



REASONABLE ACCOMMODATION POLICY INFORMATION SHEET

The Fair Housing Amendments Act (“FHAA”) prohibits discrimination by associations against certain protected categories, including people with disabilities. Associations are required to grant a disabled person a reasonable accommodation to the Association’s rules, regulations and restrictions so that the disabled person can have equal use and enjoyment of the community.

Associations unaware of the FHAA can be accused of discrimination by enforcing rules, regulations and restrictions against disabled people when a reasonable accommodation is appropriate. Some common examples of discrimination are failing to allow a disabled owner to keep their emotional support animal, and failing to grant a disabled resident a closer parking space to their unit. Boards need to know the definition of a disability, and the legal criteria by which they should conduct their review of whether to grant a reasonable accommodation.

To minimize potential discrimination claims within your association, we recommend adopting a Reasonable Accommodation Policy. The policy should set forth a process for requesting reasonable accommodations, reviewing the requests, and making decisions on the same.

Altitude Community Law (the Firm) can prepare the policy, which includes: (i) a standardized form of requests; (ii) guidelines for request evaluations; and (iii) a sample healthcare provider confidential certification letter.

Please contact us at 303.432.9999 or hoalaw@altitude.law if you have any questions or wish to create a Reasonable Accommodation Policy for your association.