

NYCHA STANDARD PROCEDURE MANUAL

**SP 040:12:1, REASONABLE ACCOMMODATIONS IN HOUSING FOR APPLICANTS, SECTION 8
VOUCHER HOLDERS, AND NYCHA RESIDENTS**

TABLE OF CONTENTS

I. PURPOSE 1
II. POLICY..... 1
III. APPLICABILITY.....2
IV. REASONABLE ACCOMMODATION COORDINATORS.....2
V. KEY TERMS2
VI. PROCESSING REASONABLE ACCOMMODATION REQUESTS5
VII. TRACKING REASONABLE ACCOMMODATION REQUESTS..... 15
VIII. FORMS..... 16
REVISION HISTORY PAGE 18
ATTACHMENT A – TYPES OF REASONABLE ACCOMMODATIONS20

SUBJECT	ADMINISTERING DEPARTMENT	APPROVED DATE	APPROVED BY	INDEX NO.
REASONABLE ACCOMMODATIONS IN HOUSING FOR APPLICANTS, SECTION 8 VOUCHER HOLDERS, AND NYCHA RESIDENTS	OPERATIONS AND LEASED HOUSING	Issued June 15, 2012 Draft Effective June 1, 2014 Date: <u>2/16/16</u>	 Brian Clarke Senior Vice-President for Operations  Cathy Pennington Executive Vice-President for Leased Housing  Michael P. Kelly General Manager	040:12:1

I. PURPOSE

The purpose of this Standard Procedure is to delineate the responsibilities of development Property Managers, Leased Housing Department staff, Applications and Tenancy Administration Department staff, Customer Contact Center (CCC) staff and the Public Housing and Section 8 Reasonable Accommodation Coordinators in reviewing reasonable accommodation requests submitted by applicants, Section 8 voucher holders, and New York City Housing Authority (NYCHA) residents.

This Standard Procedure supersedes the previous version of this Standard Procedure. It supplements, but does not supersede, other NYCHA policies or procedures unless expressly stated or unless their provisions are inconsistent with this Standard Procedure. Accordingly, Managers or Supervisors must continue to review such requests in conformance with any existing NYCHA policies and procedures in the normal course of business.

II. POLICY

It is NYCHA's policy to provide equal housing opportunities for all qualified applicants, Section 8 voucher holders, and NYCHA residents. NYCHA Fair Housing Non-Discrimination Policy prohibits discrimination based on, among other factors, disability, in the selection of families and in the provision of services.

NYCHA's policy also provides reasonable accommodations for applicants, Section 8 voucher holders, or NYCHA residents with disabilities. A reasonable accommodation is a change, modification or alteration in policy, procedure, practice or program, that provides a qualified individual with a disability the same opportunity, as exists for non-disabled individuals, to participate in, or benefit from, a program or activity. Any accommodation considered by NYCHA cannot result in an undue financial or administrative burden or create a fundamental change in a program.

All accommodation requests must be considered regardless of whether there is a policy or procedure regarding the type of accommodation requested.

III. APPLICABILITY

This procedure is applicable to all NYCHA staff involved in processing a reasonable accommodation request for applicants, Section 8 voucher holders or NYCHA residents.

IV. REASONABLE ACCOMMODATION COORDINATORS

In implementing this Standard Procedure, NYCHA has created two Reasonable Accommodation Coordinator positions, as follows:

- A. **Public Housing Reasonable Accommodation Coordinator (PHRAC)**: to be designated by the Senior Vice-President for Property Management Operations, is created to resolve reasonable accommodation requests made by applicants and NYCHA residents.
- B. **Section 8 Reasonable Accommodation Coordinator (SERAC)**: to be designated by the Executive Vice-President for Leased Housing, is created to resolve reasonable accommodation requests made by Section 8 voucher holders.

The PHRAC or SERAC performs the following functions, as part of the reasonable accommodation process:

- A. Maintains records of all reasonable accommodation requests submitted to the PHRAC or SERAC and their respective determinations
- B. Reviews requests and determines whether additional information is needed from the requesting party in order to consider the request
- C. Consults with personnel from other departments, including Applications and Tenancy Administration, Capital Projects, Equal Opportunity, Leased Housing, Property Management, and Law, as necessary, for assistance in making determinations regarding reasonable accommodation requests
- D. Monitors implementation of reasonable accommodations

V. KEY TERMS

- A. Applicant

An Applicant is any person who has submitted an application for public housing or Section 8 and has not signed a lease for a public housing apartment or has not been issued a Section 8 voucher.

NYCHA STANDARD PROCEDURE MANUAL

B. Disability

A disability is a physical, medical, mental, or psychological impairment. Examples of impairments include mobility impairments, sensory impairments (e.g., blindness or deafness), chronic health problems (e.g., asthma), and mental health problems.

C. NYCHA Resident

A NYCHA resident is any person who is authorized by NYCHA to reside in a NYCHA development.

D. Reasonable Accommodation

A reasonable accommodation in housing is a change, modification or alteration in policy, procedure, practice or program, that provides a qualified individual with a disability an equal opportunity, as exists for non-disabled individuals, to participate in, or benefit from, a program or activity. The reasonableness of a given accommodation depends upon the individual circumstances of the person(s) for whom the request is made. In order to be reasonable, an accommodation may not create an undue administrative or financial burden upon NYCHA, considering all funding resources available for the service, program, or activity or fundamentally alter the nature of NYCHA's services or programs.

Examples of reasonable accommodations include, but are not limited to, the following:

1. Qualified sign language interpreters
2. Documents in Braille
3. Alternative ways of making information and communications accessible to people who have speech, hearing, or vision impairments
4. Accessible apartments for mobility-impaired residents
5. For persons with breathing or respiratory disorders, permission to install and operate an additional air conditioner unit if the electrical system permits, transfer to a temporary location during mold/moisture remediation, permanent relocation to another NYCHA apartment if the apartment is uninhabitable and another apartment is available, and/or the use of appropriate dust suppression methods during mold removal
6. Extension of Section 8 voucher periods
 - a. Require extended time because of inability to locate a new apartment due to physical impairments

NYCHA STANDARD PROCEDURE MANUAL

- b. Emergency circumstances prevented tenant from locating a new apartment with submitted documentation

E. Authorized Third-Parties

Allowing an authorized third party to sign documents, take certain tenancy related action, or make tenancy-related requests (e.g., request repairs, pay rent) as a reasonable accommodation on behalf of a tenant who lacks mental competence.

The following are guidelines of the level of authorization required for signing documents or making tenancy related requests.

1. Levels of Authorization:

a. Level A

- (i) **Legal Guardian:** (1) Article 81 Guardian (either a natural person or a guardianship agency), (2) Guardian Ad Litem (GAL) during the scope of the litigation for which the GAL is appointed, or (3) Special court-appointed guardian (such as from the Supreme Court or Family Court).
- (ii) **Power of Attorney:** Person to whom the tenant granted a durable power of attorney before the tenant lost mental capacity.

b. Level B

- (i) **Representative Payee:** A relative, other person or the NYC Human Resources Administration (HRA) / Adult Protective Services (APS), acting as a representative payee, who receives social security payments or other government benefits on behalf of the tenant.
- (ii) **Medical / Care Representative:** A relative or other person who makes decisions concerning the tenant's medical treatment or exercises other responsibility for the tenant's affairs.

c. Level C

- (i) **Other:** A responsible family member or friend who is acting in the tenant's interests.

NYCHA STANDARD PROCEDURE MANUAL

2. Categories of Documents Signed or Actions Taken on Behalf of the Tenant

Documents Signed or Action Taken	Levels of Authorization Required
(1) Making rent payments	A, B or C
(2) Requesting Repairs	A, B or C
(3) Requesting a major appliance (e.g., air conditioner)	A, B or C
(4) Reporting a tenant who moved out or died (staff must verify the move out or death)	A, B or C
(5) Signing Affidavits of Income, requesting interim rent changes and submitting related documents	A or B
(6) Requesting permission to add a household member	A or B
(7) Requesting a transfer to another apartment	A or B
(8) Signing a Lease or surrendering an apartment	A

NOTE:	This list is not exhaustive. Staff requiring further guidance should contact the PHRAC or SERAC. If more than one person claims to represent the tenant and their requests seem to be in conflict with each other, staff must contact the PHRAC or SERAC to determine who is appropriate to represent the tenant.
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F. Section 8 Voucher Holder

A Section 8 voucher holder is any person who has been issued a Section 8 voucher, and applicable to those persons searching for an apartment, as well as those persons receiving a rental subsidy.

VI. PROCESSING REASONABLE ACCOMMODATION REQUESTS

A. Initiating Reasonable Accommodation Requests

An applicant, public housing resident, or Section 8 voucher holder (referred to as the “**Requesting Party**”) can make a reasonable accommodation request at any time. Public housing residents and Section 8 voucher holders are not required to wait to make the request only during an annual review period.

1. NYCHA Forms: A Requesting Party does not need to use NYCHA forms to request an accommodation. However, NYCHA development and Leased Housing staff must offer copies of the following forms to individuals who want to request an accommodation:

- a. Applicants: NYCHA form 070.144A, *Reasonable Accommodation Letter*

NYCHA STANDARD PROCEDURE MANUAL

- b. Public Housing Residents: (These two forms are to be given together as one packet to a Requesting Party)
 - (1) NYCHA form 040.422, *Disability Status Notice and Reasonable Accommodation Request*
 - (2) NYCHA form 040.426, *Reasonable Accommodation Request - Disability Verification*
- c. Section 8 Voucher Holders (residing in privately owned and managed buildings):
 - (1) NYCHA form 059.109, *Disability Status and Notice of Reasonable Accommodation*
 - (2) NYCHA form 059.004, *Voucher Holder's Request for Transfer*
- d. NYCHA Public Housing Preservation I & II LLC (LLC I and LLC II):

If the Requesting Party is a Section 8 Voucher Holder residing in an LLC development, development Property Management staff must handle the accommodation request as follows:

- (1) Most accommodation requests are handled the same as those for other public housing residents.
 - (2) If the accommodation request deals with just a Section 8 issue, development staff must consult with Leased Housing Department staff regarding the accommodation. If the accommodation request involves a Section 8 voucher, give NYCHA form 059.109, *Disability Status and Notice of Reasonable Accommodation*, to the Section 8 participant. If the accommodation cannot be granted, the request must be referred to the SERAC for review.
- e. Downloads:
 - (1) For NYCHA staff, use forms from the NYCHA Forms and Reference Library
 - (2) For the public, use forms from the NYCHA web site at:
<http://www.nyc.gov/html/nycha/html/community/equalopp.shtml>.

NYCHA STANDARD PROCEDURE MANUAL

2. Contact Locations - Residents of Public Housing

When a resident of Public Housing calls the Customer Contact Center (CCC) to request an accommodation, the following actions apply:

- a. If the request is for a routine physical change to his or her apartment or development, the requested accommodation can be resolved by the CCC staff creating a new work order
- b. If the request is for something other than a routine physical change to his or her apartment or development, the CCC staff must inform callers that they can:
 - (1) Contact their development management office (during the office's hours of operation from 8:30 a.m. to 4:30 p.m.)
 - (2) Download the forms from the NYCHA web site (see web address above)
 - (3) Contact the Department of Equal Opportunity (DEO), Services for People with Disabilities Unit, for assistance during DEO's hours of operation (8:30 a.m. to 5:00 p.m.)

3. Contact Locations – Section 8 Participants

When a Section 8 participant visits the CCC to request an accommodation, the CCC creates the Reasonable Accommodation form and gives it to the requestor. If assistance is required to fill out the form, the CCC staff assists them with the form.

When a Section 8 participant calls the CCC to request an accommodation, the CCC staff creates the Reasonable Accommodation form and sends it to the requestor. If assistance is required, the CCC phone staff assists the caller in one of the following ways:

- a. Creates a service request of type Reasonable Accommodation, sub-type Section 8, and selects Accommodation Type, and then in the notes sections provides information regarding the request and disability, and this assigns the service request to the Leased Housing Department
- b. Suggest the caller come to a Walk-In Center where the CCC staff assists them
- c. Suggest that the caller contact DEO, Services for People with Disabilities Unit, for assistance during DEO's hours of operation (8:30 a.m. to 5:00 p.m.)

NYCHA STANDARD PROCEDURE MANUAL

4. Contact Locations – Applicants

- a. When an applicant visits or calls the CCC to request an accommodation, depending upon the stage of the application, the staff directs the requestor appropriately
- b. The applicant can also contact DEO, Services for People with Disabilities Unit, for assistance during DEO's hours of operation (8:30 a.m. to 5:00 p.m.)

B. Processing Reasonable Accommodation Requests

1. Process within 5 Days: The appropriate Property Management development Property Manager or Supervisor, or Applications and Tenancy Administration Department Manager or Supervisor, or Leased Housing Department representative determine if he/she can grant the reasonable accommodation request within **five calendar days** of receipt of the applicable request form and all supporting documents, unless circumstances warrant additional time. If the appropriate Manager or Supervisor cannot grant the request, he/she refers the case to the appropriate Reasonable Accommodation coordinator.

Note:	Staff must create a service request in Siebel for Reasonable Accommodation requests.
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Supporting medical documentation may or may not be required. If required and not provided, the Manager, Supervisor, or representative requests such documentation and has **five calendar days** from when all the documents have been received to determine if he/she can grant the request. For requests where the CCC creates a work order, the request is considered processed when the work order is created.

NOTE:	Whenever a reasonable accommodation request is submitted, the Property Management staff must also update the Tenant Data System (TDS) with the disability information provided on the forms and indicate that a request was submitted.
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2. Consider ALL Requests: Managers, Supervisors or representatives must act upon *all* requests for accommodations. If a third party makes a request on behalf of a Requesting Party, staff must verify, wherever practical, that the Requesting Party agrees with the request.
3. Types of Reasonable Accommodations: Upon receiving a request for an accommodation, the Manager, Supervisor, or representative must determine whether the type of Reasonable Accommodation is consistent with a type of accommodations regularly available from NYCHA (see **Attachment A**-Types of Reasonable Accommodations). If so, and if the request is sufficiently supported, staff may grant the request in accordance with existing procedures.

NYCHA STANDARD PROCEDURE MANUAL

Staff may not offer accommodations or modifications that are inconsistent with the requesting individual's disability. For example, a roll-in shower may be a reasonable accommodation for a resident with a wheelchair, but not for a resident who is hearing-impaired.

4. Supporting Documentation: The Manager, Supervisor, or representative may request additional documentation if the documents submitted do not support the alleged disability or meet the criteria for an accommodation.
5. Reasonableness of the Accommodation: If the Manager, Supervisor, or representative determines that the request qualifies for a reasonable accommodation, the appropriate course of action must be taken to provide the requested accommodation.
6. Undue Burden: In order to be reasonable, an accommodation may not create an undue administrative or financial burden upon NYCHA or fundamentally alter the nature of NYCHA's services or programs. Only the PHRAC or SERAC can make a determination that an accommodation is a fundamental alteration or undue administrative or financial burden (see Section G. below).

The determination must consider all funding resources available for the service, program, or activity, and must be in writing, with a statement of the reasons for the conclusion. If an action would result in such an alteration or undue burden, NYCHA must provide other accommodations or modifications, if any are available, that would not result in a fundamental alteration or undue burden that ensures that individuals with disabilities receive the benefits or services provided by NYCHA.

C. Meeting with the Requesting Party to Discuss the Accommodation Request

If the accommodation request clearly identifies the type of accommodation being requested, and no additional information is needed, there is no need to schedule a meeting with the Requesting Party. If the nature of the accommodation being requested is not clear or NYCHA needs other information from the Requesting Party to process and decide the request, contact the Requesting Party promptly to schedule a meeting. Meetings are not required in all instances. This supersedes any contradictory pre-existing procedure.

D. Assistance with Submitting Reasonable Accommodation Request

Although a Requesting Party is not required to complete NYCHA forms in order to request a reasonable accommodation, if the Requesting Party does not do so, NYCHA staff must complete all applicable forms and follow up.

NYCHA STANDARD PROCEDURE MANUAL

If a Requesting Party is unable to fill out and submit the appropriate form, or requires an auxiliary aid, service, or an alternate format to complete the form, staff must assist in completing the form. If necessary or appropriate, staff may receive assistance from the Department of Communication, Language Services Unit, (use NYCHA form 036.020, *Requests for Sign Language Interpreter Services*), or from the Department of Equal Opportunity, Services for People With Disabilities Unit (at 212-306-4652 or TTY 212-306-4845). The completed form must be submitted to the appropriate department. All costs relating to the use of contract vendors, including sign language and Braille services, are charged to the requesting department's budget.

A request for reasonable accommodation cannot be denied on the basis that the proper form was not used.

E. Transfer as a Reasonable Accommodation

Public Housing and Section 8 voucher holders or participants who seek to transfer must complete and submit the following forms and supporting documentation of the need for a transfer as a reasonable accommodation:

1. Public Housing – NYCHA form 040.050, *Transfer: Tenant Request for Transfer*, is submitted to the Property Management Office for evaluation under NYCHA's Tenant Selection and Assignment Plan (TSAP)
2. Section 8 – NYCHA form 059.004, *Voucher Holder's Request for Transfer*, is submitted to the Leased Housing Department, Management Services Unit

The development Property Manager or Leased Housing Department, Management Services Unit representative, determines if he/she can grant the transfer request within **five calendar days** of receipt of the request and all supporting documents unless circumstances warrant additional time.

F. Apartment Repairs as a Reasonable Accommodation

Some reasonable accommodations relate to the process of repairing an apartment. If a requested accommodation relates to apartment repairs, the procedures set forth herein apply. This supersedes any contradictory pre-existing policy or procedure.

G. Referral to PHRAC or SERAC Reasonable Accommodation Coordinator

1. The development Property Manager, Applications and Tenancy Administration Department or Leased Housing Department representative grants the Reasonable Accommodation Request when possible.

NYCHA STANDARD PROCEDURE MANUAL

2. If the development Property Manager, Applications and Tenancy Administration Department or Leased Housing Department representative cannot grant the accommodation request within **five calendar days** of receiving the accommodation request and all supporting documentation, the request is referred to the PHRAC or SERAC as follows:
 - a. Two Days: The development Property Manager, Applications and Tenancy Administration Department or Leased Housing Department representative has an additional **two business days** to:
 - (1) Complete the appropriate sections of NYCHA form 040.797, *PHRAC Reasonable Accommodation Request: Review and Determination*
 - (2) Assemble Documents:
 - (a) All appropriate Reasonable Accommodation Request forms
 - (b) All supporting documentation submitted by the Requesting Party
 - (c) Any other documents relied on by NYCHA in deciding not to grant the accommodation request
 - (3) Submit all documents to the PHRAC or SERAC for review with a copy of all documents sent in the applicant, Section 8 voucher holder, or tenant's folder.

NOTE:	<p>If the Applications and Tenancy Administration Department, Property Management Department, or Leased Housing Department staff cannot grant the accommodation request, they must:</p> <ul style="list-style-type: none">• Send NYCHA form 040.797, <i>PHRAC Reasonable Accommodation Request: Review and Determination</i>, indicating the transfer disapproval to the PHRAC or SERAC. <p>Development and Leased Housing staff does not inform the Requesting Party that the transfer is denied. The PHRAC or SERAC makes a determination and informs the Requesting Party about the status of the transfer request.</p>
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H. PHRAC or SERAC Review

1. Upon receipt of NYCHA form 040.797, *PHRAC Reasonable Accommodation Request: Review and Determination*, from the Applications and Tenancy Administration Department, Leased Housing Department, or Property Management Office representative, the PHRAC or SERAC proceeds as follows:
 - a. Reviews NYCHA form 040.797, *PHRAC Reasonable Accommodation Request: Review and Determination*, and supporting documentation

NYCHA STANDARD PROCEDURE MANUAL

- b. Seeks additional information from the Requesting Party, as appropriate, as part of an interactive process
 - c. Consults with personnel from the appropriate departments, including Applications and Tenancy Administration Department, Capital Projects, Equal Opportunity, Leased Housing, Property Management and Law, as necessary, for assistance in making a determination regarding the reasonable accommodation request
 - d. Grants or denies the accommodation request, or proposes an alternative accommodation.
2. Timing of the PHRAC or SERAC Review: The PHRAC or SERAC must render a determination **within thirty calendar days** of receipt of NYCHA form 040.797, *PHRAC Reasonable Accommodation Request: Review and Determination*, unless circumstances warrant additional time.
- a. If the PHRAC or SERAC does not render a determination within 30 calendar days, the respective coordinator must send NYCHA form 040.886, *Reasonable Accommodation Request: PH/SE-RAC: Time Extension Notice*, to the Requesting Party informing the Requesting Party that a determination has been delayed and provide a projected date by which the accommodation request will be addressed.
 - (1) The PHRAC or SERAC indicates the Determination by completing the appropriate portion of NYCHA form 040.797, *PHRAC Reasonable Accommodation Request: Review and Determination*
 - (2) The PHRAC or SERAC sends the completed NYCHA form 040.797, *PHRAC Reasonable Accommodation Request: Review and Determination*, to notify the following applicable parties:
 - (a) The Requesting Party
 - (b) The originating department: Applications and Tenancy Administration, Leased Housing or Property Management Office
 - (c) Any other NYCHA Department that provided consultation
 - (3) The originating department/office must ensure that a copy of the completed request form and supporting documentation is placed in the application or tenant folder, and noted in the appropriate systems.

NYCHA STANDARD PROCEDURE MANUAL

3. Implementing the PHRAC or SERAC Determination: If the PHRAC or SERAC grants the requested accommodation, or proposes an alternative accommodation / modification:
 - a. The PHRAC or SERAC identifies all necessary steps to implement the accommodation and ensures that those steps are followed. The accommodation / modification must be provided in time to serve its purpose.
 - b. The originating department/office must notify the PHRAC or SERAC by mail of the status of the implementation of the reasonable accommodation. This notification must be done **within 45 days** of the mailing of NYCHA form 040.797, *PHRAC Reasonable Accommodation Request: Review and Determination*, and upon final implementation of the reasonable accommodation (e.g., grab bars installed, transfer approved and entered in TSAP, voucher extension granted) if implemented after 45 days. The grant of the requested accommodation, or proposal of an alternate accommodation, must be noted in the appropriate systems.
 - (1) Notice between the PHRAC or SERAC and originating department can be by mail, e-mail, or by computerized system developed by NYCHA which provides the requisite notice.

I. Grievance, Impartial and Informal Hearings

In the event the Requesting Party is dissatisfied with NYCHA's resolution of his or her Reasonable Accommodation Request, their options to review the PHRAC or SERAC's Determination are as follows:

1. Public Housing Residents (Offered a Grievance Hearing)

If the Requesting Party is a public housing tenant, the Requesting Party may request a grievance hearing before an Impartial Hearing Officer by checking the appropriate box on NYCHA form 040.797, *PHRAC Reasonable Accommodation Request: Review and Determination*. The form must be submitted to the development Property Manager within 30 days of the resident's receipt of the PHRAC's decision.

The development Property Manager forwards both the tenant's grievance hearing request and a completed NYCHA form 040.276, *Transmittal to Office of Tenancy Administrator: Terminations of Tenancy / Grievances*, directly to the Office of the Tenancy Administrator for the scheduling of an impartial hearing.

NOTE:	For reasonable accommodation grievance hearings, the development Property Manager does <u>not</u> refer the grievance to the Property Management Department Office for review, but refers directly for an impartial hearing before an Impartial Hearing Officer.
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NYCHA STANDARD PROCEDURE MANUAL

2. Section 8 Voucher Holders (offered an Impartial Hearing)

If the Requesting Party is a Section 8 voucher holder, the Requesting Party may request an impartial hearing before an Impartial Hearing Officer by checking the appropriate box on NYCHA form 040.797, *PHRAC Reasonable Accommodation Request: Review and Determination*. The form must be submitted to the Leased Housing Department, Management Services Unit within 30 days of the voucher holder's receipt of the SERAC's decision.

Leased Housing Department, Management Services Unit staff forwards the voucher holder's hearing request directly to the Law Department for the scheduling of an impartial hearing.

3. Applicants for Public Housing and Section 8 (offered an Informal Hearing)

If the Requesting Party is an applicant, the Requesting Party may request an informal hearing by checking the appropriate box on NYCHA form 040.797, *PHRAC Reasonable Accommodation Request: Review and Determination*. The form must be submitted to the Applications and Tenancy Administration Department, Appeals Unit within 30 days of applicant's receipt of PHRAC's decision.

The Applications and Tenancy Administration Department, Appeals Unit staff forwards the applicants hearing request directly to the Law Department for scheduling of an informal hearing.

J. ADA/Section 504 Grievance Procedure

At any point during the reasonable accommodation request process, the Requesting Party may file a complaint orally, or in writing, regarding the alleged violation of the Americans with Disabilities Act of 1990 (as amended by the ADA Amendment Act of 2008) or of Section 504 of the Rehabilitation Act of 1973, with the ADA/504 Grievance Coordinator in the Department of Equal Opportunity.

The complaint must be filed within three months after the mailing of NYCHA form 040.797, *PHRAC Reasonable Accommodation Request: Review and Determination*, by the PHRAC or SERAC. When appropriate, the ADA/504 Grievance Coordinator attempts to negotiate a resolution of the complaint.

The DEO investigates complaints of disability discrimination for failure to provide a reasonable accommodation and provides its finding within 90 days of the receipt of the complaint unless circumstances warrant additional time. Parties to the complaint receive notice of the complaint and findings.

VII. TRACKING REASONABLE ACCOMMODATION REQUESTS

A. Processing Requests

NYCHA employees processing requests must enter all relevant information in the reasonable accommodation database. The database must be updated whenever the following changes are processed:

1. New information or documents are received
2. Requests for information are sent
3. Requests are approved
4. Requests that cannot be approved are sent to a PHRAC or SERAC Coordinator
5. A decision is made by a PHRAC or SERAC Coordinator
6. Activities taken to provide accommodation including dates of significant activities (whether approved by department or PHRAC or SERAC)
7. Proposals for alternative accommodations

B. Scanning Documents

All documents used to initiate, determine, or track reasonable accommodation requests must be scanned by the staff that process the documents, and attached to the request in the database.

This includes, but is not limited to, the following:

1. NYCHA form 040.422, *Disability Status and Notice of Reasonable Accommodation Request (NYCHA Resident)*, whether completed by the resident or by staff
2. NYCHA form 040.797, *PHRAC Reasonable Accommodation Request: Review and Determination*
3. NYCHA form 040.426, *Reasonable Accommodation Request – Disability Verification*

Any documents received or created after the initiation of a request must be scanned into the system when they are received.

NYCHA STANDARD PROCEDURE MANUAL

C. Section 504 Accommodations

Many of the reasonable accommodations made for Section 504 apartments may also be requested individually when needed in occupied units. These requests for physical accommodations are generally handled through the normal work process without any medical information or other forms.

The CCC creates and schedules work orders when a resident calls for routine accommodations such as, but not limited to, the following:

1. Grab bars
2. Doorway and/or shower modifications
3. Alarms that use light instead of sound

D. Work Order Exceptions

For routinely performed work that does not require any special accommodation, but where the resident cites a medical reason for needing the work, NYCHA staff performs one of the following options:

1. If informed when calling the CCC and the request does not require Property Management Department review, NYCHA staff checks the 'reasonable accommodation' box in Siebel
2. If informed while in the process of working in the apartment, NYCHA staff checks the 'reasonable accommodation' box on that work order

NYCHA staff then completes the work described on the work order.

VIII. FORMS

- A. NYCHA form 036.020, *Request for Sign Language Interpreter Services*
- B. NYCHA form 040.050, *Transfer: Tenant Request for Transfer*
- C. NYCHA form 040.276, *Transmittal to Office of Tenancy Administrator: Terminations of Tenancy / Grievances*
- D. NYCHA form 040.422, *Disability Status and Notice of Reasonable Accommodation Request (NYCHA Resident)*
- E. NYCHA form 040.426, *Reasonable Accommodation Request – Disability Verification*

NYCHA STANDARD PROCEDURE MANUAL

- F. NYCHA form 040.797, *PHRAC Reasonable Accommodation Request: Review and Determination*
- G. NYCHA form 040.886, *Reasonable Accommodation Request: PH/SE-RAC Time Extension Notice*
- H. NYCHA form 059.004, *Voucher Holder's Request for Transfer*
- I. NYCHA form 059.109, *Disability Status and Notice of Reasonable Accommodation*
- J. NYCHA form 070.144A, *Reasonable Accommodation Letter*

NYCHA STANDARD PROCEDURE MANUAL

REVISION HISTORY PAGE

REASONABLE ACCOMMODATIONS IN HOUSING FOR APPLICANTS, SECTION 8 VOUCHER HOLDER, AND NYCHA RESIDENTS

SP 040:12:1

Revision	Revision Date	Sections Amended	Description of Change
1.	6/1/14	Page i.	Added a Table of Contents
2.	6/1/14	Banner	Revised banner to reflect current NYCHA names and titles.
3.	6/1/14	I.	Purpose section revised to include development Property Managers, Leased Housing Department staff, Applications and Tenancy Administration Department staff.
4.	6/1/14	III.	Added Section for Applicability
5.	6/1/14	IV.A.B.	Name of section revised to Reasonable Accommodation Coordinators and headings for A. and B revised to read Public Housing Reasonable Accommodation Coordinator (PHRAC) and Section 8 Reasonable Accommodation Coordinator (SERAC). Sentence added that states "The PHRAC and SERAC performs the following functions, as part of the reasonable accommodation process"
6.	6/1/14	V.A.B.E.	Key Terms revised for Disability, Reasonable Accommodation and NYCHA Resident.
7.	6/1/14	VI.	Name of section revised to Processing Reasonable Accommodation Request and entire section updated to meet current NYCHA standards and guidelines.
8.	6/1/14	VII.	Added a new section on Tracking Reasonable Accommodation Requests
9.	6/1/14	VIII.	Added NYCHA forms 040.422, 040.426, and 040.886.
10.	6/1/14	Page 16	Added Revision History page.
11.	6/1/14	Attachment A	Information from former Section V. moved to Attachment A. Sections E.H.I. and O. have been updated.
12.	2/16/16	Banner	Revised banner to reflect current NYCHA names and titles.
13.	2/16/16	IV.A.	Revised Reasonable Accommodation Coordinators to reflect title of person who designates the PHRAC.
14.	2/16/16	V.D.	Revised Key Terms to reflect providing "an equal" opportunity to qualified individuals with a disability.
15.	2/16/16	V.E.	Revised Key Terms to add subsection regarding third-party authorization.

NYCHA STANDARD PROCEDURE MANUAL

Revision	Revision Date	Sections Amended	Description of Change
16.	2/16/16	VI.A.2.	Revised Processing Reasonable Accommodation Requests to add full name of the Customer Contact Center.
17.	2/16/16	VI.B.1.	Revised Processing Reasonable Accommodation Requests to add requirement to request reasonable accommodations in Siebel.
18.	2/16/16	VII.B.3.	Revised Tracking Reasonable Accommodation Requests to add NYCHA Form 040.426.
19.	2/16/16	Appendix	Revised Attachment A to add authorization for third parties.

ATTACHMENT A

TYPES OF REASONABLE ACCOMMODATIONS

NYCHA staff must evaluate *all* requests for accommodation by applicants, Section 8 voucher holders, and NYCHA residents, based upon the individual circumstances of the person(s) making the request. The PHRAC or SERAC may waive existing rules to accommodate a person with a disability.

Some examples of reasonable accommodations, which are addressed by existing NYCHA policies and procedures, include, but are not limited to, the following:

- A. Home visits/briefings, or other arrangements, for disabled applicants, Section 8 voucher holders, or NYCHA residents, who cannot attend in-person interviews
- B. Assistance with the completion of Annual Income Review documents or extension of time for submission of such documents
- C. Public Housing transfers and applicant assignments, for reasons expressly provided for under NYCHA TSAP, e.g., as follows:
 - 1. Need for an accessible (504) apartment
 - 2. Need for medical care not available near current development
 - 3. Need for an extra bedroom to accommodate large medical equipment
 - 4. Need for elevator building or apartment on a low floor (even if currently in elevator building)
 - 5. Need for an apartment near relatives due to medical reasons
- D. Exemption of service animals from the registration fee, weight limits or breed restrictions, under NYCHA Pet Policy
- E. Modification of public housing apartments, or other facilities, to make these apartments or facilities physically accessible to, and usable by, an individual with a disability, including, without limitation:
 - 1. Roll-in shower or hand-held shower
 - 2. Grab bars
 - 3. Ramps
 - 4. Flashing doorbell or smoke detector

NYCHA STANDARD PROCEDURE MANUAL

5. Lower cabinets, light sockets, faucets, and other fixtures
 6. Allowing extra air conditioners for people with respiratory difficulties
- F. Referral to NYCHA's Family Services Department
- G. Assessment of the mental competence of NYCHA tenants who may be subject to termination of tenancy or remaining family member claimants who are entitled to administrative grievance hearings; appointment of guardians ad litem; and informing Housing Court judges of possible mental incompetence
- H. Temporary or permanent relocation of residents during elevator rehabilitation
- I. Provision of stair climbers during unanticipated elevator service interruptions
- J. Extension of the duration of a Section 8 voucher, in instances where a family requires additional time to locate a suitable apartment due to a family member's disability
- K. Adjustment of voucher apartment size in instances where a family member requires an extra bedroom
- L. Request for increase of a U.S. Department of Housing and Urban Development (HUD) payment standard, in instances where a family requires additional assistance to find a suitable apartment due to a family member's disability
- M. Mailing to a Section 8 voucher holder a list of available apartments with information about accessibility
- N. Providing to mobility impaired Section 8 voucher holders and residents a list of apartments modified for the mobility impaired
- O. Request for increased utility allowances for Section 8 voucher holders due to medical equipment
- P. For a resident with breathing problems:
1. Permission to install and operate an additional air conditioner if the electrical system permits
 2. Transfer to a temporary location housing during mold and moisture abatement
 3. Permanent relocation to other NYCHA housing if the original apartment is uninhabitable and another apartment is available
 4. Use of appropriate dust suppression methods during mold removal

NYCHA STANDARD PROCEDURE MANUAL

- Q. Allowing an authorized third party to sign documents, take certain tenancy related action, or make tenancy related requests (e.g., request repairs, pay rent) on behalf of a tenant who lacks mental competence