

REASONABLE ACCOMMODATION AND MODIFICATION REQUESTS

SUBJECT: Requests for reasonable accommodations and modifications pursuant to Federal and Colorado Fair Housing laws.

PURPOSE: To provide a policy and procedure by which the Board of Directors will consider requests from disabled residents for reasonable accommodations or modifications, so as to allow equal opportunity to use and enjoy their units in the Satellite Apartment Building Community ("Community").

AUTHORITY: The Satellite Condominium Declarations, Bylaws of the Association, Articles of Incorporation of the Association, and Federal/Colorado law.

DATE: 1/25/2018

RESOLUTION: The Association gives notice of its adoption of the following Policy and Procedure pursuant to which the Board of Directors shall consider requests from disabled residents, or future residents, of the Community for reasonable accommodations or modifications. The Policy and Procedure adopted is as follows:

A. Equal Opportunity to Use and Enjoy Homes and the Community.

To comply with applicable federal and state law, all residents shall have equal opportunity to use and enjoy the Community and their home. The Association shall make a reasonable accommodation or modification in its restrictions, rules and regulations when such accommodation or modification is necessary to afford persons with disabilities equal opportunity to use and enjoy the Community and their home.

An example of a reasonable accommodation would be allowing a person with a disability an accommodation to the restriction prohibiting animals, if such accommodation is necessary to afford the person equal opportunity to use and enjoy the Community and his/her home.

B. Written Requests for Modifications or Reasonable Accommodations.

The Association will consider written requests from disabled residents (or future residents if applicable) for reasonable accommodations or modifications necessary: to afford an equal opportunity to use and enjoy their home or the Community as follows.

1. Form for Written Requests. A resident, family member or someone else acting on behalf of the resident, who would like to make an accommodation or modification request of the Association should do so in writing and use the attached form entitled "Request for Accommodation or Modification"

("Request Form"). The request shall include a description of the resident's disability and how modification or accommodation is necessary to afford the resident an

2. Evaluation of Requests/Guidelines. In making a decision on a request for a reasonable accommodation or modification, the Board of Directors shall consider each request on a case-by-case basis, according to the guidelines:

First Guideline. The Board may determine whether the individual has a disability as defined by the Fair Housing Act, The Colorado and Federal Fair Housing Acts define "disability" as:

- a physical or mental impairment which substantially limits one or more major life activities,
- a record of such impairment, or
- being regarded as having such impairment.

If the resident's disability is not readily apparent, or if the disability is readily apparent but the need for the accommodation or modification is not, the Board may request the resident provide documentation from a health care provider stating that the resident is disabled and explaining the need for the accommodation or modification, and establishing the relationship between the person's disability and the need for the requested accommodation or modification. Attached is a Health Care Provider's Confidential Certification Letter that may be used in such situation. Any medical information provided by a health care provider shall remain confidential.

Second Guideline. If the request is for a modification to the property of an Owner, or the Common Elements, the request must clearly express that it is a request for a reasonable modification because of a disability. In addition to the Request Form, the resident may be required to submit detailed plans and specifications, apply for appropriate building permits, and satisfy other conditions specified by the Board, to ensure the work is performed in a safe and working like manner.

Third Guideline. The Board of Directors may determine whether the requested accommodation or modification is necessary to afford the resident an equal opportunity to use and enjoy his/her home or the Community.

Fourth Guideline. The Board of Directors may' determine whether the requested accommodation or modification is reasonable, in the sole and reasonable discretion of the Board. If the requested accommodation or modification requires the Association to spend money, the Board may take into consideration the following factors:

- financial resources of the Association;
- cost of the request;
- benefits to the requester;
- burden of the accommodation/modification on the Association and other Owners; and
- availability of other, less expensive alternative accommodations or modifications that would effectively meet the resident's needs.

C. Response to Requests.

The Board shall advise the requesting resident of its decision. in writing, within a reasonable time of receiving the complete request, but in no case more than 45 days after receipt of the complete request. A "complete request" is one which provides the Board with sufficient information to make an informed decision about the requested accommodation or modification. If the Board denies the request for an accommodation or modification, the reasons for such denial shall be specified in the Board's written response to the requesting resident.

CERTIFICATION:

The undersigned, being the President and Secretary of Association of Owners, Satellite Apartment Building. Inc., certify that the foregoing Resolution was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors on 1/25/2018 and in witness thereof, the undersigned have subscribed their names.

ASSOCIATION OF OWNERS, SATELLITE APART MENT BUILDING, INC., a Colorado non-profit corporation

By: 
Signature

Mark Gaddy, President
Printed Name

By: 
Signature

Dionca J Revel, Secretary
Printed Name