
Reasonable Accommodation Policy and Procedures

A. POLICY STATEMENT

1. The Houston Housing Authority (“Housing Authority”) is dedicated to ensuring that persons with disabilities are not discriminated against on the basis of disability in connection with the Housing Authority’s programs, services and activities. If a person with a disability requests an accommodation to an existing rule, policy, practice, or service in order to have an equal opportunity to use a dwelling unit or enjoy the benefits of participating in the Housing Authority’s services, the Housing Authority will provide an accommodation. The Housing Authority is not required to make changes that would fundamentally alter the program or create an undue financial and administrative burden.
2. A copy of the Housing Authority’s Reasonable Accommodation Policy (“Policy”) shall be available at each public housing development and at the Housing Authority’s Main Administrative Office at 2640 Fountain View Drive, Houston, Texas 77057, and online at www.housingforhouston.com.
3. The Housing Authority requests but does not require that the reasonable accommodation request form be completed. A letter may be completed by a knowledgeable third-party in lieu of the Housing Authority’s reasonable accommodation form.

B. LEGAL AUTHORITY

1. This Policy is in compliance with the statutory authorities listed below:
 - a. Section 504 of the Rehabilitation Act of 1973 (Section 504);
 - b. Titles II and III of the Americans with Disabilities Act of 1990 (ADA);
 - c. The Fair Housing Act of 1968, as amended (Fair Housing Act);
 - d. The Architectural Barriers Act of 1968; and
 - e. 24 C.F.R. Part 8 and 100, etc.
 - f. Title VI of the Civil Rights Act of 1964
 - g. The Violence Against Women Reauthorization Act of 2013

C. MONITORING

1. The Legal Compliance Officer is responsible for monitoring compliance with this Policy and shall be available to applicants, residents, participants, and staff for discussing issues and questions regarding the interpretation or implementation of this Policy. The Legal Compliance Officer’s contact information is provided below:



Legal Compliance Officer
Houston Housing Authority
2640 Fountain View Drive
Houston, Texas 77057
Phone: (713) 260-0353 TTY: 711
Fax: (713) 260-0808

2. Each housing applicant shall be provided with a copy of either (1) the Notice to Houston Housing Authority Public Housing Applicants and Residents Regarding Reasonable Accommodations or (2) the Notice to Houston Housing Authority Housing Choice Voucher Program Applicants and Participants Regarding Reasonable Accommodations. These notices shall be posted at all times at the public housing developments and at the Housing Authority's Main Administrative Office.

D. DEFINITIONS

1. "Individual with a disability" is defined as a person who has a physical and/or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment.
2. "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
3. A "reasonable accommodation" is defined as a change, modification, alteration or adaptation in a policy, procedure, practice, program, or facility that is necessary for a qualified individual with a disability to have the opportunity to participate in, and benefit from, a program or activity.
4. The definition of disability does not include any individual whose current use of alcohol would constitute a direct threat to property or the health or the safety of others. Additionally, this definition of disability does not include any individual who is engaging in an illegal drug related criminal activity or who is unqualified to participate in the public housing or other housing programs and activities in accordance with applicable Housing Authority policies and HUD regulations. Generally, individuals with a drug addiction that are engaged in and are able to evidence full participation in an appropriate treatment program are qualified to participate in HUD Housing programs.

E. POLICY APPLICATION

1. This Policy applies to individuals with a disability participating in the following programs provided by the Housing Authority:
 - a. Applicants for public housing;
 - b. Applicants for the Housing Choice Voucher Program;
 - c. Residents of public housing developments;

- d. Participants of the Housing Choice Voucher Program; and
 - e. Participants in all other programs or activities receiving federal financial assistance that are conducted or sponsored by the Housing Authority.
2. Because a reasonable modification involves a structural change made to existing premises, the Housing Authority is only able to consider requests for reasonable modifications on properties that it owns or controls. Accordingly, the Housing Authority requires landlords to comply with disability laws.

F. PROCEDURES

1. A person with a disability may request a reasonable accommodation during the application process, residency in public housing, or participation in the Housing Choice Voucher Program of the Housing Authority.
2. The person with a disability may submit all requests in writing, orally, or by any other equally effective means of communication. If the person with a disability is unable to submit a request in writing, the Housing Authority will assist the individual to reduce the request to written form.
3. The “Request for Reasonable Accommodation” (“Request Form”) is available at each public housing development, at the Housing Authority’s Main Administrative Office, and online at www.housingforhouston.com.
4. Reasonable accommodation requests that are completed by requester and a knowledgeable-third party may be submitted to the Legal Compliance Officer (LCO) in any of the following manners:
 - a. In person at the Housing Authority’s main office at 2640 Fountain View Dr.
 - b. Via mail to:
Legal Compliance Officer
Houston Housing Authority
2640 Fountain View Dr.
Houston, TX 77057
 - c. Via e-email to 504ada@housingforhouston.com; or
 - d. Via fax to (713) 260-0808.
5. The Housing Authority will endeavor to enter into an interactive process with the requester in order to discuss the disability-related need for the requested accommodation and possible alternative accommodations, if any. While it is always the requester’s choice to enter into an interactive process with the Housing Authority, such a process is intended to help all concerned in the process by seeking to provide an effective accommodation that does not pose an undue financial and administrative burden for the Housing Authority.

6. Decisions to approve or deny requests for reasonable accommodations shall be made on a case-by-case basis with the consideration of the disability and the needs of the person as well as the nature of the program or activity in which the person seeks to participate. Reasonable accommodation methods or actions that may be appropriate for a particular program and person may be found to be inappropriate for another program or individual.

G. ADMINISTRATIVE CLOSURE

1. If additional information or documentation is required, the Legal Compliance Officer will notify the requester in writing. If the LCO does not receive the requested information within twenty-one (21) calendar days from the date of the written request for information, the request for a reasonable accommodation will be administratively closed.
2. The administrative closure is not a denial. If the requester submits the requested information after twenty-one (21) calendar days, the request for a reasonable accommodation will be reopened as of the date that requested information is received.
3. Administrative closures may occur but are not limited to the following reasons:
 - a. Failure to supply required information.
 - b. Requesting a modification to a property the HHA does not control or own.
 - c. Requesting specific location of a unit on a property the HHA does not control or own.
 - d. If a request can be met through standard policies and/or regulations.
4. Since an administrative closure is not a denial of accommodation there will be no right to an informal hearing.

H. DECISION

1. With receipt of all required supporting documentation, the LCO will issue a written determination on the request for a reasonable accommodation. Upon request, the written notification will be provided in an alternate format.
2. Notifications of approved reasonable accommodation requests will be forwarded to the appropriate staff to implement the accommodation. Notifications of denied reasonable accommodation requests will provide information on the procedures for appealing the determination.
3. If a request for reasonable accommodation is denied but an alternative accommodation is available, the Housing Authority will offer the requester the alternative accommodation and the date by which they must accept or decline.
4. If the requester makes a subsequent request for a different reasonable accommodation, such request will be processed as a new reasonable accommodation request.

I. VERIFICATION OF NEED FOR A REASONABLE ACCOMMODATION

1. The Housing Authority may request documentation to verify that the person requesting an accommodation is a person with a disability and such person has a disability-related need for the requested reasonable accommodation. The Housing Authority shall not require unnecessary information regarding the person's disability such as the specific disability or the nature or extent of the disability.
2. Once approved for a reasonable accommodation, persons with a verified need a reasonable accommodation must submit a new Request for Reasonable Accommodation on a bi-annual basis in order for the accommodation to be re-verified. For example, if a request was approved on June 1, 2023, the client will need to submit a renewal of their accommodation by June 1, 2025.
3. Verification of a person's disability may be submitted by a knowledgeable third party.

J. GUIDELINES FOR DENYING REASONABLE ACCOMMODATION REQUESTS

1. Requested accommodations will not be approved if the person's disability is not verified, the individual is not a person with a disability, or the requested accommodation is not necessary and reasonable based on the health care provider's responses.
2. Additionally, requested accommodations will not be approved if one of the following would occur as a result of the approval:
 - a. A violation of state and/or federal law;
 - b. A fundamental alteration in the nature of the public housing program;
 - c. An undue financial and administrative burden to the Housing Authority;
 - d. A structurally impracticable alteration; or
 - e. A housing unit alteration requires the removal or alteration of a load-bearing structural member.

K. PUBLIC HOUSING DEVELOPMENT RESIDENT TRANSFERS

1. If the Legal Compliance Officer determines that a resident has a verified need for a modified unit, the Housing Authority may offer the resident the opportunity to transfer to an available unit with the required accessibility features.
2. If the resident rejects two (2) offers to transfer to an available unit with the necessary accessibility features, the resident's name will be placed at the bottom of the waiting list for an accessible housing unit with the required number of bedrooms.
3. The Housing Authority is financially responsible for reasonable moving-related expenses incurred by the resident with the disability who needs to transfer to an accessible unit and the resident without a disability who needs to move out of the accessible unit. This

obligation is part of the Housing Authority's duty to accommodate its residents with disabilities and provide accessible units with accessible features.

L. RIGHT TO APPEAL DENIAL OF REQUEST FOR A REASONABLE ACCOMMODATION

1. If the request for a reasonable accommodation is denied, the requester may file a written appeal of the determination by the Legal Compliance Officer.
2. The written appeal must be submitted to the Houston Housing Authority within fifteen (15) calendar days from the decision date in order to receive an informal hearing.
3. The Legal Compliance Officer shall attend all informal hearings and advise the requester and the Hearing Officer on the applicable laws, regulations, and policies that were used to render the denial of the request for a reasonable accommodation.
4. Applicants, residents, and participants may at any time exercise their right to appeal a Housing Authority decision through the local HUD office or the United States Department of Justice. The local HUD office's contact information is provided below:

U.S. Department of Housing and Urban Development
1301 Fannin Street, Suite 2200
Houston, Texas 77002
Phone: (713) 718-3199 TTY: 711
Fax: (713) 718-3225