

Cape Cod Village Club, Inc.

Reasonable Accommodation Policy

The Federal Fair Housing Act (the “FHA”) and New York State and local fair housing laws require that Reasonable Accommodations be made for individuals who are affected by disabilities. Cape Cod Village Club, Inc. (the “Association”) is committed to granting Reasonable Accommodation (RA) when necessary to afford Members affected by disabilities the equal opportunity to use and enjoy their dwelling at the Association.

Under fair housing laws, a person with a disability is defined as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who is regarded as having such an impairment, or a person with a record of such an impairment. Reasonable Accommodations may include waiving or varying the Association rules or policies to allow Members to request Reasonable Accommodations that are necessary for the Member affected by a disability to have an equal opportunity to use and enjoy their dwelling at the Association.

If a Member affected by a disability requests a Reasonable Accommodation, the Association must determine whether the accommodation is necessary to allow that Member an equal opportunity to enjoy their dwelling at the Association. The Association will not ask about the nature or severity of a person’s disability.

At times, both the disability and the accommodation are obvious. If this is the case, upon completion of the CCVC Reasonable Accommodation Form with required accompanying documentation (e.g. proof of current rabies vaccination, etc) no further inquiry will be made and the Association will grant the Reasonable Accommodation.

In the case where the disability or the accommodation are not obvious, the Association requires submission of the CCVC Reasonable Accommodation Form which includes, among other documentation, a written statement from a health care professional indicating that the person has a disability, in addition to the following:

(a) The Association is entitled to obtain information that is necessary to evaluate if a requested Reasonable Accommodation may be necessary because of a disability.

If a person’s disability is obvious, or otherwise known to the Association, and if the need for the requested accommodation is also readily apparent or known, then the Association may not request any additional information about the person’s disability or the disability-related need for the accommodation.

If the person’s disability is known or readily apparent to the Association, but the need for the accommodation is not readily apparent or known, the Association may request only information that is necessary to evaluate the disability-related need for the accommodation.

(b) The Association may not ordinarily inquire as to the nature and severity of an individual's disability. However, in response to a request for a Reasonable Accommodation, the Association may request reliable disability-related information that

- (1) is necessary to verify that the person meets the FHA's definition of disability¹;
- (2) describes the needed accommodation; **and**
- (3) shows the relationship between the person's disability and the need for the requested accommodation.

Once the Association has established that a person meets the FHA's definition of disability, the provider's request for documentation should seek only the information that is necessary to evaluate if the Reasonable Accommodation is needed because of a disability.

In processing a request for a Reasonable Accommodation, the Association will take reasonable measures to protect the confidentiality of any information or documentation disclosed in connection with the request. Such measures may include limiting access to such information to persons specifically designated to deal with requests for Reasonable Accommodations, who will disclose information only to the extent necessary to determine whether to grant the request, and keeping all written requests and accompanying documentation in a secure area to which only those designated persons have access, except as otherwise required by law.

It is the responsibility of the Member affected by a disability to inform the Association as to the need for a Reasonable Accommodation, and to request a Reasonable Accommodation and to provide any required documentation. A Member affected by a disability must request a Reasonable Accommodation in writing. To that end, the Association has a "Form to Request a Reasonable Accommodation" (attached to this Policy) which is used to request a Reasonable Accommodation.

If the Member requires assistance in completing the attached form, the Association's Reasonable Accommodation Coordinator, or his or her designee, will provide assistance or will fill out the form based on an oral request. The Association is using the form to record Reasonable Accommodation request(s) so that we obtain only the information necessary to make Reasonable Accommodation determination and do not obtain confidential information that we do not need to make a Reasonable Accommodation decision.

The term of an approved request will be one year from approval date. Thirty days prior to expiration date, the Member must notify the Association's Reasonable Accommodation Coordinator, in writing, of their desire to renew the request for one additional year. The extension request may require updated documentation.

Once a completed initial or renewal request with all required documentation is received, the Association will provide a response within fourteen (14) days.

¹ Under fair housing laws, a person with a disability is defined as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who is regarded as having such an impairment, or a person with a record of such an impairment.

Prior to denying any request (initial or renewal), the Association will attempt to engage in an interactive process with the Member making the request, in which the parties will discuss possible alternative accommodations that might effectively meet the disability-related needs. The Association recognizes that a person with a disability is generally in the best position to know whether or not a particular accommodation will be effective in meeting his or her needs. If a request is denied, an explanation for the denial will be included in the written notification of denial. If a Member affected by a disability believes that a request has been denied unlawfully or that the response is delayed unreasonably, he or she may file a complaint² with:

U.S. Department of Housing and Urban Development
Office of Fair Housing and Equal Opportunity
451 Seventh Street SW
Washington, DC 20410
(800) 669-9777

New York Regional Office of FHEO
26 Federal Plaza, Room 3532
New York, New York 10278
(212) 542-7519
(800) 496-4294

Buffalo Office:
Lafayette Court
465 Main Street
Buffalo, New York 14203
(716) 846-5785
Toll Free Number:
(800) 496-4294

All individuals, including those with and without disabilities, are required to conduct themselves in a civil and courteous manner at all times, as is reasonable among neighbors living in close proximity to one another. This requires everyone recognize and respect the federally protected rights of those with disabilities, and all individuals with disabilities to recognize and respect the rights of others and their expressed health and safety concerns. All individuals are therefore required to cooperate with each other to resolve any issues that may arise regarding such rights.

The Association also requires all Reasonable Accommodations be in compliance with applicable New York State or local laws, including any New York State or local building code requirements.

² See also [HUD's Office of Fair Housing and Equal Opportunity \(FHEO\) website](#)