

# **Pla-Vada Community Association Anti-Housing Discrimination Policy and Procedure**

## **Introduction**

The law is not clear as to whether Pla-Vada Community Association must comply with the Fair Housing laws under the Fair Employment and Housing Act, the Federal Housing Act, or whether it is a business establishment under the Unruh Act of Civil Code 51. Nevertheless, assuming said law applies, Pla-Vada has established policies and procedures for handling requests by members or permanent residents for reasonable accommodations. These policies and procedures shall not be construed as an admission of liability or coverage under said laws. If the law applies, Pla-Vada is committed to complying with housing laws to all members and permanent residents without regard to their disability. Pla-Vada may not be obligated under the law to provide accommodations and reserves the right to challenge such.

## **Procedures**

- 1.** Any resident or member must provide written notice to the President of the Board of his or her request for a reasonable accommodation based on a disability as defined by applicable law. The member or permanent resident must provide written notice verifying that the member or resident is disabled as that term is defined by state law. The disabled individual must provide such written verification to the Board within fifteen (15) days upon request.
- 2.** Pla-Vada is entitled to seek clarification of one's alleged disability and/or seek a second opinion if it has reasonable concerns over one's claimed disability. The member or permanent resident must cooperate and see a licensed health care provider selected and paid for by Pla-Vada.
- 3.** The requesting member is required to meet with the Board in person at a mutually convenient time to engage in an interactive process of discussing potential reasonable accommodations. If the law applies and Pla-Vada does not challenge the request on such basis, the law does not require Pla-Vada to provide the best accommodation, only a reasonable accommodation.
- 4.** Disabled members or permanent residents may consider making their own reasonable accommodations at their own expense subject to approval from the Board. However, said individual must first provide written notice to the Board of his or her intentions and seek the Board's approval. The Board shall report back to the requesting party within a reasonable time thereafter.
- 5.** Assuming federal and state housing discrimination laws apply to Pla-Vada, Pla-Vada is not required to accommodate a member or permanent resident where such would constitute an undue hardship, administrative burden, fundamentally change the nature and character of the Association, and/or as otherwise permitted under law. Pla-Vada reserves and asserts all rights afforded by applicable law.