropriate action on the request. Persons making a request can do so without fear of retaliation, harassment or intimidation, which would be a violation of state and federal fair housing laws.
2. Definitions: Unless otherwise provided by applicable law, the following definitions are applicable to this Policy:
 - A. Disability: "Disability" means, with respect to a person, (1) a physical or mental impairment which substantially limits one or more of such person's major life activities, (2) a record of having such impairment, or (3) being regarded as having such an impairment, but such term does not include current, illegal use of a controlled substance.
 - B. Reasonable Accommodation: "Reasonable accommodation" means changing a rule, policy, procedure or practice that is generally applicable to residents in the Association where necessary to ameliorate a disability of a disabled person so that they may have an equal opportunity to use and enjoy their dwelling.
 - C. Reasonable Modification: “Reasonable modification” means an addition, alteration or improvement to an existing Lot, occupied or to be occupied by a disabled person, and/or the Common Areas if the proposed modification is necessary to afford the disabled person full use and enjoyment of their dwelling, with such addition, alteration or improvement being made at the sole cost of the disabled person, unless the request for a reasonable modification to the Common Areas is determined to be subject to the requirements of the Americans with Disabilities Act.
3. Requests for Reasonable Accommodations and Reasonable Modifications:
 - A. Place: All requests for a reasonable accommodation or reasonable modification must be made in writing and delivered to the Association’s Community Manager at the following address:

Board of Directors
Los Alisos Homeowners Association
c/o Vision Community Management
16625 S Desert Foothills Pkwy
Phoenix, AZ 85048

Or via e-mail at:

LosAlisos@WeAreVision.com

This is necessary to ensure that all requests are properly logged and considered. Please do not make oral requests or requests to any other person (i.e., individual board members, chartered club or committee members, etc.). If the requesting party is unable to put the request for reasonable accommodation or reasonable modification in writing, the Association's Community Manager shall assist the requesting party in doing so. The Association's Community Manager shall maintain all disability-related requests for reasonable accommodation or reasonable modification, and all related correspondence, including the Association's response to each request.

B. Contents: The request for an accommodation or modification should include the following information:

- (1) Name of requesting party.
- (2) Address and telephone number where the requesting party can be reached.
- (3) Statement of whether the requesting party owns or leases the dwelling.
- (4) Statement describing the major life activity or activities impaired by the requesting party's disability and whether it is permanent or temporary.
- (5) Description of the reasonable accommodation in the Association's rules, policies, practices, or services or the reasonable modification to the Common Areas that is necessary to permit the requesting party full use and enjoyment of their dwelling. Please try to be as specific as possible as to what you would like the Association to do or allow. Also please include how long you anticipate the requested accommodation will be necessary.

4. Consideration of Requests: The Community Manager will review each request and respond within ten (10) days of the date of the request. The nature of this response will depend upon the particular facts and circumstances of each request as follows:

A. Obvious Disabilities. If a disability and the need for a requested reasonable accommodation or reasonable modification are obvious, then the response will

acknowledge receipt of the request and inform the requesting party of the date of its consideration by the Board of Directors without requesting additional information.

B. Requests for Additional Information. If a disability or the necessity for a particular reasonable accommodation or modification is not obvious, then the Association may request additional information before the Board of Directors considers the request. The additional information requested may include a statement from the requesting party's healthcare provider that includes:

- (1) Confirmation of the healthcare provider's knowledge of the requesting party's condition.
- (2) Confirmation of the requesting party's disability, including whether such impairments are temporary or permanent, unless the disability is obvious.
- (3) Confirmation that, in the medical opinion of the healthcare provider, the requesting party needs the requested reasonable accommodation or reasonable modification to have an equal opportunity to use and enjoy their dwelling. If the request relates to an assistance animal, please include confirmation that the animal provides disability-related assistance or emotional support.

The healthcare provider will not be asked to provide copies of the requesting party's medical records, and any information provided to the Association will be kept confidential. Once the requested additional information is received, the Community Manager will inform the requesting party of the date that the Board of Directors will consider their request.

C. Interactive Process. The Association will engage in an interactive process with the requesting party to determine whether a request for accommodation or modification constitutes a reasonable accommodation or reasonable modification under federal and state fair housing laws. This process may include written requests for additional information or clarification of what is being requested, or proposed alternate effective accommodations or modifications. If the requesting party does not respond to the Association's requests for additional information within thirty (30) days, the Board of Directors may determine whether to reject the request until such time as additional information is received to permit its proper consideration or to fully consider the request at its next scheduled meeting.

D. Board Consideration. After requested information is received, the Board of Directors will consider the reasonable accommodation or reasonable modification request at its next scheduled meeting. Due to the consideration of the requesting party's personal and health information and any advice from legal counsel regarding the request, such consideration will take place in a closed executive session. The Community Manager will send the requesting party written notification of the Board's decision within three (3) business days of the meeting.

5. Implementation of Approved Requests. When a request is granted, the Community Manager and the Board of Directors will work with the requesting party to make the necessary arrangements for the implementation of the request. Note that the installation of reasonable modifications may require Board approval of plans and specifications, approval of the construction contract to be used with an appropriately-licensed contractor, and naming the Association as an additional insured on the liability insurance policy of the contractor.

6. Assistance Animal Requests. Requests relating to assistance animals will be treated in the same manner as other reasonable accommodation requests outlined above. Please note that residents are still responsible for keeping control of their assistance animal and cleaning up after them at all times. If an assistance animal damages Association property or presents a threat to the safety of other residents and staff, then the Board of Directors may revoke the accommodation for the assistance animal.

7. Record Retention. The Community Manager will maintain all correspondence related to requests for reasonable accommodations and reasonable modifications, including the Association's responses and decision with respect to each request.

I hereby certify that this Reasonable Accommodation and Reasonable Modification Request Policy was adopted by the Association's Board of Directors on 8-20-2014, 2014.

Robert Armstrong
Printed Name


Signature

President,
Los Alisos Homeowners Association