



Section 504 and Reasonable Accommodation

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A Brief Description of Section 504

- ◆ As a federally funded program, the Denver Housing Authority (“DHA”) is required to provide individuals with disabilities an equal opportunity to participate in, or benefit from, DHA housing programs, as able-bodied individuals.
- ◆ DHA provides accommodations that are necessary to allow disabled individuals to participate in DHA programs.



Reasonable Accommodation – What is DHA’s Policy?

- ◆ DHA’s Reasonable Accommodation in Housing Guidelines (“RAHG”) provide “reasonable accommodations” for applicants, public housing residents and Section 8 clients with disabilities, where an accommodation is necessary to provide a person with a disability an equal opportunity to participate in, or benefit from, DHA housing programs.
- ◆ The RAHG is in furtherance of DHA’s goal of providing affordable housing to low-income persons regardless of disability and in compliance with applicable federal, state, and local law.
- ◆ DHA’s 504 Reasonable Accommodation process is centralized to ensure that all individuals are treated the same and that federal regulations are followed.



What are DHA's Policies?

- ◆ Reasonable Accommodation In Housing Guidelines
- ◆ Guidelines For The Provision Of Alternative Forms Of Communication For Individuals With Disabilities



Reasonable Accommodation

What is a Reasonable Accommodation?

- ◆ A “reasonable accommodation” is a modification or change the DHA can make to its rules, policies, practices or services, or modifications to the person’s apartment or to a public/common area where such a change is necessary to provide a person with a disability an equal opportunity to participate in, or benefit from, DHA housing programs, unless it causes an **undue hardship** or fundamentally changes the program. . Examples of a reasonable accommodation include, but are not limited to, the following:
 - A transfer to a different unit with wheelchair access;
 - Installation of strobe-type flashing light smoke detector in a DHA housing unit for the hearing-impaired.
- ◆ A reasonable accommodation may also include provision of an appropriate auxiliary aid where such assistance is necessary to enable effective communication between the applicant, public housing resident or Section 8 client and DHA.



What is **not** a reasonable accommodation?

- ◆ The term “accommodation” is a term of art specific to the ADA and Section 504. It is **not** what is more convenient or will simply improve the individual’s quality of life. The change to the rules, policies, practices, services or modifications must be reasonable and there must be an identifiable relationship, or nexus, between the requested accommodation and the disability . Remember, these changes allow the individual an equal opportunity to participate in, or benefit from, DHA housing programs; it is not the intent to provide a preference for disabled individuals, or special treatment.



What is Undue Hardship?

- Undue hardship means significant difficulty or expense and focuses on the resources and circumstances in relationship to the cost or difficulty of providing a specific accommodation. Undue hardship refers not only to financial difficulty but to accommodations that are unduly extensive, substantial, or disruptive, or those that would fundamentally change the nature or operation of the program. DHA must assess on a case-by-case basis whether a particular accommodation would cause DHA an undue hardship.



Who is disabled?

- ◆ An individual is disabled if they:
 - Currently have a physical or mental impairment that, even with corrective measures such as medication, glasses or hearing aids, substantially limits one or more major life activities, such as caring for one's self, doing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working;
 - Have a record of such an impairment; or
 - Is regarded as having such impairment.



Who is a Qualified Person with a Disability?

- ◆ Qualified Person with a Disability is defined as:
 - A person with a disability who meets DHA's essential eligibility requirements and can achieve the purpose of the program with or without modification.
 - Essential eligibility requirements include, but are not limited to, the following: stated eligibility requirements like income; compliance with selection criteria; timely payment of financial obligations; care of premises; no disqualifying criminal or drug activities; respect for the rights of others; explicit or implicit requirements inherent to the program or activity; and compliance with all obligations of occupancy with or without supportive services provided by persons other than DHA. A person may request a reasonable accommodation to meet the essential eligibility requirements.



When will an accommodation be granted?

- ◆ DHA will grant a request for an accommodation when:
 - The person is a qualified individual with a disability;
 - The requested accommodation will be effective in providing for an equal opportunity to participate in, or benefit from, DHA housing programs. The requested accommodation will not impose an undue financial and administrative burden on DHA or a fundamental alteration of the program; and
 - Neither the applicant or resident/client falls into any of the exceptions precluding protection under the relevant anti-discrimination and housing laws.



How do I request an accommodation?

1. Ask your Occupancy Interviewer, Section 8 Technician, or Manager for Form #1 - Request for Accommodation and Form #2 - Health Care Provider Verification, or print the forms from DHA's website, www.dhanet.com under "About DHA" and then "Reasonable Accommodations."
2. Have your Health Care Provider complete Section B of Form #2 - Health Care Provider Verification.
3. Send the completed Form #1 - Request for Accommodation and Form #2 - Health Care Provider Verification forms to Meichell Walsh, 504 Coordinator, 777 Grant St., 4th Floor, Denver, Colorado 80203
4. You will be notified in writing whether your request has been approved or denied.
5. For more information see the presentation on How Do I Request an Accommodation from DHA? on the above referenced website.



Alternative Forms of Communication

- **DHA shall, upon request, provide alternative forms of communication for individuals who are visually, hearing, mentally or manually impaired. DHA will furnish appropriate auxiliary aids where necessary to facilitate communication with an individual with a disability. Some examples of alternative forms of communication include, but are not limited to, provision of a sign language interpreter, having material explained orally by staff, or having a third party representative (a friend, relative or advocate) to receive, interpret and explain housing materials and be present at all meetings.**