

## Reasonable Accommodation & Modification Policy

Policy Effective Date: 12/07/2022

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Envolve is committed to being fully compliant with all Federal, State, and Local Fair Housing Laws and Regulations. In accordance with Federal, State, and Local Fair Housing law, Envolve does not discriminate on the basis of race, color, sex, religion, national origin, familial status, disability or age. The fair housing protections have recently been expanded for certain property types to include sexual orientation, gender identity and marital status. Envolve is committed to being fully compliant with these additional protected classes on all property types. For all disabled applicants and/or tenants, Envolve will agree to requests for reasonable accommodations and/or reasonable modifications for all disabled applicants/tenants, pursuant to the applicable laws.

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### Reasonable Accommodations

Envolve will consider all requests for reasonable accommodations and/or reasonable modifications for all disabled applicants/tenants, pursuant to the applicable laws. As a reminder, the Fair Housing Act defines “Disabled” as: (1) a physical or mental impairment which substantially limits one or more of a person’s major life activities, (2) a record of having such an impairment, or (3) being regarded as having such impairment.

Requests for Reasonable Accommodations do not need to be in writing. Envolve does provide a form that should be used, but it can be completed by the resident or the property staff. A resident must make a request of the property for a reasonable accommodation. If the resident cannot make the request, it can be made by a third party on their behalf. A request can be made in writing or verbally. The property should acknowledge the request within 48 hours and provide a response within 10 business days.

Examples of a Reasonable Accommodation:

- Accommodations of Rule – Allowing a waiver in the file governing the size and weights of pets to accommodate the needs of a visually impaired resident who requires the use of a guide dog.
- Accommodation of a Policy – A waiver of the policy governing unassigned parking, to allow mobility impaired resident a reserved parking space close to their apartment.
- Accommodations of a Service – To use a solvent free paint during the make-ready process for a prospect that has advised you of his inability to tolerate paint solvents.

Additional information regarding Reasonable Accommodations can be found at the HUD website via the link below:

<https://www.hud.gov/sites/documents/huddojstatement.pdf>

Specific note on Assistance Animals :

For all disabled applicants and/or tenants who request the use of an Assistance Animal, Envolve will allow the use of Assistance Animals as a reasonable accommodation as long as the use of the Assistance Animal is shown to be necessary for the disabled individual to have an equal opportunity to use and enjoy their dwelling, and as long as there is an identifiable relationship and/or nexus between the requested accommodation for the use of the Assistance Animal and the individual's disability.



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Additional information regarding Assistance Animals can be found at the HUD website via the link below:

[https://www.hud.gov/sites/dfiles/FHEO/documents/19ServiceAnimalNoticeFHEO\\_508.pdf](https://www.hud.gov/sites/dfiles/FHEO/documents/19ServiceAnimalNoticeFHEO_508.pdf)

When evaluating the need for a reasonable accommodation there are some key items to consider, keeping in mind that all information must be maintained in the strictest confidence and not shared with anyone who isn't involved in the process of granting the accommodation.

1. Is the Requestor's disability known to the property? If yes, there is no need to verify a disability through a doctor or medical professional, rather the resident must simply provide some reasonable documentation that they meet the definition of disabled. This can be through any number of ways, such as verification that the resident receives Supplemental Security Income or Social Security Disability Insurance benefits, a sworn statement by the resident, a peer support group, a non-medical service agency or a reliable third party.
2. Is it obvious that the accommodation being requested is needed based on the disability? If it is not clear how the accommodation is related to the disability it is acceptable to ask for documentation or clarification explaining the relationship between the accommodation and the disability. There is no set rule on what documentation is needed to establish the link between the two. If you have any questions please contact your property supervisor.

After evaluating the request for a reasonable accommodation, it is important to document the decisions made and actions taken. These should be documented on the Envolve Request for Reasonable Accommodation/Modification form and should be kept in the tenant file. If the property determines that the request is not reasonable it must be elevated to the property supervisor and Compliance Department for further review. In no circumstances is a request for reasonable accommodation to be denied until it has been through a review by the Compliance Department and property supervisor.

### **Reasonable Modification**

Per the Fair Housing Amendment Act of 1988, a Disabled individual has the right, to request reasonable modifications to the interior and/or the exterior premises for the full enjoyment of the premises. It is illegal to refuse a disabled resident's modification for this purpose.

Properties that receive Federal Financial Assistance are required to pay for Reasonable Modification, not the tenant. If you are unsure if your property receives Federal Financial Assistance, please contact the 504 Coordinator designated to your region.

Examples of a Reasonable Modification (examples provided by HUD):

- A tenant, whose arthritis impairs the use of her hands and causes her substantial difficulty in using the doorknobs in her apartment, wishes to replace the doorknobs with levers. Since there is a relationship between the tenant's disability and the requested modification and the modification is reasonable, the housing provider must provide the modification at the property's expense.
- An applicant with an obvious mobility impairment who uses a motorized scooter to move around asks the housing provider to permit her to install a ramp at the entrance of the apartment building. Since the physical disability (i.e., difficulty walking) and the disability-related need for the requested



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modification are both readily apparent, the provider may not require the applicant to provide any additional information about her disability or the need for the requested modification.

- Because of a hearing disability, a tenant wishes to install a peephole in her door so she can see who is at the door before she opens it. This is a reasonable modification and must be provided at the property's expense.
- Because of a mobility disability, a tenant wants to install a ramp outside the building in a common area. This is a reasonable modification and must be provided at the property's expense.

Requests for Reasonable Modifications do not need to be in writing. Envolve does provide a form that should be used, but it can be completed by the resident or the property staff. A resident must make a request of the property for a reasonable modification, if the resident cannot make the request, it can be made by a third party on their behalf. This request can be made in writing or verbally. The property should acknowledge the request within 48 hours and provide a response within 10 business days.

After evaluating the request for a reasonable modification, it is important to document the decisions made and actions taken. These can be documented on the Envolve Request for Reasonable Accommodation/Modification form and should be kept in the tenant file. If the property determines that a resident's reasonable modification will cost more than \$ 150.00 to install, it must first be approved by the property supervisor and Compliance Department beforehand. If the property determines that the request is not reasonable it must be elevated to the property supervisor and Compliance Department for further review. In no circumstances is a request for reasonable modification to be denied until it has been through a review by the Compliance Department and property supervisor.

### HUD and Department of Justice

The Department of Justice and the Department of Housing and Urban Development are jointly responsible for enforcing the federal Fair Housing Act. They issued a joint statement, which provides excellent examples and answers to frequently asked questions, it is recommended that everyone read this statement.

Additional information regarding Reasonable Modifications can be found at the HUD website via the link below:

[https://www.hud.gov/sites/documents/reasonable\\_modifications\\_mar08.pdf](https://www.hud.gov/sites/documents/reasonable_modifications_mar08.pdf)

For the Ross-Envolve Portfolio, all Reasonable Accommodation/Modification request should be submitted to

David Catlett, Compliance Manager  
Ross-Envolve

Mailed Forms can be sent: 555 Perkins Extended Drive, Suite 200  
Memphis TN 38117

Via email at [david.catlett@envolve.com](mailto:david.catlett@envolve.com) or **EFAX** at 303-486-7103