

# REASONABLE ACCOMMODATIONS AND MODIFICATIONS FOR PEOPLE WITH DISABILITIES



## Sample Policy & Disability Resource Information



# **REASONABLE ACCOMMODATIONS & MODIFICATIONS** **FOR PEOPLE WITH DISABILITIES**

The Fair Housing Partners developed this guidebook to help housing providers respond to reasonable accommodation and modification requests. This policy includes a sample policy as well as disability resource information. We hope you find this information helpful in your efforts to provide fair housing for all.

The Fair Housing Partners have also developed other resources, available in print and CD formats:

## **Fair Housing in Washington State – Top 100 FAQs for Housing Providers and Managers**

### **Sample Policies:**

- **Harassment & Retaliation**
- **Service Animals**
- **Domestic Violence and Fair Housing**

## **Reasonable Accommodations & Modifications – Guidance for Residents with Disabilities**

### **Fair housing posters (specific to each fair housing agency)**

Please contact your local fair housing agency for technical assistance or to review your policy. To share your comments about this guidebook, contact the King County Office of Civil Rights by phone at 206-263-2446, TTY Relay: 711 or by email to [Civil-Rights.OCR@KingCounty.gov](mailto:Civil-Rights.OCR@KingCounty.gov).

## **FAIR HOUSING PARTNERS OF WASHINGTON STATE**

Washington State Human Rights Commission  
King County Office of Civil Rights & Open Government  
Seattle Office for Civil Rights  
Tacoma Human Rights  
Fair Housing Center of Washington  
Northwest Fair Housing Alliance

***This information does not constitute legal advice. The fair housing laws regarding service animals vary depending upon jurisdiction. Please consult with one of the fair housing agencies if you have questions about this topic.***

**AVAILABLE IN ALTERNATE FORMATS UPON REQUEST**  
**Contact King County OCR, 206-263-2446**

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**SAMPLE POLICY:**  
**REASONABLE ACCOMMODATIONS AND MODIFICATIONS**

It is the policy of **[insert name of company here]** to provide reasonable accommodations to applicants and residents who have disabilities, and to permit residents with disabilities to make reasonable modifications.

We will advise all applicants and residents of our willingness to provide accommodations by noting on application forms, rental agreements, and rules or regulations that “reasonable accommodations for people with disabilities will be provided upon request.”

**DEFINITION OF DISABILITY**

The preferred term is “disability”; however, a few fair housing laws use the terms “handicap” and “disability” interchangeably.

The Washington State Law Against Discrimination (WLAD) defines disability to mean the presence of a sensory, mental, or physical impairment that:

- Is medically cognizable or diagnosable, or
- Exists as a record or history, or
- Is perceived to exist, whether or not it exists in fact.

Under the WLAD, a disability exists whether it is temporary or permanent, common or uncommon, mitigated or unmitigated. Local fair housing ordinances contain similar definitions.

Under fair housing laws, the definition of disability does not include:

- sex offenders
- current illegal drug users (however, fair housing laws do protect people who are recovering from substance abuse)



## **REASONABLE ACCOMMODATIONS AND MODIFICATIONS**

An applicant or resident with a disability may need either a reasonable accommodation or a reasonable modification, or both, in order to have an equal opportunity to use and enjoy a dwelling (including public and common use spaces) or housing services. See Appendix B for a list of common accommodations and modifications.

A **reasonable accommodation** is a change, exception, or adjustment to a rule, policy, practice, or service that allows a person with a disability to use and enjoy a dwelling, including public and common use areas. Examples include:

- providing rental forms in large print
- providing a reserved accessible parking space near a resident's rental
- allowing a resident to have a service animal in a "no pets" building
- permitting a resident who has developed mobility limitations to move to the ground floor.

A **reasonable modification** is a structural change made to a resident's living space or to the common areas of a community, which is necessary to enable a resident with a disability to have full use of and enjoyment of the housing. Reasonable modifications can include structural changes to interiors and exteriors of dwellings and to common and public use areas. Examples include:

- widening a doorway for a wheelchair user
- installing grab bars in a bathroom
- lowering kitchen cabinets to a height suitable for a wheelchair user
- adding a ramp and handrails to make a primary entrance accessible
- altering a walkway to provide access to a public or common use area.

### **Who Pays?**

**Accommodations** – Fair housing laws require that we bear accommodation costs that do not amount to an undue financial and administrative burden. Most accommodations are no or low cost. We may not require people with disabilities to pay extra fees or deposits as a condition of receiving a reasonable accommodation.

**Modifications** – Generally, the resident will bear the expense of making reasonable structural modifications to a property. However, if the property receives federal funds, the housing provider usually pays, unless there is financial and administrative hardship.

**Buildings subject to Fair Housing Act design and construction requirements** – the housing provider may be responsible for making modifications that correct accessibility-related deficiencies. (applies only to housing with four or more units, constructed for first occupancy on or after March 13, 1991 – see Resources and Guidance)

**Federally Funded Housing** – If housing is federally funded, the housing provider is likely responsible for the costs of reasonable modifications. We will make appropriate changes to these staff guidelines to reflect that responsibility.



## **Restoration**

We may choose to keep modifications in place at the end of the tenancy, and in many cases, these changes enhance the general accessibility of the unit or common area.

At the end of tenancy, the resident is obligated, at the resident's expense, to restore interior dwelling areas to their previous condition only where it is reasonable to do so and where we request the restoration. In general, if the modifications would not affect a subsequent resident's use or enjoyment of the premises, we will not require the outgoing resident to restore the premises to its prior state. We will not require that the resident restore modifications made to the exterior of a dwelling, such as ramps to the front door of the dwelling, or modifications made to laundry rooms or building entrances.

In certain limited and narrow circumstances, we may require that the resident deposit money into an interest bearing account to ensure that funds are available to restore the interior of a dwelling to its previous state. The resident is not responsible for expenses associated with reasonable wear and tear (See RCW 58.18.060, 58.18.130, 58.18.260).

## **DENYING A REQUEST**

If unsure about the reasonableness of the request, we will consult upper management before denying the request or conditioning approval on an alternative. If honoring the request appears very difficult, time-consuming or expensive, we will inform the requester of the concern and discuss how to identify easier, quicker or less expensive alternate accommodations that may work. In such situations, we will offer the requester the opportunity to amend the initial request. We may consult a local fair housing agency or other expert for technical assistance, accommodation ideas, funding resources, etc.

We will not deny a request for fear that an approval would encourage other people to request similar accommodation. Instead, we will assess each request individually.

The reasonableness of a particular accommodation or modification depends on various factors, including undue financial and administrative burden, fundamental alteration, or direct threat.



## **Undue Financial and Administrative Burden**

A request is generally not reasonable if the accommodation would impose an undue financial and administrative burden on us. We will determine on a case by case basis whether a request would impose an undue burden, considering these relevant factors:

- the administrative cost or burden of the requested accommodation in comparison with the administrative cost of regular operation
- limits or availability of our overall resources
- the benefits that the accommodation would provide to the requester
- the availability of other, less expensive alternative accommodations that would effectively meet the requester's disability-related needs.

Note: If granting the request would interfere with our compliance with historical preservation requirements or other regulatory restrictions, this may be considered in analyzing undue burden.

### **Fundamental Alteration in the Nature of our Business Operations**

A request is generally not reasonable if the accommodation would fundamentally alter the nature of our business operations. If the requested accommodation or modification is not reasonable, we can use the interactive process to explore other alternatives that would address the person's need and that would be reasonable. [Example: A resident with a disability requests housekeeping assistance. Such a request is not reasonable because housekeeping is outside our normal business services.]

### **Direct Threat**

A request is generally not reasonable if the accommodation or modification would constitute a direct threat to the health or safety of others, or would result in substantial physical damage to the property of others, unless the threat can be eliminated or significantly reduced by reasonable accommodation.

To establish direct threat, we need recent, objective evidence of behavior that puts others at risk of harm. However, we will evaluate all requests for accommodation, even from someone who may be a direct threat or who has caused substantial property damage. In such a situation, the resident would need to present information that steps have been taken to prevent future harm. [Example: A resident with a disability who is considered a direct threat may request a reasonable accommodation during the eviction process by presenting information that s/he has taken steps to prevent future harm. We have a duty to consider the reasonable accommodation request before taking action.]



## REASONABLE ACCOMMODATION AND MODIFICATION PROCEDURE: GUIDANCE FOR STAFF

### CONSIDERATION OF REQUESTS

We will consider all requests, whenever applicants or residents make them.

- Management will consider requests for accommodation or modification made by a person with a disability or by a representative making the request on behalf of and with the approval of the person with a disability.
- We encourage written requests for an accommodation or modification, but we accept verbal requests. If the person with a disability does not, or cannot use our request form, management staff should document the request on one of the forms, and give a copy to the person making the request. We will make sure that the form accurately reflects the person's intended request.
- We will consider a request even if it was not submitted on our form.

The accommodation or modification must be for a person with a disability.

- If management staff knows that someone who makes a request is disabled or if the disability is readily apparent, we will not request written verification of the disability. (see "Verification and Approval" section below)
- We do not need to know the details of someone's disability. We do not require the authorization for release of confidential medical records in order to verify a disability.

The need for accommodation or modification must be related to the person's disability.

- The resident's request should describe the accommodation or modification, and explain how it is related to the disability. [Example: a resident has a mobility limitation and cannot walk long distances, especially when carrying groceries.]
- The resident's requested accommodation or modification must be necessary to meet the disability-related needs of the individual. [Example: the resident with a mobility limitation needs a parking spot close to his apartment.]

The requested accommodation or modification must be reasonable. Before denying any disability accommodation request, obtain approval from management.

## WHEN TO REQUEST VERIFICATION

The need to obtain verification documentation depends on the obviousness of the person's disability, as well as the connection between the disability and the requested accommodation or modification.

- **The disability is obvious and the requested accommodation is clearly related to the disability**, no verification is necessary. Such requests should be promptly documented and approved. [Example: a low vision resident asks for the tenancy rules in large print.]
- **The disability is known, but the requested accommodation does not appear related to the disability**, we will request only information necessary to evaluate the disability-related need for the accommodation. [Example: a resident known to have a heart condition requests to live with a service animal.]
- **Neither the disability nor the relationship between the disability and accommodation is clear**, we will ask for proof of both. [Example: Someone with no obvious disability asks for an accessible parking space – request that he document both that he has a disability and his disability-related need for the parking.]

We will accept verification from a doctor or other medical professional, or other qualified third party who, in their professional capacity, has knowledge about the person's disability and need for the requested accommodation or modification.

## SUPPLEMENTAL INFORMATION

When additional information is necessary, we will notify the person seeking the accommodation what information is needed and offer a reasonable time to provide the information. If, after a reasonable period of time, the requester fails to provide the necessary information, we will base the decision about the request on the available information.

If we have insufficient information, we may deny the request and inform the requester of the opportunity to submit another request later with more information.

## ALTERNATIVE ACCOMMODATIONS

If the accommodation initially requested is determined not to be feasible or if more than one reasonable accommodation would fulfill the needs of the person with the disability, we will engage in a dialogue with the requester to identify alternatives that may be less costly or administratively burdensome.



- We can offer to move a tenant to a different unit in lieu of allowing the resident to make a modification, but we cannot insist on the move.

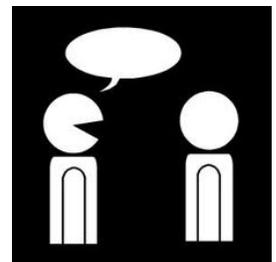
- We can require that the modification be done according to our design if it is to a common area or an aspect of the interior of the unit that needs no restoration, if our proposed design imposes no additional costs and still meets the resident's needs.
- If we wish the resident to make a modification with more costly materials, in order to satisfy our aesthetic or unique design standards, the resident must agree only if we pay those additional costs. Consult upper management before offering or agreeing to a more costly alternative.

If the initial accommodation proposed by the tenant is determined to be unreasonable and more than one alternative is available, we will offer the accommodation that is less burdensome or expensive and meets the resident's needs. For more information, see the Disability Access Resources booklet available from the Fair Housing Partners of Washington State.

- We cannot require that the resident obtain additional insurance or increase the security deposit as a condition of allowing an accommodation or modification.
- For modifications, we can require that whoever does the work is reasonably able to do so in a professional manner and that all necessary building permits are obtained.
- We cannot insist that a particular contractor perform modifications, but we can require that the contractor be licensed, bonded, insured, etc. (if this is your normal business practice)
- In some situations, our on-site maintenance staff will perform the modifications.

## **INTERACTIVE PROCESS**

When we receive a request, we will initiate an interactive, good faith dialogue with the resident who made the request to assess it and to reach a mutually acceptable solution. If we are uncertain about how to provide a requested accommodation, we will ask the resident to help identify community resources to assist in granting the accommodation. Remember, in most cases, the person with a disability knows best what accommodation or modification will meet his or her needs.



We will give the requester the following:

- A letter confirming that we received the request.
- If needed, a letter asking for additional information (such as verification that the person has a disability, that the accommodation is disability-related, or both), with a suggested timeline for providing the information.
- A letter notifying that we have approved the request, that it is under consideration, denied, or granted in a form different from that requested by the person with a disability.

We will document the interactive process, noting those situations in which additional information is necessary.

## **TIMELINESS**

We will evaluate each request on a case by case basis, in a timely and professional manner.

We have an obligation to provide prompt responses to requests. If we delay responding to an accommodation request, after a reasonable amount of time the delay may be construed as a failure to provide a reasonable accommodation. A resident or applicant may then choose to seek legal assistance or to file a complaint with a fair housing agency.

## **CONFIDENTIALITY**

Whether in casual conversation or during the interactive process, sometimes a person will reveal information about a disability, medical treatment, or details about tasks a service animal does. We must keep this information confidential and not share it, except:

- with management employees who need information to make a decision to grant or deny a reasonable accommodation request, or
- when disclosure required by law (for example, a court-issued subpoena).

It is not appropriate to discuss a resident's disability or accommodations with another resident. [Example: A resident in a "no pets" community who wants a dog asks why another resident has one. The manager should not disclose that the resident has a disability or that the dog is a service animal. Instead, the manager can say "Fair housing laws require us to make exceptions to the 'no pets' rule under certain circumstances" and offer to accept a request for an exception to the rule.]



# FAIR HOUSING AGENCIES IN WASHINGTON STATE

The Federal Fair Housing Act, state and local fair housing laws exempt certain housing from coverage. For questions, contact each agency concerning the law that agency enforces.

## FAIR HOUSING ENFORCEMENT AGENCIES

<b>U.S. Dept. of Housing &amp; Urban Development</b> Fair Housing 909 First Avenue Suite 205 Seattle, WA 98104-1000	<b>Washington State Human Rights Commission</b> 711 S. Capitol Way Suite 402 Olympia, WA 98504-2490	<b>King County Office of Civil Rights</b> Chinook Building 401 Fifth Avenue Suite 215 Seattle, WA 98104-1818	<b>Seattle Office for Civil Rights</b> 810 Third Avenue Suite 750 Seattle, WA 98104-1627	<b>Tacoma Human Rights</b> 747 Market Street Room 836 Tacoma, WA 98402-3779
206-220-5170 800-877-0246 TTY 206-220-5185 Fax 206-220-5447	360-753-6770 800-233-3247 in WA TTY 800-300-7525 Fax 360-586-2282	206-263-2446 TTY Relay: 711 Fax 206-296-4329	206-684-4500 TTY 206-684-4503 Fax 206-684-0332	253-591-5151 TTY 253-591-5153 Fax 253-591-5050
<a href="http://www.hud.gov/local/sea/seafhome.html">www.hud.gov/local/sea/seafhome.html</a>	<a href="http://www.hum.wa.gov">www.hum.wa.gov</a>	<a href="http://www.kingcounty.gov/civilrights">www.kingcounty.gov/civilrights</a>	<a href="http://www.seattle.gov/civilrights">www.seattle.gov/civilrights</a>	<a href="http://www.cityoftacoma.org/humanrights">www.cityoftacoma.org/humanrights</a>
<u>Protected Classes</u>  Race Color National Origin Religion Sex Disability Familial Status	<u>Protected Classes</u>  Race Color National Origin Creed Sex Disability Familial Status Marital Status Sexual Orientation (incl. gender identity) Veteran/Military Status	<u>Protected Classes</u>  Race Color National Origin Religion Gender Disability Familial Status Marital Status Sexual Orientation (incl. gender identity) Age Section 8 Ancestry Use of a Service or Assistive Animal	<u>Protected Classes</u>  Race Color National Origin Religion/Creed Sex Disability Parental Status Marital Status Sexual Orientation Gender Identity Age Section 8 Political Ideology Veteran/Military Status	<u>Protected Classes</u>  Race Color National Origin Religion Sex Disability Familial Status Marital Status Sexual Orientation Gender Identity Age Ancestry Veteran/Military Status
File within 1 year <u>Jurisdiction:</u> United States	File within 1 year <u>Jurisdiction:</u> Washington	File within 365 days <u>Jurisdiction:</u> Unincorporated King County	File within 1 year <u>Jurisdiction:</u> City of Seattle	File within 1 year <u>Jurisdiction:</u> City of Tacoma

## FAIR HOUSING ADVOCACY, EDUCATION & OUTREACH ORGANIZATIONS

**In Western Washington:**

**Fair Housing Center of Washington**  
 1517 S. Fawcett Avenue, Suite 250  
 Tacoma, WA 98402

253-274-9523, 888-766-8800 (toll free), Fax 253-274-8220  
[www.fhcwashington.org](http://www.fhcwashington.org)

**In Eastern Washington:**

**Northwest Fair Housing Alliance**  
 35 West Main Avenue, Suite 250  
 Spokane, WA 99201

509-325-2665, 800-200-FAIR (in 509 area code),  
 Fax 509-325-2716      [www.nwfairhouse.org](http://www.nwfairhouse.org)

**RETALIATION:** Fair housing laws prohibit retaliation – an act of harm by anyone against a person who has asserted fair housing rights (by making an informal discrimination complaint, filing a civil rights complaint, or being otherwise involved in an investigation).



#### **SECTION 8 ORDINANCE ENFORCEMENT**

In addition to the City of Seattle and unincorporated King County, the following cities enforce local ordinances prohibiting housing discrimination based on participation in the Section 8 Program:

- **City of Bellevue** -- To file a complaint, contact Code Compliance, 425-452-4570  
email: [codecompliance@ci.bellevue.wa.us](mailto:codecompliance@ci.bellevue.wa.us)  
web: [www.ci.bellevue.wa.us/reportproblem.htm](http://www.ci.bellevue.wa.us/reportproblem.htm)
- **City of Kirkland** -- To file a complaint, contact Code Compliance, 425-587-3225  
email: [codecompliance@ci.bellevue.wa.us](mailto:codecompliance@ci.bellevue.wa.us)  
web: [www.kirklandwa.gov/depart/planning/Code\\_Enforcement.htm](http://www.kirklandwa.gov/depart/planning/Code_Enforcement.htm)
- **City of Redmond** -- To file a complaint, contact Code Compliance, 425-556-2474  
email: [codeenforcement@redmond.gov](mailto:codeenforcement@redmond.gov)  
web: [www.redmond.gov/Residents/CodeEnforcement/](http://www.redmond.gov/Residents/CodeEnforcement/)

## APPENDIX B - DISABILITY LAWS AND RESOURCES

### **Fair Housing Act, state and local fair housing laws**

- Prohibit discrimination against people with disabilities and against those who associate with them.
- Require provision of "reasonable accommodations" as necessary to afford such person(s) equal opportunity to use and enjoy a dwelling.
- Require housing providers to allow residents with disabilities to make "reasonable modifications" to rentals and common areas.
- Require accessibility design and construction for covered multifamily housing.

For more information, see these web pages:

[www.hud.gov/offices/ftheo/FHLaws/index.cfm](http://www.hud.gov/offices/ftheo/FHLaws/index.cfm)

[www.kingcounty.gov/civilrights/FHlaws.htm](http://www.kingcounty.gov/civilrights/FHlaws.htm)

Municipal Research and Services Center (MRSC): [www.mrsc.org/legalres.aspx](http://www.mrsc.org/legalres.aspx)

Washington State Law Against Discrimination - RCW 49.60

King County Open Housing Ordinance – King County Code 12.20

City of Seattle Unfair Housing Practices - Municipal Code Chapter 14.08

City of Tacoma Law Against Discrimination – Official Code Chapter 1.29

### **Section 504 of the Rehabilitation Act of 1973**

Prohibits discrimination based on disability in any housing, program or activity receiving federal financial assistance. For more information, see these web pages:

[www.hud.gov/offices/ftheo/disabilities/sect504faq.cfm](http://www.hud.gov/offices/ftheo/disabilities/sect504faq.cfm)

[www.hud.gov/offices/ftheo/disabilities/sect504docs.cfm](http://www.hud.gov/offices/ftheo/disabilities/sect504docs.cfm)

### **Americans with Disabilities Act**

- **Title II** prohibits discrimination based on disability in programs, services, and activities provided or made available by public entities (state and local public housing, housing authorities, housing assistance and housing referrals).
- **Title III** covers housing community areas that are open to the public (such as a rental office) or available for use by the public (such as a clubhouse rented to non-residents).

For more information, see this web page: [www.usdoj.gov/crt/ada/publicat.htm](http://www.usdoj.gov/crt/ada/publicat.htm).

## **FEDERAL RESOURCES AND GUIDANCE**

### **HUD/DOJ Joint Statement on Reasonable Accommodations –**

[www.usdoj.gov/crt/housing/joint\\_statement\\_ra.pdf](http://www.usdoj.gov/crt/housing/joint_statement_ra.pdf)  
[www.hud.gov/offices/ftheo/library/huddojstatement.pdf](http://www.hud.gov/offices/ftheo/library/huddojstatement.pdf)

### **HUD/DOJ Joint Statement on Reasonable Modifications –**

[www.usdoj.gov/crt/housing/fairhousing/reasonable\\_modifications\\_mar08.pdf](http://www.usdoj.gov/crt/housing/fairhousing/reasonable_modifications_mar08.pdf)  
[www.hud.gov/offices/ftheo/disabilities/reasonable\\_modifications\\_mar08.pdf](http://www.hud.gov/offices/ftheo/disabilities/reasonable_modifications_mar08.pdf)

### **Fair Housing Accessibility First – [www.fairhousingfirst.org](http://www.fairhousingfirst.org)**

Design and Construction Resource Center: 888- 341-7781

### **Sample Policy: Service Animals – [www.kingcounty.gov/civilrights/SA.pdf](http://www.kingcounty.gov/civilrights/SA.pdf)**

### **New ADA Regulations and Assistance Animals as Reasonable Accommodations Under the Fair Housing Act and Section 504 of the Rehabilitation Act of 1973 –**

[www.hum.wa.gov/ServiceAnimals/service%20animal%20memo%20final%20\(x\).pdf](http://www.hum.wa.gov/ServiceAnimals/service%20animal%20memo%20final%20(x).pdf)

### **HUD Disability Rights and Resources – [www.hud.gov/offices/ftheo/disabilities](http://www.hud.gov/offices/ftheo/disabilities)**

### **HUD, “Disability Rights in Housing” –**

[www.hud.gov/offices/ftheo/disabilities/inhousing.cfm](http://www.hud.gov/offices/ftheo/disabilities/inhousing.cfm)

### **HUD, “Insurance Policy Restrictions as a Defense for Refusals to Make a Reasonable Accommodation” –**

[www.fairhousing.com/include/media/pdf/insuranceguidance.pdf](http://www.fairhousing.com/include/media/pdf/insuranceguidance.pdf)

## APPENDIX C - COMMON DISABILITY ACCOMMODATIONS & MODIFICATIONS

Under fair housing laws, housing providers must accommodate the disability-related needs of applicants and residents who have disabilities. A reasonable accommodation is an adjustment in rules, procedures or services that gives people with disabilities an equal opportunity to use and enjoy their dwelling and common areas. A reasonable modification is a change in a dwelling or common areas (usually at the resident's expense) that is needed to live comfortably and safely. If unaware of the person's disability status or need for the accommodation or modification, it is okay to request third-party verification that the person has a disability and that the requested accommodation or modification will address the person's disability needs. \*

<b>Vision Disabilities</b>	<b>Hearing Disabilities</b>	<b>Cognitive Disabilities</b>	<b>Physical Disabilities</b>	<b>Psychiatric Disabilities</b>	<b>Environmental Disabilities</b>
<p>Allow a guide dog.</p> <p>Provide documents in electronic format.</p> <p>Read notices aloud or put them in large print or in Braille.</p> <p>Provide ample interior and exterior lighting.</p> <p>Remove objects that protrude into hallways and pathways.</p> <p>Put non-slip, color-contrast strips on stairs.</p> <p>Provide large print or Braille numbers on doors.</p>	<p>Allow a service animal.</p> <p>Provide a visual doorbell signal.</p> <p>Provide a visual smoke alarm system.</p> <p>Train staff to use the statewide telecommunications relay service.</p> <p>Provide sign language interpreters for important meetings.</p> <p>For phones in common areas, add voice amplification.</p>	<p>Allow a service or companion animal.</p> <p>Explain the rental / lease agreement and tenancy rules.</p> <p>Write application, rental papers and notices in clear, simple terms.</p> <p>Show how appliances work.</p> <p>Provide simple door locks or security systems.</p> <p>Provide a monthly reminder that the rent is due.</p> <p>Show location of the water shutoff valve and explain when to use it.</p>	<p>Allow a service animal.</p> <p>Make sure the on-site rental office is accessible.</p> <p>Provide lever door handles and automatic door closers.</p> <p>Allow a live-in personal care attendant.</p> <p>Clear shrubs from pathways and trim to low height.</p> <p>Insulate exposed kitchen and bathroom pipes.</p> <p>Install anti-skid tape on floors and stairs.</p> <p>Upon request, move resident to a lower floor.</p> <p>Allow modifications:</p> <ul style="list-style-type: none"> <li>▪ wider doorways</li> <li>▪ ramps</li> <li>▪ grab bar installation</li> <li>▪ lower closet rods</li> <li>▪ lower thermostat.</li> </ul>	<p>Allow a service or companion animal.</p> <p>Upon request, move resident to a quieter unit.</p> <p>Upon request, return an applicant to a waiting list if the applicant missed a deadline because of the disability.</p> <p>Allow a third party payee.</p> <p>Upon request, notify an authorized third party of tenancy compliance issues.</p>	<p>Use non-toxic fertilizers and cleaning products.</p> <p>Allow removal of carpet from the rental.</p> <p>Remove the ballast on fluorescent lights.</p> <p>Post "no smoking" signs in common areas.</p> <p>Consider a "no smoking" rule for an entire building.</p>

\* The documentation that can be requested is a letter of verification from a doctor or other medical professional, or other qualified third party who, in their professional capacity, has knowledge about the person's disability and the need for reasonable accommodation. For more information, see the joint HUD and Dept. of Justice guidance memo on reasonable accommodations online at [www.usdoj.gov/crt/housing/joint\\_statement\\_ra\\_5-17-04.pdf](http://www.usdoj.gov/crt/housing/joint_statement_ra_5-17-04.pdf).

## **APPENDIX D - SAMPLE LETTERS FOR MANAGEMENT**

### **REASONABLE ACCOMMODATION RESPONSE – Request Granted**

Dear (resident):

We have received your request for a reasonable accommodation, specifically, \_\_\_\_\_, together with your healthcare provider's letter documenting your disability and need for the accommodation. We will provide the requested accommodation as follows: \_\_\_\_\_

Sincerely, Property Manager

### **REASONABLE ACCOMMODATION RESPONSE – Request Granted, Let's Talk**

Dear (resident):

We have received your request for a reasonable accommodation, specifically, a reserved accessible parking space, together with your healthcare provider's letter. Your request is granted and we will begin the process of designating a parking space for your use immediately. Please contact me as soon as possible so that we may discuss which parking location(s) will best meet your needs.

Sincerely, Property Manager

### **REASONABLE ACCOMMODATION RESPONSE – Need Verification**

Dear (resident):

We have received your request for a reasonable accommodation. You have requested \_\_\_\_\_. Before we can make a decision, we need some more information. Please provide us with a letter from a health care provider, social service provider, or other qualified person confirming (that you are person with a disability) (that you need the accommodation because of your disability). Once we receive the above letter, we will give prompt consideration to your request.

Sincerely, Property Manager

Note: You can attach the Verification Guide to this letter.

**REASONABLE ACCOMMODATION RESPONSE – Request Unclear, Let’s Talk**

Dear (resident):

We have received your request for a reasonable accommodation. We are unclear about your specific needs and would like to meet with you to discuss the accommodation request. Please contact me as soon as possible so that we may discuss what will best meet your needs.

Sincerely, Property Manager

**REASONABLE MODIFICATION RESPONSE – Request Granted**

Dear (resident):

We have received your request for a reasonable modification, specifically, to be allowed to have Joe Johnson of Able Carpenter Company install grab bars in the bathtub and around the toilet in the bathroom of your rental. We have spoken to Mr. Johnson, who has assured us that the project will be done in a professional manner and to building code.

Your request to make this modification is granted. Please let me know when the carpentry work begins and ends.

When you vacate your unit, we request that you remove the grab bars around the toilet, but you may leave the grab bars in the bathtub area.

Sincerely, Property Manager

**REASONABLE MODIFICATION RESPONSE – Need Verification**

Dear (resident):

We have received your request for a reasonable modification, specifically, to be allowed to \_\_\_\_\_. Before we can make a decision, we need some more information. Please provide us with a letter from a health care provider, social service provider, or other qualified person confirming (that you are person with a disability) (that you need the modification because of your disability). Once we receive the above letter, we will give prompt consideration to your request.

Sincerely, Property Manager

Note: You can attach the Verification Guide to this letter.

**REASONABLE ACCOMMODATION RESPONSE – Request Denied**  
**(Undue Burden)**

Dear (resident):

We received your request for a reasonable accommodation. You requested that we install an elevator in our building so that you can live on the fourth floor. We have given your request careful consideration and have decided to deny this request.

Management believes that the request to provide an elevator would be too costly and would result in an undue financial burden for us as housing providers. Under fair housing laws, we are not required to grant such requests, which are considered unreasonable.

If you would like to explore other alternatives for reasonable accommodations, please contact us any time.

Sincerely, Property Manager

**REASONABLE ACCOMMODATION RESPONSE – Request Denied**  
**(Fundamental Alteration)**

Dear (resident):

We received your request for a reasonable accommodation. You requested that we provide housekeeping services inside your unit. We have given your request careful consideration and have decided to deny this request.

As you may be aware, the management of the Evergreen Apartments provides general maintenance and cleaning of the common areas of the complex, and appliance repairs for residents upon request. However, we do not provide housekeeping services for individual resident apartments.

Management believes that the request to provide personal housekeeping services for a resident would result in a fundamental alteration of our housing services. Under fair housing laws, we are not required to grant such requests, which are considered unreasonable.

If you have a need for reasonable accommodations, please contact us any time with a request.

Sincerely, Property Manager

**APPENDIX E -**  
**Guidance for Health Care and Qualified Professionals:**  
**Verifying Reasonable Accommodation and Modification Requests**

Dear Health Care Provider or Qualified Individual:

Fair housing laws allow an individual who has a physical, mental, or sensory disability to request that a housing provider grant him/her a reasonable accommodation (a change in rules, policies, or practices) or reasonable modification (a structural change to a dwelling). Once an applicant or resident has made a request, a housing provider may ask that the person obtain written verification of disability and/or verification of the need for the accommodation, if not obvious or known.

Verification of disability or need may come from a medical professional, peer support group, non-medical service agency, or a reliable third party who is in a professional position to have knowledge about the person's disability and/or need for accommodation. The verification should state that the person meets the fair housing definition of disability and that the requested accommodation is necessary and disability-related.

For the purposes of requesting a reasonable accommodation or modification in housing in Washington state, **disability is defined as “the presence of a sensory, mental, or physical impairment that: (i) is medically cognizable or diagnosable or (ii) exists as a record or history or (iii) is perceived to exist whether or not it exists in fact.”** Additionally, “a disability exists whether it is temporary or permanent, common or uncommon, mitigated or unmitigated ... or whether or not it limits any other activity...” (RCW 49.60.040)

**The verification should include the following items:**

- I. **Qualification of person** writing the verification letter.
- II. **Nature of relationship** the professional has with the person making the request.
- III. **Statement that** the person has a disability that meets the state definition above.

**Important Note:** Revealing a diagnosis puts an individual at risk of additional discrimination. Before naming a specific diagnosis or category of disability, obtain the person's informed consent.

IV. **Describe how the accommodation or modification requested is necessary** to afford the person the equal opportunity to access housing, maintain housing, or for full use and enjoyment of the housing or housing related service. Because housing providers must make only those accommodations or modifications that are necessary, be sure to use words like: “necessary,” “essential,” “prescribed”; when describing that the condition creates a need for the accommodation or modification. The role of the verifier is to establish that the need derives from the disability.

**Sample Verification for Reasonable Accommodation / Modification**

Re: John Smith's request for a reserved accessible parking space adjacent to his apartment.

Please accept this correspondence as verification that:

- I. I am a \_\_\_\_\_ licensed medical doctor \_\_\_\_\_.
- II. I have treated John Smith since May 2008 for a disability-related condition.
- III. John Smith is a person with a disability as defined by the Washington Law Against Discrimination (RCW 49.60).
- IV. Designating a reserved accessible parking space adjacent to his apartment is necessary to afford Mr. Smith the opportunity to access and fully use and enjoy his home.

Please approve John Smith's request for \_\_\_\_\_ a reserved accessible parking space adjacent to his apartment.

Signature: \_\_\_\_\_ *Dr. Leon Jones* \_\_\_\_\_

Printed Name: \_\_\_\_\_ Dr. Leon Jones \_\_\_\_\_

Professional Title: \_\_\_\_\_ Medical Doctor \_\_\_\_\_

Name of Clinic, Hospital, Agency, etc.: Seattle Hospital \_\_\_\_\_

Address: \_\_\_\_\_ 500 First Avenue, Seattle, WA 98101 \_\_\_\_\_

Phone Number: \_\_\_\_\_ 206-555-1212 \_\_\_\_\_

Fax Number: \_\_\_\_\_ 206-555-1234 \_\_\_\_\_

Date: \_\_\_\_\_ June 1, 2013 \_\_\_\_\_

**APPENDIX F -**  
**REASONABLE ACCOMMODATION AND MODIFICATION POLICY**  
**GUIDELINES FOR APPLICANTS AND RESIDENTS**  
**WHO HAVE DISABILITIES**

**MAKING A REQUEST**

If you or a member of your household needs a reasonable accommodation or modification, please submit a request to the housing manager. If you are unable to make a request for yourself, another person (an advocacy organization or representative) can make the request on your behalf. The request does not need to disclose the nature of your disability.

You can make verbal requests for accommodations; however, we recommend that you make requests in writing, because this will help us to assess your request and to avoid misunderstandings about what you need.

In order for management to approve your request for reasonable accommodation, please make a reasonable accommodation request to management, with the following:

1. The requested accommodation must be for someone with a disability.
2. The requested accommodation must be directly related to the disability.
3. The requested accommodation or modification must be reasonable.

In your request, please give us a full description of the required accommodation. If you know of resources that will make it easier or quicker for management to grant your request, include this information along with your request.

If you request permission to make a modification to the property, please:

- Give a full description of the intended modification(s).
- Provide assurance that you will obtain building permits, if necessary.
- Provide assurance that the modifications will be done in a professional manner.

Please be aware that residents are responsible for the costs of their own modifications (except in housing that receives federal funding). If the modification you plan to make will not interfere with the next resident's use and enjoyment of the premises, it can remain there when you move out. In some cases, we will ask you to:

- Agree to return the premises to their original state.
- Agree to pay into an interest-bearing escrow account, over a reasonable period, an amount of money not to exceed the cost of the restorations (the interest on the account accrues to you).

[Example: If you install grab bars in the bathtub with reinforcement in the wall, at move-out we may ask you to remove the grab bars, but leave the in-wall reinforcement.]

## **VERIFICATION**

Management may ask you to provide written verification that the request is for someone who has a disability. We may also ask you for verification that the accommodation or modification is necessary to give that person an equal opportunity to use and enjoy the housing community. If asked for verification, you can get it from your healthcare provider or any other qualified third party.

## **PROVISION OF ACCOMMODATIONS**

We will work with you to process your request promptly. We may need to discuss your request with you. We generally grant requests for reasonable accommodations without cost to you. However, in most cases, you must pay for reasonable modifications.

Management will give you the following:

- A letter confirming that we received your request.
- If needed, a letter requesting additional information (such as verification that the person has a disability, that the accommodation is disability-related, or both), with a suggested timeline for providing the information.
- A letter notifying you that your request has been approved, is under consideration, or has been denied.

Sometimes the specific accommodation you request may be difficult, time-consuming or expensive to provide, and we may suggest alternate accommodations that might work just as well. If you believe the accommodation you have requested is the only one that will work, be prepared to explain why. Have a back-up plan in mind and be willing to discuss alternatives.

If we decide that we cannot fulfill your request because it poses an undue financial and administrative burden, fundamental alteration, or direct threat in our housing program, we will advise you in writing, and offer an opportunity for you to make a modified request.

## **RESOURCES/QUESTIONS**

If you have any questions regarding your rights and responsibilities under the fair housing laws, contact a fair housing agency in your area listed in Appendix A. These agencies are able to provide technical assistance – they are a good information source for accommodation ideas, funding resources, access codes, etc.

For more information about your rights under fair housing laws, see [www.hud.gov/offices/ftheo/FHLaws/yourrights.cfm](http://www.hud.gov/offices/ftheo/FHLaws/yourrights.cfm).

## DISABILITY RESOURCE INFORMATION

### ACCESSIBLE PARKING

**Resident Parking** – If parking is provided for residents, it is a reasonable accommodation to provide reserved accessible spaces for residents with disabilities.

- We will use the standard accommodations process for accessible parking requests. If a resident has a state disabled parking permit, this is generally sufficient proof of the need for a reserved accessible parking space.
- Many people who need an accessible parking space don't need an extra-wide space with an access aisle – they often need only a regular-size parking space nearest to their front door or on the most accessible route to the front door. We will discuss specific parking needs with the resident.
- Even if parking spaces are not normally assigned, we will provide a reserved parking space to a qualified resident with a disability.
- We will post a sign at the head of the parking space noting that the spot is reserved for a particular person or apartment, so that others do not park there. We will alert vendors that these spaces are off-limits.
- We will strictly enforce a resident's reserved accessible parking space, and be prompt in responding to complaints when others park there.



**Guest Parking** – If guest parking is provided near the rental office, some of those spaces must be accessible.

- We will locate at least one accessible guest parking space near an on-site rental office, with an accessible route from the parking to the office.
- Guest parking is subject to ADA Title III rules, which require that at least 2% of all guest spaces in each lot meet access requirements and are designated with appropriate signage. These spaces must be at least 96" wide and must have an adjacent access aisle at least 60" wide. An access aisle can be shared between two accessible parking spaces. At least one of these spaces must be van accessible, with a 96" access aisle. We will alert vendors that these spaces are off-limits.
- We will strictly enforce accessible guest parking spaces, and be prompt in responding to complaints when others park there.

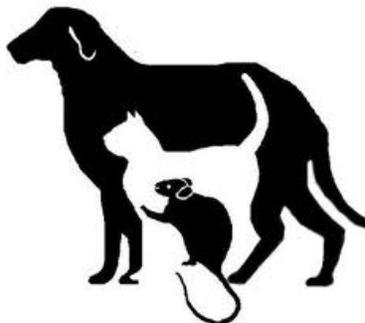
**Cooperative housing and condominiums** – Sometimes a governing board or owners group has only limited control over parking spaces. Boards should assist within their means to the person seeking a parking accommodation. If another resident owns the desired space, the two owners can negotiate a swap.

## SERVICE ANIMALS

It is a reasonable accommodation to allow residents to live with service animals that meet their disability-related needs. When an applicant or resident who has a disability requests to live with a service animal, follow the usual accommodation process.

- Service animals are **not** pets. A person with a disability uses a service animal as an auxiliary aid – similar to the use of a cane or wheelchair.
- Fair housing laws require that service animals be permitted despite "no pet" rules.
- While the most common service animals are dogs, they may include cats, birds, or other common domestic animals. "Companion" animals are considered to be service animals, if they are required to meet a disability-related need.
- Service animals may be any breed, size or weight. We will not apply pet size or weight limitations to service animals.
- Service animals need no special license or visible identification. Some owners of service animals choose to put special collars or harnesses on their animals. If city or county laws require pet licenses for dogs and cats, rental management can require licensing for service dogs or cats. In some cases, animal licenses are free or discounted for service animals.
- Service animals need no "certification." A person may train his or her own service animal.
- We do not charge owners of service animals any pet deposits or fees. We can charge general cleaning or damage deposits, if all residents are similarly charged.
- The service animal's owner is responsible for the animal's care and liable for any damage the animal causes.
- Because service animals provide different types of assistance, in some cases a person with a disability may require more than one service animal.

For more information, see the Sample Policy on Service Animals available from the Fair Housing Partners of Washington State.



# PROVIDING CUSTOMER SERVICES TO PEOPLE WITH DISABILITIES

## THE KEY TO CUSTOMER SERVICE

The key to providing quality customer services to people with disabilities is to remember that all people are individuals. People with disabilities come in all shapes and sizes with diverse personalities, abilities, interests, needs, and preferences – just like everyone else. There are an estimated 57 million people with disabilities, about 20% of the American population – the nation’s largest minority group.

The federal Fair Housing Act, local fair housing laws, and other disability access laws require housing providers to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford people with disabilities an equal opportunity to use and enjoy a dwelling. You will be better able to interact with applicants and residents who have disabilities if you have some general knowledge of appropriate language and customer service etiquette.

## LANGUAGE

Language is continually evolving, including language related to people with disabilities. Staying current is important, not to show “politically correctness” but to communicate effectively and with respect. What you say and write may enhance the dignity of people with disabilities or may inadvertently reflect stereotypes and negative attitudes.

Some words and phrases don’t recognize the broad range of capabilities of people with disabilities. They don’t need or want to be pitied, nor should they be labeled “courageous” or “special” because they accomplish daily activities or work. People are sometimes concerned that they will say the wrong thing, so they say nothing at all – further segregating people with disabilities.

### **“Handicap” and “disability” – not synonyms!**

- Disability is a generic term for a condition which may affect a person’s mobility, hearing, vision, speech, or cognitive function (such as paraplegia, deafness, diabetes).
- Handicap describes an environmental or attitudinal barrier (such as no ramp or elevator, information not available in Braille, negative stereotypes).

**“Person First”** Refer to the person first, not the disability. For example, “the person who uses a wheelchair” or “the person with arthritis” is preferred over “the wheelchair person” or “the arthritic”, which define the person as a disability rather than the disability as one aspect of his/her life. This general rule may be different within some communities -- some individuals self-identify their group as “the blind” or “the Deaf”.

## CHOOSE WORDS THAT REFLECT DIGNITY AND RESPECT

INAPPROPRIATE LANGUAGE	APPROPRIATE LANGUAGE
impairment, physically challenged, differently abled, handicapable, impaired, crippled, suffers from, afflicted with, stricken with, victim of, diseased, invalid, abnormal, defective	has a disability, is a person with a disability, person who is physically disabled, person who walks with a cane, person who has a respiratory condition, is a person with AIDS, person who has epilepsy, etc.
the disabled	people with disabilities, the disability community <i>(disabled, an adjective, must be accompanied by a noun)</i>
normal person, healthy, whole	non-disabled, person without disabilities, able-bodied
handicap parking, disabled parking	accessible parking, disability parking
wheelchair bound, confined to a wheelchair, wheelchair person	wheelchair user, person who uses a wheelchair (or scooter)
electric chair	wheelchair, power chair
paraplegic, quadriplegic, cripp, gimp, lame	man with paraplegia, woman who is paralyzed, person with spinal cord injury, has a mobility disability, walks with difficulty
hearing impaired, hearing impairment	deaf, hard of hearing, late-deafened
visually impaired, visual impairment	low vision, partially sighted, blind
the blind, the deaf	the blind community, the Deaf community
dumb, mute	person who does not speak, has difficulty speaking, uses synthetic speech, is non-vocal, is non-verbal
stutterer, tongue-tied	person with a speech or communication disability
CP victim, spastic, spaz	person with cerebral palsy
epileptic	person with epilepsy, person with seizure disorder
fit, attack, spell	seizure, epileptic episode or event
dwarf, midget	person of small stature / short stature; little person
birth defect	congenital disability, disabled since birth
post-polio person, suffered from polio	person who had polio, person with post polio syndrome, polio survivor
(person) mentally ill, mentally disturbed, crazy, insane, nuts, psycho, schizo	person with mental health issue / condition
(situation) crazy, insane, nuts, mad	wild, hectic, extreme
retard, mentally defective, moron, idiot, dimwit, imbecile, Down's person, mongoloid, feeble minded	person with an intellectual / cognitive / developmental disability
slow learner, retarded, ADHD person	has a learning disability, person with a learning disability, person with ADHD

## **GENERAL TIPS**

- Act as you would with anyone -- polite, friendly and professional.
- Respect privacy -- avoid asking personal questions about someone's disability. Many people feel that if you ask about their disabilities, you are treating them as a disability, not as a person.
- Like everyone else, people with disabilities want to be treated as independent people. Don't assume anything about a person's abilities or limitations. If the environment is accessible, people with disabilities usually can get around fine.
- Ask before you help. Offer assistance only if the person appears to need it. In most cases, the best way to learn how to accommodate people with disabilities is to ask them directly. Listen and learn from what the person tells you about access needs.
- Shaking hands is usually welcome. People with limited hand use or who wear an artificial limb can usually shake hands. Shaking hands with the left hand is an acceptable greeting. Take the cue from the person with a disability (someone who is blind may not see your extended hand – wait to see if she extends hers).
- When talking with a person who has a disability, look at and speak directly to that person rather than to a companion, aide, or sign language interpreter.
- Common words and phrases are okay to use. For example, it's fine to say “see you later” to a blind person, or “want to go for a walk?” to a wheelchair user.
- Many disabilities are not apparent to a casual observer – these are sometimes called “hidden” or “invisible” disabilities. Although these conditions are not visible, they are real disabilities and may seriously impact a person's ability to function in normal daily activities. Invisible disabilities include systemic conditions, cognitive conditions, emotional or mental health disabilities, etc. A person with an invisible disability may need accommodations similar to those needed by other people with disabilities.
- Never distract a service animal, or try to pet one without first asking the owner.

**WHEN INTERACTING WITH PEOPLE WITH DISABILITIES,  
APPROPRIATE ETIQUETTE IS BASED MAINLY ON RESPECT AND COURTESY.**

## **PEOPLE WITH MOBILITY AND/OR DEXTERITY DISABILITIES**

Many disabling conditions can cause mobility or dexterity limitations. Some people walk with difficulty, while others use leg braces, canes, crutches, prosthetics, walkers, wheelchairs, or scooters. They may be unable to climb stairs, to stand for a long time, or travel long distances. Some people may have dexterity problems, such as being unable to hold or carry items, or to write with a pen.

- Make sure there is a clear path of travel. Remove obstacles such as boxes or chairs. Be sure that freshly washed floors have adequate warning signs. Put out mats on rainy or snowy days to keep floors as dry as possible.

- Offer assistance if someone appears to have difficulty opening doors.
- Do not lean on a wheelchair, walker, cane, or any other assistive device. Ask first before pushing someone's wheelchair. People with disabilities consider their equipment part of their personal space.
- Be sensitive about physical contact. Don't pat a wheelchair user on the head or grab someone's arm, even if your intention is to assist.
- Put yourself at a wheelchair user's eye level. If possible, sit next to the person when having a conversation.
- Be aware of wheelchair users' reach limits. Place items within their grasp.
- If counters or reception desks are too high, provide a clipboard as a writing surface. When appropriate, step around to the customer side of the desk or counter during your interaction.
- Offer a chair if a person might be standing for a long time.
- If there is no accessible public restroom, allow a wheelchair user to use an accessible employee restroom.
- Let the phone ring longer if you telephone someone with a mobility disability.
- People of short stature (sometimes called "little people") are those who are 4 feet 10 inches or less in height. They often experience being treated like children, which can be a real obstacle. Make sure that necessary items are within their reach, and sit down so you are on the same eye level when talking.
- If a person has difficulty handling paperwork or filling out simple forms, offer assistance, provide a clipboard or an extra-thick pen to use.
- Some people with dexterity difficulties may need help completing short written forms – help if you have time.

## **PEOPLE WHO ARE BLIND OR HAVE LOW VISION**

The majority of people who are "legally blind" have some usable vision, which varies depending on the condition that caused the vision loss. They are referred to as having "low vision". Those who cannot see are considered blind, though some people with vision disability refer to themselves as visually impaired.

- Keep walkways clear of obstructions.
- Speak as you approach a blind person. State clearly who you are and speak in a normal tone of voice. Introduce the person to others who are there.
- People with low vision may need written information in large print. A sans serif font with adequate line spacing is best. Ask the individual what size works best for them (often 150% zoom on the copy machine works fine).
- To guide a person who is blind, let him or her grasp your arm just above the elbow and the person will follow a half step behind. Some individuals may prefer to put a hand on your forearm or shoulder.

- Offer the blind person a tour of your facility. If your facility has changed (for example, furniture was rearranged), alert blind or low vision people about the changes.
- If you offer a seat, gently guide the person's hand to the back or arm of the chair.
- When walking with a person with a guide dog, walk on the side opposite the dog.
- Offer assistance if the person appears to have difficulty locating a specific service area. Be descriptive when giving directions – give the person verbal information that is visually obvious to people who can see. For example, when approaching steps, say that there are a half dozen steps going down, or tell the person to take the next right and the restroom is the third door on the left.
- Some with low vision may need help reading small print. If you have time to do so, read short written forms or documents to them, or offer to provide them in larger print.. They may also need assistance filling out or signing documents – help if you have time. If asked, guide the person's hand to the signature line.
- Tell the person when you are leaving – never leave a person who is blind talking to an empty space. Make sure the person has picked up all personal possessions before leaving.

## **PEOPLE WHO ARE HARD OF HEARING, DEAF, OR DEAF-BLIND**

People with limited hearing ability are "hard of hearing"; those who cannot hear are considered to be "deaf". Generally, those who describe themselves as "deaf" acquired their disability later in life, were mainstreamed in school, and associate with the hearing community. Those who are hard of hearing often communicate in English, and may rely on amplification or hearing devices.

The "Deaf" community tends to include those who attended schools for the deaf and use sign language. The Deaf community has its own rich culture, full of its own social structures, clubs and organizations, values, and cultural history. American Sign Language (ASL) is an entirely different language from English, with a syntax all its own. People who are Deaf generally use ASL as their first language, and may have difficulty speech reading English.

- Get the person's attention before starting a conversation. Move into the person's field of vision or tap the person gently on the shoulder or arm.
- Introduce yourself or show your name badge or business card.
- For a simple interaction, writing notes back and forth is usually okay. Ask the person if it would be helpful to communicate by writing or by using a computer terminal.
- When the exchange of information is complex (medical or legal information, etc.), it may be most effective to communicate through a qualified sign language interpreter.
- Speak directly to the person, not to the interpreter.
- Look directly at the person – face the light; speak clearly and in a normal tone of voice; use short, simple sentences; and keep your hands away from your face.
- Speak slowly and clearly, but do not yell, exaggerate, or over pronounce. Exaggeration and overemphasis of words distorts lip movements, making speech

reading more difficult. Try to enunciate each word, without force or tension. Short sentences are easier to understand than long ones.

- Use pantomime, body language, and facial expression to help supplement your communication. A lively speaker always is more interesting to watch.
- Rephrase, rather than repeat, when a person doesn't understand what you said.
- Let the phone ring longer if you telephone a person who is deaf or hard of hearing. Speak clearly and repeat information as needed.
- Use the Telecommunications Relay Service (711) to communicate by telephone.

## **PEOPLE WITH SPEECH DISABILITIES**

It may be difficult to understand the speech of a person who has had a stroke, is severely hard of hearing, has cerebral palsy, uses a voice prosthesis, or has a stammer or other type of speech disability.

- A quiet environment makes communication easier.
- Concentrate on what the person is saying; focus on listening and communicating. Give the person your full attention. Be patient and take as much time as necessary.
- If you do not understand something, don't pretend that you do. Ask the person to repeat what was said, and then repeat it back for verification.
- Ask the person if writing is acceptable as an alternative means of communicating.
- Ask questions that require only short answers or a nod of the head.
- Do not interrupt the person or attempt to finish sentences. If communication remains difficult, ask permission to try to finish sentences or clarify ideas. If you and the person cannot work out a communication difficulty, ask if someone can assist in facilitating the conversation.
- If you find you cannot communicate effectively on the telephone with a hearing person who has a speech disability, consider using the Speech-to-Speech Relay Service (1-877-833-6741).

## **PEOPLE WITH SYSTEMIC DISABILITIES**

One type of "invisible" disability is systemic conditions, such as diabetes, heart disease, cancer, multiple sclerosis, epilepsy, migraine, sickle-cell anemia, organ transplant, emphysema, fibromyalgia, chronic fatigue, heat sensitivity or multiple chemical sensitivity. These conditions may present many limitations to a person's life activities.

- Some disabilities are variable from day to day. Some conditions are progressive, becoming more severe over time. Keep this in mind if you notice an individual who appears to be walking, talking or seeing fine one day, but not the next.
- Some disabling conditions cause pain or require medication or treatments that have side effects. This may be the reason why an individual with a disability exhibits restlessness, drowsiness, slurred speech, slowed reflexes, even irritability.

- Some people who are chemically sensitive experience uncomfortable or even debilitating symptoms in the presence of certain substances, such as scented personal products, cleaning products, or new carpeting or furniture. If necessary, open a window, turn on a fan, or move to a different location. Consider requesting that staff and visitors limit or eliminate their use of fragranced products like cologne, lotion, etc.
- People with Human Immunodeficiency Virus (HIV) or Autoimmune Deficiency Syndrome (AIDS) have compromised immune systems, and their bodies have trouble fighting off infections. Avoid putting someone at risk – if you have a respiratory infection or other easily transmittable illness, be considerate of your visitors and co-workers, and stay home if possible.
- People with some chronic medical conditions may be less likely to sense and respond to changes in temperature. Also, they may be taking medications that can worsen the impact of sun exposure or extreme heat. If necessary, provide a drink of water, open a window, turn on a fan or move to a cooler location.
- Epilepsy may cause seizures that are convulsive, or the person may appear to be in a trance. During complex partial seizures, the person may walk or make other movements while he is, in effect, unconscious. After a seizure, the person may feel disoriented and embarrassed, or sleepy – try to ensure they have privacy to rest or collect themselves. Be aware that beepers and strobe lights can trigger seizures in some people.

## **PEOPLE WITH DEVELOPMENTAL OR COGNITIVE DISABILITIES**

Some people may have difficulty processing information due to a traumatic brain injury, stroke, learning disability, autism, Down Syndrome, or other developmental or cognitive condition. Some common cognitive disabilities include deficits or difficulties with memory, problem-solving, attention, reading, verbal comprehension, or visual comprehension.

- It may be easier for the person to function in a quiet environment without distractions (such as a radio playing, people moving around, or loudly patterned curtains).
- Be patient, flexible, and supportive. Take time to understand the person and make sure the person understands you.
- Offer assistance with and/or extra time for completion of forms, writing checks, understanding written instructions, and/or decision-making. Do not over-assist.
- Speak clearly and don't talk down to people who have developmental or cognitive disabilities. Use a normal speed and tone of voice unless asked to slow down.
- Keep your concepts clear and concise. Use precise, plain language and avoid complex sentences. Sometimes it is helpful to break down complicated concepts or processes into steps and deal with them sequentially.
- Be prepared to provide an explanation more than once, or to rephrase.
- A person who has difficulty reading or writing may prefer to take forms home to complete.

- People with developmental disabilities often rely on routine and the familiar to manage work and daily living. Be aware that a change in the environment or a routine may require a period of adjustment.
- People with dyslexia or other reading disabilities have trouble reading written information. Give them verbal explanations and allow extra time for reading.
- A person who has a learning disability may get spoken information "scrambled". If the individual seems to have an auditory processing disorder, he may need information demonstrated or put in writing.
- People with traumatic brain injuries may have a loss of muscle control or mobility that is not obvious (for example, a person might not be able to sign her name).
- Be aware that someone with a brain injury may have poor impulse control. The person may make inappropriate comments or seem pushy, or may not understand social cues.
- A person with a brain injury may be unable to follow directions due to short-term memory or poor directional orientation. The person may ask to be accompanied to another location in your rental community or be given written directions.
- Some people with developmental or cognitive disabilities may use a service animal or companion animal.

## **PEOPLE WITH MENTAL HEALTH DISABILITIES**

Many adults have mental health issues, defined as having a diagnosable mental, behavioral, or emotional disorder, such as anxiety disorder, PTSD, depression, bipolar disorder, agoraphobia, schizophrenia, etc. These conditions may present many limitations to a person's life activities, and may impact their ability to interact comfortably with other people. Mental health disabilities may be variable from day to day, and some medications may have side effects.

- Maintain a calm, professional, helpful demeanor with everyone.
- Consider moving to a quiet or private location, if in a public area with many distractions.
- Stress can affect the person's ability to function. Try to keep the pressure of the situation to a minimum.
- People who have psychiatric disabilities have varying personalities and different ways of coping with their disability. Some may have trouble picking up on social cues, while others may be supersensitive. One person may be very high energy, while someone else may appear sluggish. Treat each person as an individual. Ask what will make the person most comfortable.
- If a person seems to be having difficulty understanding, follow the suggestions listed above under "Cognitive Disabilities".
- If a person seems to be experiencing trouble staying focused, assist by leading the discussion back to the topic or task at hand.

- If someone appears to be having an anxiety episode, ask what you can do to help. They may need to sit down, take some deep breaths, get some air, or maybe return at another time.
- In a crisis, stay calm and be supportive. Ask how you can help and find out if there is a support person who you can contact.

## **PEOPLE WHO LOOK DIFFERENT**

Some people may not be limited in their life activities, but are treated negatively because their appearance gives others the perception that they have a disability. People with facial differences, such as cleft lip or palate, cranio-facial disfigurement or a skin condition, people who are well above or below the average height or weight, people who have tremors – basically all those who look different – have the frequent experience of people staring at them, looking away or looking through them as if they are invisible.

- Everyone needs to have a positive self-image to be a fully participating member of society. Be sure not to contribute to stigmatizing people who look different.
- Treat the person as you would an "average-looking" person.

## **REMEMBER . . .**

- Treat the person with dignity, respect, and courtesy.
- Listen to the person.
- Help the person feel comfortable.
- Maintain eye contact without staring.
- Offer assistance but do not insist on helping.
- Ask the person to tell you the best way to help.
- Provide access to facilities and services.
- If a person shares information about his or her disability, keep it confidential.
- The biggest obstacle faced by people with disabilities is the attitudinal barriers of others.
- Relax and deal with unfamiliar situations in a calm, professional manner.

## PROVIDING WRITTEN MATERIALS IN ALTERNATE FORMATS

### **What is an alternate format? Why do we need to provide alternate formats?**

The federal Fair Housing Act, local fair housing laws, and other disability access laws require housing providers to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford people with disabilities an equal opportunity to use and enjoy a dwelling. One common reasonable accommodation request that housing providers may receive is to make written materials available in alternate formats, such as large print, Braille, computer disk, or in electronic format.

When a person with a disability makes a request for print materials in alternate formats, provide the material in the requested form when possible. You do not have to grant the request if it would result in an undue financial or administrative hardship. If someone requests a particular alternate format, you may offer other alternatives (for example, if you get a request for Braille, you may mention that you could provide it on computer disk instead).

### **How can we let applicants and residents know that our written materials are available in alternate formats?**

You can notify applicants and residents that alternate formats are available by adding a short statement to your written materials (such as forms, tenancy rules, rental agreements, etc.). There is no specific language required for the notification. You may want to state "This material is available in alternate formats upon request" or simply "alternate formats available". The notification sentence should be in a sans serif, 14-18 point font.

There is no obligation to have an alternate format immediately available. However, when someone requests an alternate format, you should provide the alternate material in a timely fashion. Depending on the alternate format requested and the length of the document, it may take a few minutes to a few weeks to provide.

### **Where can we get alternate formats for our written materials?**

- **Large Print:** This is the easiest alternate format to provide. Ask the person what size print they want, and simply use your copy machine "zoom" feature to enlarge the material. If the document was produced using Word or a similar program, you can quickly change the print size (and font style, if necessary), and print out a large print copy. When someone requests large print, ask if there is a preferred font style and/or font size, because individual needs vary. As a default, use Arial font. After changing the font, you may need to do some reformatting; sometimes making a large print version "throws off" a document, just as changing margins.

- **Computer Disk or Electronic Format:** This is relatively easy to provide as an alternate format, particularly if the document was produced using Word or a similar word processing program. Just burn the document(s) onto a disk or send it to the person as an email attachment. You may need to discuss whether the type of document you have is compatible with the requestor's software (PDF files may not be accessible for some people).
- **Braille:** It takes a bit more time to provide Braille versions of documents. If the document is fairly short and straightforward, they can Braille a document within a few days. Ask if the requester wants Grade 1 (uncontracted) or Grade 2 (contracted) Braille – most Braille readers use Grade 2. Obtain the person's address so that the transcription center can send the Brailled materials directly to them. Here is a source for Braille transcription:

**Washington Braille Access Center**

Washington School for the Blind  
 2310 East 13th Street  
 Vancouver, Washington 98661

Telephone: 360-696-6321, ext. 158  
 TTY: 360-696-6321, ext. 171  
 Fax: 360-737-2120  
 e-mail: [braille@wssb.wa.gov](mailto:braille@wssb.wa.gov)

Web site: [www.wssb.wa.gov](http://www.wssb.wa.gov)

Send the Word or PDF document to be Brailled by e-mail, fax or on disk. Note if Grade 1 or 2 is needed. Confirm the estimated cost with the vendor. The vendor can send the Brailled materials directly to the blind person and the invoice to you.

**Free Postage for Large Print, Braille and Electronic Disks**

You can mail most alternate format materials free through the U.S. Postal Service to people who are blind, low vision, or who cannot use or read conventionally printed materials due to a physical disability. This includes brochures, information sheets, booklets, and other reading matter, in Braille, large print (14-point or larger), or on disk.

To use this service, omit stamps and print the words “Free Matter for the Blind & Handicapped” in the upper right hand corner of the envelope or package. These materials are subject to inspection by the Postal Service and may not contain any advertising. Handwritten or typewritten letters are subject to regular postage.

# COMMUNICATING WITH DEAF AND HARD OF HEARING PEOPLE

## **Background**

Hearing disabilities may occur at any time in a person's life, and hearing abilities vary widely. Some are born with no hearing, while others lose it gradually over time. Whether a person has a memory of sound can make a difference in the way they experience language, including written language. Do not be surprised if a person who is Deaf or hard of hearing uses words differently. Remember, sign language may be their primary language, and English a second language.

Deaf and hard of hearing people communicate in different ways, depending on several factors – age at which deafness began, type of deafness, language skills, speech abilities, personality, intelligence, family environment, and educational background. Some people are more easily understood than others. Some use speech or writing only, or a combination of sign language, fingerspelling, and speech or body language and facial expression.

## **Communication Strategies**

You can communicate in several ways. Most Deaf and hard of hearing people have successfully navigated a "hearing world" for years and are willing to help facilitate communication. The key is to find out which combination of techniques works best with each person. Keep in mind that it is not how you exchange ideas, but that you do.

For someone who primarily uses sign language, use these guidelines for service when the communication will be short, simple and straightforward. If the information being conveyed is more complex, is of longer duration or is about legal matters, you may need to engage the services of a sign language interpreter. For more information, see the section titled "Using a Sign Language Interpreter".

See pages 29-30 for customer service tips.

## **Written Communication**

Ask Deaf or hard of hearing people if they prefer written communication – don't assume that this is their preferred method. When using written communication, take into consideration their English and writing skills. If the person is Deaf-blind, use a black felt-tip pen so letters are dark and thicker for greater readability.

Keep your message short and simple. Establish the subject area, avoid assumptions, and make your sentences concise. It is not necessary to write out every word. Short phrases or a few words often are sufficient to convey the information. Use both "yes and "no" questions and open-ended questions to ensure a response that allows you to see if the person understood your message.

## USING A SIGN LANGUAGE INTERPRETER

In some cases, a housing provider will be required to provide sign language interpreter services. **American Sign Language (ASL) is a language in its own right**, with its own grammar, syntax and structure which includes using body and facial expression. It is important to realize that you are dealing with two different languages and that it may be necessary to rephrase or repeat your point. Examples are helpful to use for clarification.

### When should we get an interpreter?

Interpreters facilitate communication between hearing and Deaf people during rental or sales tours, tenancy meetings and other group situations, or when you will be communicating with a Deaf person about detailed, lengthy, or complex information. If an applicant or resident requests that you provide a sign language interpreter, you must give the request consideration. If the request is reasonable considering the communication needs, you should provide one at your expense.

### What is the role of the interpreter?

An interpreter's role is strictly that of a communication "tool". The interpreter is responsible for relaying communication between two parties via sign language and voice. Interpreters sign everything that is said and say everything that is signed. Per the Code of Ethics for interpreters, the interpreter is not permitted to voice personal opinions or enter the conversation.

### Where do we get an interpreter?

There are various resources for qualified sign language interpreters. You may also establish your own list of interpreters and contact them directly. Here are a few resources for certified interpreters:

<b>SignOn at the Hearing, Speech and Deafness Center</b> 130 Nickerson Street, Suite #107 Seattle, WA 98109 206-632-7100 Voice 206-632-0405 Fax 206-632-7200 TTY  www.signonasl.com email: SignOn@HSDC.org	<b>ASL Interpreter Network</b>  PO Box 17414 Seattle, WA 98127  206-527-9555 Voice/TTY 206-527-9557 Fax www.aslnetwork.com email: info@aslnetwork.com
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**For interpreter referral centers elsewhere in Washington state, check DeafWeb online at [www.deafweb.org/signlang.htm#interp\\_referral](http://www.deafweb.org/signlang.htm#interp_referral).**

## **What information should we give to the interpreter service?**

- Date, time, location and expected length of the assignment
- Type of situation (tour, rental meeting, etc.)
- Names of interpreters with whom the Deaf or Deaf-blind person prefers to work (Some people prefer to work with specific interpreters, based on their different skills and individual communication needs.)
- Particular communication needs the Deaf person has noted, for example, American Sign Language (ASL), Pidgin Signed English (PSE), or Signed Exact English (SEE). Others may prefer an oral interpreter. Also, it is important to consider that some Deaf-blind people prefer a "tactile interpreter."

The interpreter service will seek to match the skills of the interpreter with the requirements of the situation.

## **When do we need to get two interpreters?**

If a meeting will last more than an hour and a half, consider hiring two interpreters. It is difficult to interpret for long periods. In a long meeting, two interpreters will rotate every 15-20 minutes in order to remain fresh and provide effective, accurate communication.

## **How much do interpreters cost?**

Fees can vary dependent upon the type of interpreting required (office meeting, legal proceedings, etc.) and the interpreter's certification level and experience. Fees are hourly, but some interpreters have a 2-hour minimum charge. Mileage, travel time, and parking costs may also be charged. You and the interpreter or referral service should agree upon fees before the service is performed. Fees should not be discussed with the Deaf person.

## **How do we alert people that interpreter services are available?**

A housing provider can advise all applicants and tenants of their willingness to provide accommodations by noting on application forms, rental agreements, and rules or regulations that "reasonable accommodations will be provided upon request."

Because it can take some time to arrange for interpreters, you will need to know ahead of time if interpreters are needed. You may include a statement on your meeting notice or flyer, such as "Reasonable accommodations will be provided upon advance request. Please contact us at least two weeks before this event." If a person misses a deadline given, a housing provider must still make an effort to get an interpreter even with short notice.

## Working with an Interpreter

**Before the meeting starts**, it is helpful to meet briefly with the interpreter to explain what will be discussed. Provide the interpreter with copies of the agenda and any print materials for review and to follow as the meeting progresses. Ask the interpreter about any additional needs, such as a glass of water, a comfortable chair, etc.

**When setting up at the beginning of the meeting**, work with the interpreter and Deaf or Deaf-blind person to figure out the best positioning for each of you to ensure effective and comfortable communication.

**Speak directly to the Deaf or Deaf-blind person**, not the interpreter. For example, say "Do you have anything you would like to add?" rather than "Does he have anything to add?"

**Speak clearly, in a normal tone, and at a normal pace.** If there is a problem with keeping up, the interpreter or the Deaf or Deaf-blind person may ask the speaker to slow down or repeat a word or sentence for clarification.

**Direct eye contact.** Direct eye contact with a Deaf or Deaf-blind person is not always possible because the person needs to watch while the interpreter signs.

**Remember that the interpreter is a few words behind the speaker.** Give the interpreter time to finish so that the Deaf or Deaf-blind person can ask questions or join the discussion.

**Only one person should speak at a time during group discussions.** It's helpful to ask people to raise their hands before speaking and to pause briefly between speakers to permit the interpreter to finish before the next speaker starts. It is appropriate etiquette for each participant to state her or his name before speaking so the Deaf or Deaf-blind person knows who is talking.

**Schedule brief breaks during the meeting.** Following an interpreter for a long time is tiring for a Deaf or Deaf-blind person and for the interpreter.

# TELECOMMUNICATIONS RELAY SERVICES

## Introduction

Some people with disabilities (those who are Deaf, Deaf-blind, hard-of-hearing, or speech disabled) may find voice-to-voice telephone communications inaccessible or ineffective. Under the Americans with Disabilities Act (ADA), all states are required to have certain relay services available.

The federal Fair Housing Act, local fair housing laws, and other disability access laws require housing providers to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford people with disabilities an equal opportunity to use and enjoy a dwelling. In some cases, a housing provider will need to communicate with some people via a telecommunications relay service.

Deaf TTY users have a broad range of English skills and for many, English is their second language. Some may use what seem to be awkward phrases, or "telegraphed" thoughts and ideas without using standard English grammar, syntax, or sentence structure. The CA is trained to make the call as conversational as possible, so the TTY user's words will be spoken to you in standard English order to help ensure clear communication. Take care to be respectful and try to avoid jargon and use language that the caller will be able to understand — "simplified English."

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## There are three types of relay services:

- TTY, Voice Carry-Over (VCO), Hearing Carry-Over (HCO) – one of the parties to a call uses a TTY.
- Speech-to-Speech (STS) – one of the parties to a call has a speech disability.
- Video Relay Service (VRS) – one of the parties to a call uses sign language, communicated by camera.

**The Washington Relay Service** is a telecommunications relay service that provides full telephone accessibility between standard telephone users and people who may use TTY, phone/TTY combination equipment, or video-based communication. Specially trained Communication Assistants (CAs) complete all calls and stay on-line to relay messages electronically by typing on a TTY, voicing information to hearing parties, or signing information to sign language users. Be sure to talk directly to your caller, not to the CA. For example, say, "How are you today?" rather than "Ask him how he is today." The CA will relay what you say to the TTY user verbatim.

Relay services are available 24 hours a day, 365 days a year, with no restrictions on the length or number of calls placed. There is no additional cost for the service; calls are billed at regular rates, and long distance rates are charged. This valuable tool gives people who have TTYs and those who do not the opportunity to communicate

effectively via telephone.

A Relay Service call will likely take a bit longer than a standard telephone call. Be sure to set aside sufficient time for your call. Calls with TeleBraille users may take longer than the average Relay Service call. The TeleBraille unit works like a TTY but uses a refreshable Braille display that takes longer to read than a visual TTY text display. Be patient if the person you are calling takes a little longer to respond.

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## **SPEECH-TO-SPEECH SERVICE (STS)**

Individuals with disabilities that affect the clarity of their speech may have difficulty being understood in standard telephone conversations, particularly if the callers are not well known to each other. Speech-to-Speech (STS) users may have Parkinson's disease, cerebral palsy, multiple sclerosis, ALS, muscular dystrophy, or are people who stutter, have had a laryngectomy, or use speech synthesizers. STS provides an intermediary "communication assistant" (CA) to facilitate effective telephone conversations. STS CAs are trained individuals familiar with many different speech patterns and language recognition skills, and re-voice the person's words exactly and clearly.