

**GATES MILL HOMEOWNERS ASSOCIATION, INC.**  
**REASONABLE ACCOMMODATIONS POLICY**

**INTRODUCTION:**

**Policy Statement:**

The Gates Mill development is a residential community made up of individually-owned, detached homes. The Gates Mill Homeowners Association, Inc. (the "Association") is the homeowners association responsible for enforcement of the Gates Mill development's governing documents and operation of the Gates Mill common areas. The Association is committed to ensuring that its policies and procedures do not deny individuals with disabilities the opportunity to participate in, or benefit from, nor otherwise discriminate against individuals with disabilities, on the basis of disability, in connection with the Association's governance of the Gates Mill community, including the common areas, and/or provision of programs, services and activities. Therefore, if an individual with a disability requires an accommodation such as an accessible feature or modification to an Association rule, restriction or policy, the Association will provide such accommodation unless doing so would result in a fundamental alteration in the nature of the housing in the Gates Mill development, or an undue financial and administrative burden or would be neither reasonable nor necessary. In such a case, the Association will make another accommodation that will not result in a financial or administrative burden or be either unreasonable or unnecessary.

A reasonable accommodation is a change, modification, alteration or adaptation in policy, procedure, practice, program, or facility that provides a qualified individual with a disability the opportunity to participate in, or benefit from, a program (housing or non-housing) or activity.

**General Policy Information:**

The requirement to provide reasonable accommodation is intended to provide, for persons with disabilities, equal opportunity to participate in all housing and common area facilities governed or operated by the Association and to afford that person equal opportunity to enjoy his/her dwelling through modification of policies, procedures, or structures. This policy is not intended to provide greater benefits to persons with disabilities than to non-disabled residents. It may mean, however, that persons with disabilities will sometimes be treated differently, in order to ensure equal access to housing, common area facilities, programs and services and to afford that person equal opportunity to enjoy his/her dwelling.

Reasonable accommodation methods or actions that may be appropriate for a particular home, common area and/or individual may be found to be inappropriate for another home, common area, or individual. The decision to approve or deny a request for a reasonable accommodation is made on a case-by-case basis and takes into consideration the disability and the needs of the individual as well as the nature of the activity in which the individual seeks to participate and/or the fundamental nature of the housing which the individual seeks to enjoy. The Reasonable Accommodation must show that a requested accommodation may be necessary and there must

be an identifiable relationship, between the requested accommodation and the individual's disability. Information and documentation regarding the policy of reasonable accommodations will be given to residents periodically during occupancy, including through postings to the Association website, and upon request to residents and potential residents. Forms and other documents used for residents and potential residents will, to the extent feasible, be written in plain, intelligible language. When appropriate, the Association will provide documents in accessible formats, provide auxiliary aids, or, upon request, communicate with a third party designated by the resident or potential resident.

Reasonable accommodations are made in response to individual requests from a qualified person with disabilities. The request may be made in any manner that is convenient for the person with disabilities. Upon receipt of a request for reasonable accommodations, the Association will provide the resident/potential resident with a “*Reasonable Accommodation Request Verification Form*” to fill out in order that the Association can verify that the requesting individual qualifies as disabled under federal law and he or she requires the accommodation in order to have an equal opportunity to use and enjoy his/her home. These forms are available upon request.

Accommodations will be unique to the individual with disabilities; individuals with the same disability may not need, or desire, the same level of accommodation. There is no standard approach. What works for one person may not work for another in the same situation. The Association will not provide supportive services, e.g., counseling, medical, or social services. Further, the Association will make modifications to its restrictions, rules and policies in order to enable a qualified potential resident/resident with disabilities to live in the housing, but is not required to offer housing of a fundamentally different nature. The test is whether, with appropriate modifications, the potential resident/resident can live in the housing located within the Gates Mill community; not whether the potential resident/resident could benefit from some other type of housing not located within the Gates Mill Community.

## **ASSISTIVE ANIMAL POLICY:**

Assistive animals are also referred to as service animals, support animals or therapeutic animals. They give assistance to persons with disabilities and are necessary as a reasonable accommodation.

Animals **do not** have to be trained to be assistive animals. An animal not trained to be an assistive animal, yet prescribed to provide emotional support to improve a person's symptoms caused by chronic mental illness, is also an example of an assistive animal. In addition, a seeing-eye dog or a dog trained to assist a hearing impaired person would also be examples of assistive animals.

The Association will not charge a pet deposit for an assistive animal kept in accordance with all Association policies. All residents are, however, responsible for reimbursing the appropriate parties should their assistive animal cause damage to a Lot, the common areas and elements or to any other the property of the residents in a development or building owned by the Association including but not limited to the property occupied by other residents of the development or other property owned by the Association.

The Association will also not apply any policy to a disabled resident or potential resident which will unreasonably deny such disabled resident or potential resident, who requires an assistive animal, the full use and enjoyment of his or her dwelling or the common areas.

The Association's Board of Directors or designee will use the following steps when considering a request for an assistive animal as a reasonable accommodation:

1. Residents or potential residents may use the *Reasonable Accommodation* form to request an assistive animal as a reasonable accommodation. The Reasonable Accommodation form is available upon request from the Association.
2. Residents or potential residents use the *Reasonable Accommodation Verification* to obtain verification that the person for whom the assistive animal is requested is a person with a disability as defined in the Fair Housing Act regulations and that the requested animal is needed to assist with the disability.
3. Compliance with the Association's restrictions, rules and regulations will be required to the extent feasible without violating the individual's rights to have an assistive animal.
4. The assistive animal owner shall be responsible for the animal's care.

**Resident Notice Concerning Requesting Reasonable Accommodation**

**You are notified that any time during your occupancy of a Lot within the Gates Mill community you may request a reasonable accommodation of the Lot for a handicapped/disabled household member who needs an accommodation. This would include reasonable accommodations that would allow the resident full enjoyment of the Lot or other requirements of occupancy. Accommodations must be reasonable and not result in an undue financial and administrative burden to the Association.**