

## **FAIR HOUSING AND EQUAL OPPORTUNITY LAWS** **(Non-discrimination Policy)**

### **I. GENERAL STATEMENT**

Management will not discriminate on the basis of race, color, creed, national origin, religion, sex, sexual orientation, gender identity, familial status (includes marital status) or disability condition in any phase of the occupancy process.

Persons falling into one or more of these classifications are hereinafter referred to as protected individuals. Discrimination in the occupancy process includes, but is not necessary limited to:

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- Refusing to rent after a bona fide offer has been made, or to negotiate the rental of a dwelling;
- establishing admissions requirements that apply only to protected individuals;
- using different lease provisions to discriminate against a person with disabilities, a family with children or other protected individuals;
- employing any form of quota system to limit occupancy by protected individuals;
- limiting the use of facilities or services by a protected individual, or providing a lower quality of service to such a person;
- discouraging applications or inappropriately influencing through steering, threats or intimidation the choice of dwelling;
- providing false or misleading information about a housing opportunity;
- failing to effectively communicate, through advertising or on-site marketing activities, the availability of housing to protected individuals;
- with respect to persons with disabilities, refusal to make reasonable changes in rules, policies, services or practices to permit full use and enjoyment of the housing by such persons; \*\*
- refusal to allow reasonable modifications to dwellings to permit accessibility, by persons with disabilities;
- employing different standards of eviction for a protected individual.

This organization is committed to compliance with all applicable civil rights laws prohibiting discrimination in housing. Therefore it is required that all current and/or future Management Company, employees will attend Fair Housing training at least annually.

Pursuant to this commitment, the following reasonable accommodations and modifications are hereby established:

### **II. DEFINITIONS**

- a) **Individual with Disabilities:** An individual with a physical or mental impairment that substantially limits one or more major life activities; or an individual with a record of such an impairment; or an individual who is regarded as having such an impairment.
- b) **Reasonable Accommodation:** Any alteration or amendment to a policy, practice or procedure that is both reasonable and necessary to enable a person with a disability to benefit from and enjoy the housing.

- c) **Reasonable Modification:** Any alteration to the physical structure, including the dwelling units and common use area, that is both reasonable and necessary to enable a person with a disability to benefit from and enjoy the housing.
- d) **Undue Financial Burden:** The cost of the requested modification or accommodation is so excessive that the granting of the accommodation or modification would materially and/or financially harm the organization.
- e) **Undue Administrative Burden:** The amount of staff time required for the accommodation or modification is so excessive that there would be a loss of services to other residents.
- f) **Fundamental Alteration of Program:** The accommodation or modification requested falls outside the scope of services routinely provided to residents.

### III. PROCESS

- a) **Applicability**

This policy is intended to benefit and assist ONLY individual(s) with disabilities.

- b) **Written Request**

Any requests for reasonable accommodation or modification must be made in writing. The request must be specific as to the accommodation or modification that is sought by the individual. A personal letter or form RS-9 may be used.

- c) **Verification**

The property is permitted to verify the need for the requested accommodation or modification. Specifically, verification will focus on: (1) Whether the individual meets the definition of disabled as provided in Section II above; (2) Whether, in the opinion of a qualified medical or social service professional, the requested accommodation is necessary due to the disability. NOTE: No inquiries shall be made concerning the nature or extent of disability. The individual requesting an accommodation shall sign the appropriate authorizations for release of information. Failure to do so will result in a denial of the request. Use form RS-10.

- d) **Approval or rejection**

The Regional Director of the Management Company shall make all approvals and rejections.

- 1) The determination shall be made no later than 30 business days after the receipt of the request. The requesting individual will be notified in writing the event an extension of time is needed to obtain all necessary documentation.
- 2) In the event the verifying official states either: (i) The individual does not meet the federal definition of disabled, or (ii) The requested accommodation or modification is not necessary as a result of the disability, the request will be denied with no further action and the requester shall be notified in writing.

- 3) Once it is verified that the requester meets the federal definition of an individual with a disability AND that the request is necessary for them to benefit and enjoy the housing, the Property will determine the reasonableness of the request (i.e., Undue financial and administrative burden or fundamental alteration of program).
- 4) If the request is reasonable, the accommodation or modification will be granted and the requester will be notified of this approval in writing. Use form RS-8.
- 5) If the request is not reasonable, the property will notify the requester in writing and will work with the requester to identify any means that are equally as effective in meeting their needs. Use form RS-8.

#### IV. PROTECTION AND RIGHT TO FILE A COMPLAINT

Any individual who believes this policy or its implementation/procedures are discriminatory has the right to file a complaint with the U.S. Department of Housing and Urban Development (**All applicants/residents**) or the U. S. Department of Agriculture's Office of Civil Rights (**USDA-RD only**) by writing to the following address as applicable:

**All Applicants/Residents:** Assistant Secretary for Fair Housing and Equal Opportunity  
U.S. Department of Housing and Urban Development  
451 Seventh Street, SW, Room 5100, Washington, DC 20410

**USDA (and/or the above):** U.S. Department of Agriculture, Office of Civil Rights, Room 326-W,  
Whitten Building, 14<sup>th</sup> and Independence Avenue, SW, Washington, DC 20250-9410

Any applicant/resident who thinks his/her rights have been violated under the Fair Housing and Equal Opportunity laws should be advised to contact the HUD Regional Office, Attn: Fair Housing and Equal Opportunity, PO Box 2905, Fort Worth, TX, 76113, or call toll free 1-800-669-9777. USDA-RD applicants/residents may call the above toll free number or 1-800-795-3272.

In all matters of Fair Housing, this company subscribes to and incorporates herein, the recommendations contained in the *Fair Housing Booklet*, published by the National Assisted Housing Management Association and the *Fair Housing Compliance Manual*, published by the National Association of Home Builders, both of which are supplied to all site managers and property supervisors. Any and all situations that may involve fair housing issues shall be referred to the Chief Executive Officer of the Management Company for final decisions.

\*\* Communication with deaf persons may be made through the State and National Relay Network as follows:

New Mexico: TTY 1-800-659-8331, Voice 1-800-659-1779 or "711"  
Texas: TTY 1-800-RELAY-TX (735-2989), Voice 1-800-735-2988 or "711"  
National: TDD 1-202-720-6362

This service is provided free of charge and allows interested deaf applicants or deaf residents to communicate via a TTY/TDD device to the State/National Relay. The Relay operator then would verbally communicate with the Property Manager. Normally, communication with the Property Manager would be initiated by the deaf person via a telephone call from the State/National Relay.