**Association Name**

**Policy Pertaining to Reasonable Accommodations and Modifications Under the Fair Housing Act**

It is the policy of the Association Name (the “Association”) to abide by the terms of the federal Fair Housing Act (42 U.S.C. §§ 3601-3619) and the Nevada Fair Housing Law (NRS 118.010 *et seq*.), which prohibit discrimination in housing based upon race, color, religion, sex, sexual orientation, gender identity or expression, disability, national origin, or familial status. Further, it is the policy of the Association to fully comply with state and federal law governing reasonable accommodations and modifications for disabled individuals when necessary to ensure all residents have an equal opportunity to use and enjoy their property. Any resident (inclusive of both owners and tenants) may request the Association to provide a reasonable accommodation of the Association’s rules and regulations, or to allow a reasonable modification of property. The procedure for requesting an accommodation or modification, as well as the standards by which the Association will evaluate such requests, are set forth below.

**Request:** A resident may make a request for a reasonable accommodation of the Association’s rules, regulations, or other governing documents, or for a reasonable modification of property to be performed at the requesting party’s expense. Preferably, any such request would be made in writing and provided to the Association’s community manager. Alternatively, the request may be made verbally to the community manager, who will make a written record of the request.

The request should include, to the greatest extent possible, the following information:

* The name and address of the resident making the request;
* The phone number and/or email address of the resident making the request;
* A description of the requested accommodation or modification;

**Supporting Documentation:** The following guidelines govern when the Association may or may not request documentation evidencing the need for a reasonable accommodation or modification:

* If the resident’s disability is known or readily apparent to the Association, and if the need for the requested accommodation or modification is also known or readily apparent, the Association will not request any additional information about the resident’s disability or the disability-related need for the accommodation.
* If the resident’s disability is not known or readily apparent to the Association, or if the need for the accommodation is not known or readily apparent, the Association may request only information that is necessary to evaluate the disability-related need for the accommodation.

Where additional information is necessary pursuant to the above guidelines, the Association may request reliable disability-related information that: 1) is necessary to verify that the person has a disability (i.e., a physical or mental impairment that substantially limits one or more major life activities); 2) describes the needed accommodation; and, 3) shows the relationship between the resident’s disability and the need for the requested accommodation or modification. Examples of the source of such information may include, without limitation, documentation from a physician, licensed health professional, professional representing a social services or a governmental agency, or a disability clinic or agency.

The Association will keep all such information confidential, except where disclosure is required by law.

**Decision:** The Association will make decisions on requests for reasonable accommodations or modifications on a case-by-case basis. The Association may deny a request if the resident fails to provide adequate information supporting the existence of a disability and/or the existence of an identifiable relationship between the requested accommodation or modification and the disability. If a requested accommodation would impose an undue financial and administrative burden or fundamentally alter the Association’s operations, they Association may not simply deny the request, but must discuss with the person who made the request whether an alternative accommodation could effectively address his or her disability-related needs. An interactive process between the Association and the person who made the request is helpful to all because it can result in an effective accommodation that does not impose an undue burden or fundamentally alter the Association’s operations. Persons with disabilities are generally in the best position to determine if an accommodation would adequately address their disability-related needs.

**Modifications:** The resident requesting a reasonable accommodation or modification shall be solely responsible for any costs that may be incurred as a result of such accommodation or modification to the common areas or to the resident’s own property, unless otherwise expressly stated by the Association. All modifications shall be performed by a licensed contractor, shall comply with applicable building codes and shall be properly permitted, where necessary. The resident requesting the accommodation or modification shall be solely responsible for maintenance of the modification and the area where the modification is made. However, when a reasonable modification is made in areas where the Association would normally be responsible for maintenance, the Association will be responsible for maintenance of the reasonable accommodation.

**Requests for Accommodations Pertaining to Assistance Animals:** One common type of reasonable accommodation is allowing a person with a disability to keep an assistance animal. An assistance animal is an animal that works, provides assistance, performs tasks for the benefit of a person with a disability, or provides support that alleviates one or more identified symptoms or effects of a person’s disability. We recognize the importance of assistance animals, and we are dedicated to ensuring that individuals with assistance animals may keep them in the Association.

The Association will not deny a request to keep an assistance animal solely because the animal has not received formal training. Some assistance animals, known as service animals, are trained by professionals, their owners, or someone else to work or perform tasks for individuals with disabilities. Other assistance animals, such as emotional support animals, do not require any special training. The relevant question is whether the animal performs the assistance or provides the benefit needed by the person with a disability.

If an individual requests a reasonable accommodation to keep an assistance animal, the Association will not ask about the nature or extent of the person’s disability. If it is readily apparent or otherwise known to us that a person has a disability, and readily apparent that an animal is trained to do work or perform tasks for an individual with a disability, such as a dog guiding an individual who is blind or has low vision, pulling a person’s wheelchair, or providing assistance with stability to an individual with a mobility disability, we will not make any inquiries and the reasonable accommodation will be granted.

If it is not readily apparent or otherwise known to us that the person has a disability and that the animal is trained to aid an individual with a disability, we may need to make a few inquiries before granting the reasonable accommodation. We will first ask if the animal is required because of a disability and what work or task the animal has been trained to perform. We will not, however, require documentation that an animal is trained or certified or licensed as a service animal.

If the animal is not trained to do work or to perform tasks for individuals with disabilities, we may ask for a statement from the individual requesting the accommodation, or from a health or social service professional, such as a doctor, physician’s assistant, psychologist, or social worker, that the individual has a disability and the designated animal provides emotional support or other assistance that alleviates one or more symptoms or effects of the person’s disability. A peer support group, a non-medical service agency, or a reliable third party who is in a position to know about the individual’s disability may also be able to provide verification of a disability and need for an assistance animal. Based on this verifying information, we will not ask for any additional information about a person’s disability or about the symptoms or effects of the disability that will be alleviated by the assistance animal.

In no case will the Association charge a person requesting a reasonable accommodation to keep an assistance animal any fee, deposit (including a “pet deposit”), or other charge for making the request or for keeping the animal. Since individuals with disabilities are entitled to keep and use assistance animals in units and common areas at the Association, it is our policy to make the process of obtaining approval to keep an assistance animal as burden free as possible. A request for an assistance animal may be denied if: (1) the specific assistance animal in question poses a direct threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation, or (2) the specific assistance animal in question would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation. A determination that an assistance animal poses a direct threat of harm to others or would cause substantial physical damage to the property of others will be based on an individualized assessment that relies on objective evidence about the specific animals actual conduct – not on mere speculation or fear about the types of harm or damage an animal may cause and not on evidence about harm or damage that other animals have caused. We will not impose breed, size, and weight limitations to an assistance animal.

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE**

**ASSOCIATION NAME**

Pursuant to the provisions of the Articles of Incorporation, the Declaration of Covenants, Conditions, and Restrictions for the Association Name, the Bylaws of the Association Name, and NRS Chapter 116, the Board of Directors of the Association Name hereby adopts the Policy Pertaining to Reasonable Accommodations and Modifications Under the Fair Housing Act set forth above.

BE IT RESOLVED, that the Association Name approves the Policy Pertaining to Reasonable Accommodations and Modifications Under the Fair Housing Act, effective \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_.

**Association Name**

By:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Its: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_