

## **RICHMOND REDEVELOPMENT & HOUSING AUTHORITY**

<b>TITLE: REASONABLE ACCOMMODATIONS POLICY AND PROCEDURES</b>	<b>POLICY NO.:</b>
<b>PERSONNEL:</b>	<b>EFFECTIVE DATE: 07/16/2025</b>
<b>EXECUTIVE DIRECTOR: STEVEN B. NESMITH</b>	<b>SUPERCEDES OR REPLACES POLICY NUMBER/DATED: 04/2021</b>

### **I. PURPOSE**

The Richmond Redevelopment and Housing Authority (“RRHA”) is committed to operating all its housing programs fairly and impartially. This commitment includes providing programs in a way that does not discriminate against individuals with disabilities and ensures that individuals with disabilities have equal opportunity to participate in and benefit from the RRHA’s housing program. *See* 24 C.F.R. §§ 8.4, 35.130. RRHA must also take appropriate steps to ensure effective communication with individuals with disabilities. *See* 24 C.F.R. §§ 8.6; 28 C.F.R. 35.160. <sup>1</sup>

As a recipient of federal financial assistance, RRHA must comply with Section 504 of the Rehabilitation Act (1973). *See* 24 C.F.R. § 8.2. RRHA is also a public entity subject to the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), and its implementing regulations, 28 C.F.R. part 35. *See* 28 C.F.R. § 35.104. These laws provide that no qualified individual with a disability should, only because of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any covered program or activity.

Pursuant to the terms and conditions of these Reasonable Accommodation Procedures (the “Procedures”), and in accordance with applicable state and federal law and regulation, RRHA shall provide reasonable accommodations to participants with a disability where necessary to ensure equal opportunity to participate and benefit from its housing program or to avoid discrimination against an individual with a disabilities. A “reasonable accommodation” is a change, modification, alteration, or adaptation in a policy, procedure, practice, program, or facility unit that may be necessary to provide an Individual with a Disability an equal opportunity to (1) use and enjoy a dwelling, including public and common use areas of a development; (2) participate in, or benefit from, a program (housing or non-housing), service, or activity; or (3) to avoid discrimination against an individual with a disability.

To ensure notice of this Reasonable Accommodation Policy and Procedure, RRHA will maintain this policy on its website in an accessible format and at all RRHA Property Management Offices. This policy will also be provided to all applicants in their application packets for Low Income Public Housing and the Housing Choice Voucher Program and to all residents and participants in their annual recertification packets.

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<sup>1</sup> For RRHA’s policies and procedures on how it ensures effective communication with individuals with disabilities, including through the provision of auxiliary aids and services, please refer to RRHA’s Effective Communication Policy and Procedure.

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RRHA commits to granting, promptly providing, and fully bearing the cost of all reasonable accommodations, unless doing so would create an undue financial and/or administrative burden or result in a fundamental alteration of the relevant Program. If a requested reasonable accommodation poses a fundamental alteration or undue financial and administrative burden, the RRHA commits to engaging in the interactive process with the individual making the request.

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**For questions and inquiries into the reasonable accommodation process, please contact:**

**RRHA's Section 504 Coordinator**  
**Calandra Trotter, Assistant Vice President for Housing Compliance**  
**600 East Broad Street, 4<sup>th</sup> Floor**  
**Richmond, VA 23219**  
**Email: [compliance@rrha.com](mailto:compliance@rrha.com)**  
**Phone: (804) 780-4200 (TTY 711)**

## **II. APPLICABLE LAW AND REGULATIONS**

A. These Procedures are adopted in accordance with the below laws and regulations. Any ambiguity shall be interpreted in a manner that ensures compliance with the following law and regulations existing as of the date of these Procedures:

1. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794) ("Section 504")
2. Titles II and III of the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12131 - 12189) ("ADA")
3. The Fair Housing Act of 1968 (42 U.S.C. §§ 3601 - 3619) ("FHA")
4. The Architectural Barriers Act of 1968 (42 U.S.C. §§ 4151 et seq.)
5. 24 C.F.R. Part 8 (24 C.F.R. §§ 8.1 et seq.)
6. 28 C.F.R. Part 35
6. 24 C.F.R. § 966.7, and
7. The Virginia Fair Housing Law (Va. Code Ann. §§ 36-96.1 et seq.)

## **III. APPLICABILITY**

A. Persons to Whom This Policy Shall Apply

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These Procedures apply to individuals with a disability, as defined herein, in the following programs administered by RRHA:

1. Applicants to RRHA's public housing
2. Applicants to RRHA's Housing Choice Voucher Program ("HCVP")
3. Residents of RRHA's public housing developments
4. Participants in RRHA's HCVP, and
5. Participants in all other Programs that are conducted by RRHA, its agents or contractors including all non-housing facilities and common areas owned or operated by RRHA.

### IV. DEFINITIONS

#### A. Assistance Animal

Animals that work, provide assistance, or perform tasks for the benefit of a person with a disability, as well as, animals that provide emotional support or alleviate one or more identified symptoms or effects of a person's disability. Assistance animals are not pets.

#### B. Auxiliary Aids and Services

1. Services or devices that enable persons with disabilities, such as impaired sensory, manual, or speaking skills, to have an equal opportunity to participate in and enjoy the benefits of programs or activities conducted by RRHA.
2. For example, auxiliary aids and services for persons with impaired hearing (deaf or hard of hearing) may include qualified sign language interpreters on-site or through video remote interpreting (VRI) services as well as note takers, written materials, closed captioning on audio-visual or similar audio presentations used by RRHA, or other similar services and devices. Auxiliary aids and services for persons with impaired vision (blind or have low vision) may include readers, Brailled materials, audio recordings, and other similar services and devices. Auxiliary aids and services for persons with cognitive impairment may include oral explanations or assistance with completing forms.

#### C. Disability

1. A person with a disability means an individual who 1) has a physical or mental impairment that substantially limits one or more major life activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working; 2) has a record of such an impairment; or 3) is regarded as having such an impairment. See 24 C.F.R. § 8.3. 28 C.F.R. § 35.108.

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### D. Live-in Aide

1. A person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:
  - i. Is determined to be essential to the care and well-being of the elderly, near-elderly, or disabled person,
  - ii. Is not obligated for the support of the elderly, near-elderly, or disabled person, and
  - iii. Would not be living in the unit except to provide the necessary supportive services.

A relative may be considered as a live-in aide as long as they are not a current member of the assisted household and provided they meet all the criteria listed herein. A proposed live-in aide with a spouse or children will be evaluated on a case-by-case basis. The live-in aide is not entitled to the Housing Choice Voucher as the remaining member of the participant's family.

### E. Reasonable Accommodation

1. A reasonable accommodation means and refers to means and refers to a change, modification, exception, alteration, or adaptation in a policy, procedure, practice, program, service, activity, facility, or dwelling unit that may be necessary to provide an Individual with a Disability an equal opportunity to (1) use and enjoy a dwelling, including public and common use areas of a development; (2) participate in, or benefit from, a program (housing or non-housing), service, or activity; or (3) to avoid discrimination against an Individual with a Disability. Such an accommodation must be granted unless it would (i) pose an undue financial and administrative burden, or (ii) fundamentally alter the essential nature of the program, service, or activity. For purposes of this Agreement, a Reasonable Accommodation includes any physical or structural change to a housing unit or a public or common use area that would be considered a reasonable modification for purposes of the Fair Housing Act.

### G. Service Animal

Any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. *See* 28 CFR 35.104.

A miniature horse that has been individually trained to do work or perform tasks for the benefit of the individual with a disability. *See* 28 CFR § 35.136.

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The work or tasks performed by a service animal must be directly related to the individual's disability.

### **V. GENERAL PRINCIPLES OF REASONABLE ACCOMMODATIONS**

A Reasonable Accommodation must have an identifiable relationship (a "nexus") between the requested accommodation and the individual's Disability. RRHA will determine if the requested accommodation is reasonable on a case by case basis. In determining whether a requested Reasonable Accommodation meets these criteria, RRHA will consider the following questions:

- A. Is there an identifiable nexus between the request and disability?
- B. Is the request a fundamental alteration of the nature of RRHA services and/or programs?
- C. Does the request pose an undue financial and/or administrative burden?

A requested accommodation will be considered NOT reasonable, and will be denied, if it results in any of the following:

- A. A violation of Virginia or federal law;
- B. A fundamental alteration in the nature of the Program;
- C. An undue financial or administrative burden on RRHA; or
- D. A structurally unfeasible alteration to any facility;

If RRHA denies any reasonable accommodation, it will engage in the interactive process with the individual and offer equally effective alternatives to the requested accommodation. The procedure for evaluation and responding to requests relies on a cooperative and interactive relationship between RRHA and the individual requesting a reasonable accommodation.

### **VI. EXAMPLES OF REASONABLE ACCOMMODATIONS**

Examples of Reasonable Accommodations or modifications within RRHA programs may include, but are not limited to:

- A. Making an offer to transfer a resident with a Disability to a public housing unit with the required accessibility features;
- B. Making a housing unit, part of a housing unit, or public/common use areas accessible for an individual with a Disability;
- C. Providing an additional bedroom for Disability-related medical equipment;
- D. Permitting a resident or family to have a service or assistance animal, pursuant to the terms of these Procedures, that is related to a Disability;

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- E. Transferring a resident or family to a larger size unit to provide a separate bedroom for the resident with a Disability;
- F. Transferring a resident with a Disability to a ground-floor level unit or a unit with only one internal level;
- G. Installing appropriate emergency-signaling equipment to help alert an individual with a Disability;
- H. Allowing a live-in aide, pursuant to the terms of these Procedures, to reside in an appropriately-sized housing unit;
- I. Making documents available in an accessible format, such as large type or Braille;
- J. Conducting a screening or certification interview by telephone or in an accessible location;
- K. Permitting an outside agency, friend, or family member to assist an applicant, resident, or program participant with a Disability in meeting screening criteria or essential lease obligations;
- L. Granting HCVP participants with Disabilities additional time to locate housing with the necessary accessibility features.

### **VII. PROCEDURES**

#### **A. General Procedures Applicable to All Requests**

##### **1. Making a request.**

- i. An applicant to, resident of, or participant in a Program who has a disability may request a Reasonable Accommodation at any time.
- ii. A Reasonable Accommodation request may be made either
  - a. Verbally, in which case RRHA staff will ensure the request is properly documented in writing; or
  - b. In writing. To facilitate requests, RRHA will provide the applicant with a Reasonable Accommodation Notice and/or Reasonable Accommodation Request Form (1) during the application interview, (2) at all annual and interim recertification interviews, and (3) upon request.
- iii. Applicants, residents, or program participants requesting a Reasonable Accommodation are encouraged but are NOT required to make their request in writing on the aforementioned Request Form. If the request is made verbally or by any other equally effective means of communication that is not in writing, then an RRHA employee will put the request in writing and report it to the Section 504 Coordinator.
- iv. Applicants, residents, or program participants requesting a Reasonable Accommodation are encouraged to submit, at the time of their request, relevant documentation detailing (1) the reasonable accommodation

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request and (2) the need for the requested Reasonable Accommodation (the “Supporting Documentation”). RRHA reserves the right to request any such Supporting Documentation after a request is made, in accordance with these Procedures. Any such request will be limited to only the minimum information needed to determine if the requested accommodation would serve the individual’s disability-related needs.

iv. If the individual’s disability is known, readily evident or obvious, and the need for the requested accommodation is also known, readily evident or obvious, then no supporting documentation will be requested by RRHA.

v. The applicant, resident, or program participant does not have to say they are “requesting a reasonable accommodation” but must make it clear to RRHA that he or she is requesting an exception, change, or adjustment to a rule, policy, practice, or service because of their disability.

vi. The applicant, resident, or program participant must articulate what they are requesting and if the need is not apparent or known to RRHA, then he or she must explain the relationship between the requested accommodation and the disability.

2. RRHA will seek only the minimum information required to determine if the accommodation requested would serve an individual’s disability-related need(s). It may include written, telephone or personal consultation with the individual, parent/legal guardian, the individual’s medical professional and/or designee. Where necessary to identify an effective alternative accommodation, RRHA will endeavor to enter into an interactive process with the requestor in order to discuss the requestor’s Disability-related need for the requested accommodation and possible alternative accommodations, if any. While it is always the requestor’s choice to enter into an interactive process with RRHA, such a process is intended to help all concerned in the process by seeking to provide an effective accommodation that does not pose an undue financial and administrative burden for RRHA.

3. RRHA will approve or deny a request for a reasonable accommodation on a case-by-case basis. If RRHA concludes that the request will address the individual’s disability related needs, RRHA will grant the request unless it would fundamentally alter the nature of the RRHA’s program or would impose an undue financial and administrative burden. .



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4. RRHA reserves the right to review the facts and circumstances of any temporary reasonable accommodation request, in which the requestor has identified to RRHA that the disability is temporary in duration. All temporary accommodations will include a date when the accommodation will be reviewed to determine if the individual still requires the same or a different accommodation.

5. Initial Review of requests.

- i. Upon RRHA's receipt of a Reasonable Accommodation request, the request shall be date- and time-stamped. All requests must be also be provided to RRHA's Section 504 Coordinator, who shall record and document the same in a centralized, confidential report of all requests.
- ii. The request shall be forwarded to the appropriate RRHA department or employee for the "Initial Review."

- a. For requests related to a pending application to RRHA's public housing or HCVP, the request shall be forwarded to the Tenant Selection Supervisor.

- b. For requests related to an existing tenancy in RRHA's public housing, the request shall be forwarded to the Property Manager of the requestor's community.

- c. For requests related to existing participation in RRHA's HCVP, the request shall be forwarded to a Supervisor within RRHA's HCVP Department.

- d. For requests related to any other RRHA Program, the request shall be forwarded to the Director of the RRHA department responsible for conducting or sponsoring that Program.

- iii. On the fifth and 19th day of each month, the individual conducting the Initial Review shall document the request in RRHA's digital database (Yardi Voyager 7 or SharePoint) including the name and address of the requester, contact information of the requester, date of request, nature of the request, description of the request, decision on the request, date of decision, status of the request and any notes. The Initial Reviewer shall update the 504 Coordinator throughout this process as necessary.

- iv. Within a reasonable time frame, but no later than 15 business days of receiving a request, the individual conducting the Initial Review shall make one of the following determinations and report the same to the requestor on a written Determination Notice:

- a. That the request will be granted.



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The department or employee conducting the Initial Review may grant a Reasonable Accommodation request if doing so complies with the terms of these Procedures.

b. That Supporting Documentation is needed.

The department or employee conducting the Initial Review may determine that RRHA needs Supporting Documentation before it can make a decision on the request. Such a determination shall include a general description of the information needed and any RRHA forms that might assist the requestor in providing such information.

When a requestor's disability is readily apparent, RRHA will review the request without any Supporting Documentation.

When RRHA needs Supporting Documentation, the individual conducting Initial Review shall notify the requestor and provide a Verification of Disability form, which shall be completed by a physician, licensed healthcare professional, professional representing a social service agency, caretaker, other knowledgeable professional, or a person knowledgeable of the requestor's disability. Alternatively, the requestor can submit a declaration of disability from the Social Security Administration. A "knowledgeable professional" is broadly defined as someone who is qualified to diagnose the presence of a disability.

RRHA shall only request, and shall only be entitled to receive, such Supporting Documentation that is necessary to verify that the requestor is a person with a disability and has a disability-related need for the requested Reasonable Accommodation. RRHA shall not require unnecessary information regarding the requestor's disability, such as the specific disability or the nature or extent of the disability. RRHA shall not ask or require individuals to disclose confidential medical records in order to verify a disability and RRHA shall not encourage applicants, residents, or program participants to disclose confidential details related to their disability. If an individual does provide RRHA with medical documentation of a disability, then RRHA shall return such information to the individual and request submission of information from a third-party who can verify the disability. A requestor should provide the Supporting Documentation to RRHA within a reasonable time. RRHA will not deny a request based

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solely on failure to provide the Supporting Documentation, unless an unreasonable amount of time has elapsed and RRHA has consulted with the requestor that such information is necessary to make a determination as to the request. If the requestor states to RRHA that they are having difficulty in obtaining the Supporting Documentation, RRHA will not deny the request, but hold the request as “inactive” until such Supporting Documentation can be provided.

c. The request cannot be granted.

The individual conducting the Initial Review may determine that the request cannot be granted in compliance with the terms of these Procedures.

When the Initial Review results in such a determination, they and the requestor shall enter into the interactive process described in Section V, A, 2, supra, with the goal of determining whether an alternate accommodation (1) complies with these Procedures, and (2) is acceptable to the requestor. If there is such an alternate accommodation, the Initial Reviewer shall, within a reasonable time, notify the Requestor of the granted alternate accommodation in the manner required by this section.

If the RRHA and the individual cannot agree on an alternate accommodation, or if the requestor declines to participate in the interactive process, then the individual conducting the Initial Review shall, within 3 business days of that determination, (1) forward the request and all Supporting Documentation to the Second Reviewer, and (2) report the same to the requestor in the manner required by this section.

### 6. Second Review of requests

i. If, after reviewing all relevant information and engaging in the interactive process, the individual conducting the Initial Review is unable to grant a request, then the request and all Supporting Documentation shall be forwarded for the “Second Review”.

ii. The Second Review shall be conducted by the appropriate RRHA department or employee.

a. For requests related to an existing tenancy within RRHA’s public housing, the Second Review shall be conducted by the Director of Public Housing.

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b. For requests related to a pending application to RRHA's public housing or any aspect of RRHA's HCVP, the Second Review shall be conducted by the Director of HCVP.

c. For participants in any other RRHA Program, the Second Review shall be conducted by the Affordable Housing Compliance Specialists or the Section 504 Coordinator..

iii. Within 15 business days of receiving a request, the individual conducting the Second Review shall make one of the following determinations and report the same to the requestor on a written

### **Determination Notice:**

a. The request can be granted.

The department or employee conducting the Second Review may overrule the Initial Review and grant a Reasonable Accommodation request if doing so complies with the terms of these Procedures.

b. The request cannot be granted

When the department or employee conducting the Second Review makes such a determination, they and the requestor shall enter into the interactive process described in Section V, A, 2, supra, with the goal of determining whether an alternate accommodation (1) complies with these Procedures, and (2) is acceptable to the requestor. If there is such an alternate accommodation, the Second Reviewer shall, within a reasonable time, notify the Requestor of the granted alternate accommodation in the manner required by this section.

If RRHA and individual cannot agree on an alternate accommodation, or if the requestor declines to participate in the interactive process, then the individual conducting Second Review shall, within 3 business days of that determination, (1) deny the request, and (2) report the same to the requestor in the manner required by this section.

c. The request must be denied.

If the request cannot be granted in compliance with these Procedures and the interactive process fails to provide an alternate accommodation, or the requestor declines to participate in the interactive process, then the individual conducting Second Review shall deny the request.

## 7. Right to appeal RRHA's denial of request

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An applicant or program participant may appeal RRHA's determination by filing a request for a grievance hearing. (See Request for Grievance Form in Section IX). It is recommended that the request for a grievance hearing is documented in writing, however, if an individual submits their request orally, an RRHA staff member that received the request shall complete the form for the individual and ask the individual to sign and date the form, unless the individual's disability prevents them from doing so. In which case, RRHA shall sign on behalf of the individual and submit the form. This constitutes a request that RRHA reconsider a decision regarding a request for reasonable accommodation.

The RRHA Section 504 Coordinator serves as the primary hearing officer for reasonable accommodation request determinations; however, other RRHA Housing Compliance staff may be designated to hear cases when needed.

Upon receipt of a request for grievance hearing, the Section 504 Coordinator will stamp with the date received and place in the individual's file. Within five business days of receiving a request for hearing, the Section 504 Coordinator will schedule a hearing for the requesting applicant or program participant. Hearings are scheduled no less than two weeks from the date of request.

The Section 504 Coordinator will send an email or mail a letter notifying the applicant or program participant of their scheduled appointment. It is the applicant or program participant's responsibility to contact RRHA if they cannot attend at the scheduled time. An applicant or program participant may request an accommodation for the hearing itself, if a disability prevents them from attending in person or digitally through zoom or other digital meeting technology. It is the applicant or program participant's responsibility to contact RRHA and request an alternate means of communication for the hearing, such as by telephone and if the services of an interpreter are needed. RRHA will consider these requests on a case-by-case basis.

Grievance hearings may result in several outcomes:

- a) Determination upheld: This represents cases where RRHA's original determination denied the request for reasonable accommodation. A grievance hearing was requested and conducted, and the determination of the hearing officer upheld (agreed with) RRHA's original determination to deny the request for reasonable accommodation

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- b) No Further Action: When the original determination was “inactive”, RRHA did not receive a response from the physician or other knowledgeable professional. The response was required because the person’s disability isn’t known, readily evident or obvious or the nexus to the accommodation is not readily evident or obvious; and therefore, RRHA could not determine whether a reasonable accommodation was needed. In such instances, the Section 504 Coordinator will explain this situation at the grievance hearing, and keep the file in a “inactive” status for up to 90-days after the hearing. If during that time, RRHA receives a response from the physician or other knowledgeable professional, then RRHA will issue a determination after considering the physician or other knowledgeable professional’s certification (approval or denial). If there is no response after 90-days, then RRHA will close the proceedings. The applicant or program participant always has the right to submit a new request.
- c) Determination overturned: This represents cases where RRHA’s original determination denied the request for reasonable accommodation. A grievance hearing was requested and conducted, and the determination of the hearing officer overturned (disagreed with) RRHA’s original determination to deny the reasonable accommodation request.

RRHA may evaluate the determination by the hearing officer, and based on the evidence issue a different determination, if it is determined at a higher level of review, that the hearing officer’s determination to overturn is not appropriate.

Upon conclusion of the grievance hearing, the applicant or client will be notified verbally and in writing of the next steps that RRHA will take relevant to the case. The Section 504 Coordinator will complete the following steps:

1. Enter a memo into the individual’s file, documenting the date and outcome of the hearing;
2. Prepare and mail any relevant communications (e.g. letter to the applicant or client);
3. Inform appropriate RRHA staff that need to know the outcome of the grievance hearing
4. Attach any supporting documentation from the hearing to the individual’s file; and
5. Update the reasonable accommodation request in the individual’s file and the Reasonable Accommodation Log.

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RRHA will consider missed appointments for hearings on a case-by-case basis. An applicant or program participant may request to reschedule an appointment for a hearing if needed. If an applicant or program participant is uncooperative or refuses to attend a scheduled hearing, RRHA may determine not to reschedule on a case-by-case basis.

An applicant or client may exercise the right to appeal a RRHA decision after the hearing process decision through the RRHA Office of Compliance and Legal Affairs. Individuals may contact the Office of Compliance and Legal Affairs at:

Richmond Redevelopment and Housing Authority  
Office of Compliance and Legal Affairs  
600 E. Broad Street, 4<sup>th</sup> Floor  
Richmond, VA 23219

### **B. Additional Procedures for Particular Types of Reasonable Accommodations**

In addition to the general procedures listed in Section IV, A, *supra*, the following Reasonable Accommodations shall be governed by the following:

#### **1. Unit Modifications**

RRHA shall, at RRHA's expense, make modifications to a resident's public housing unit if the requested modification(s) comply with the terms of these Procedures. RRHA will not make any modifications that result in an undue financial or administrative burden.

#### **2. Unit Transfer**

For any unit transfer for a reasonable accommodation, the appropriate Property Management Office or the Tenant Selection Office will assist the requestor in identifying the appropriate and available unit either within their current Property or at other RRHA Properties. (Check "Property" or "Development")

RRHA Property Managers will be the initial coordinators for Reasonable Accommodation Unit Transfers. All requests for Unit Transfers will be maintained in the Reasonable Accommodation Log. After the initial entry of the Unit Transfer request, the RRHA Section 504 Coordinator will look to see if there is an available unit that meets the individual's needs. If there is an available unit that meets the individual's needs, RRHA will promptly transfer the individual.

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If there is not an individual unit that will meet the individual's disability related needs, RRHA will place the individual on a waitlist by the Section 504 coordinator. RRHA will contact the individual regarding the unavailability of a unit and coordinate interim accommodations to increase the individual's access and use of their dwelling unit while awaiting the vacancy of an accessibility unit. The Section 504 Coordinator will regularly review the waitlist to determine if an appropriate unit has become vacant or available that will accommodate the individual's needs.

### 5. UFAS Units – Priority of Occupancy

RRHA has public housing units equipped with accessibility features that comply with the Uniform Federal Accessibility Standards ("UFAS Units").

RRHA shall maintain all requests in the reasonable accommodation log organized by the date and time of these requests.

RRHA will offer these UFAS Units to families in the following order:

**First:** to a current resident who has a disability that requires the special features of a UFAS Unit and who currently resides in the community where the vacancy becomes available.

**Second:** to a current resident who has a disability that requires the special features of a UFAS Unit but who resides in another RRHA public housing community.

**Third:** to an eligible public housing applicant that requires the special features of a UFAS Unit; and

**Fourth:** if there are no eligible, qualified applicants or current residents, an applicant who does not require the special features of a UFAS Unit will be offered the unit. Such applicant will be required to sign a notice agreeing to move to an available unit when either a current resident or applicant needs the special features of the UFAS Unit. Such applicant or resident who does not require the special features of the UFAS Unit will not be required to pay for the moving expenses for relocation in order to make the UFAS Unit available to person(s) with a disability.

The first qualified, current resident in sequence on the waiting list of residents seeking a reasonable accommodation transfer to a UFAS Unit of that size will be offered the Unit.

Upon inspection of the offered UFAS Unit, the resident or applicant will be required to sign a letter of **Acceptance/Rejection of an Accessible Unit**. RRHA will maintain a record of units offered, including location, date offered and circumstances of each offer, each acceptance or rejection and the reason for the rejection.



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### ii. Other Unit Transfers

RRHA will make every reasonable effort to provide Reasonable Accommodations to public housing residents with a Disability in compliance with these Procedures, including transfer to an available, non-UFAS unit that meets the resident's specified need. A Reasonable Accommodation request for a unit transfer shall be made and reviewed in accordance with the terms of these Procedures. RRHA shall maintain all requests in the reasonable accommodation log organized by the date and time of these requests.

In the event RRHA has received more than one Reasonable Accommodation Request for transfer to a unit with the same accessibility features (other than a UFAS Unit), and the number of such Reasonable Accommodation Requests exceeds the number of available units outfitted with such accessibility features, the requests shall be granted according to the order in which they were received.

A tenant or applicant with a disability will be given priority to the unit for their Reasonable Accommodation request over other tenants or applicants who do not require the unit for its accessibility features, except in emergency situations in which the transfer is necessary to protect the health and safety of the tenant or applicant.

If a resident accepts an offered transfer as a Reasonable Accommodation, RRHA shall pay the reasonable moving expenses.

If a resident transfers from one property to another, the existing security deposit should be applied to the new unit and shall not be increased. If, after conducting a move-out inspection of the previous unit, damages or other charges are owed, RRHA will charge the resident but will not use the security deposit to pay the charges. Charges owed may be paid in full or in installments agreed to between the resident and Property Management Staff. The disposition of the security deposit will only occur when the resident leaves the program.

Upon inspection of the offered unit meeting the individual's particular needs, the resident or applicant will be required to sign a letter of Acceptance/Rejection of an Accessible Unit. RRHA will maintain a record of units offered, including location, date offered and circumstances of each offer, each acceptance or rejection and the reason for the rejection.

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### **5. Rejection of Offered Unit**

A current public housing resident who receives an offer of a another unit that meets their specific needs and rejects that offered unit without good cause shall have their Reasonable Accommodation request considered completed and their name shall be removed from the Reasonable Accommodation Waiting List. A new reasonable accommodation request may be submitted, at any time, to restart the process.

An applicant selected from the public housing wait list who receives an offer of a unit that meets their specific needs and rejects that offered unit will be offered the next available unit that meets their specific needs. If they reject this second offer without good cause, their name shall be removed from the Public Housing Waiting List and they shall be ineligible to reapply for public housing for one year from the date of the second unit offer.

For purposes of this section, the determination of “good cause” shall be the sole responsibility of RRHA. However, any determination adversely affecting the resident or applicant shall be subject to RRHA’s grievance policies.

### **3. Cross-Platform Transfers**

A Cross-Platform Transfer is transferring an individual or family from RRHA’s Public Housing Program to its Housing Choice Voucher Program (“HCVP”) as an accommodation without regard to their presence or placement on any HCVP waiting list. An example of a Cross-Platform Transfer is moving a public housing resident to the Housing Choice Voucher Program when that resident is not at the top of the HCVP waiting list.

In accordance with HUD regulations, RRHA does not use any preferences in its HCVP waiting lists. Applicants are assigned a placement on the list by a randomized lottery system and then admitted to the program based on that placement.

### **4. Live-in Aide**

When a person with a Disability requests a live-in aide, RRHA will ensure it gathers all necessary information to conduct proper screenings of the proposed live-in aide. Requests for a live-in aide requires verification that the live-in aide is determined to be 1) essential to the care and well-being of the persons; 2) is not obligated for the support of the persons; 3) would not be living in the unit except to provide the necessary supportive services; 4) is not currently an existing member of the household; 5) doesn’t overcrowd

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the unit; and 6) does not have employment that interferes with the primary role of live-in aide.

Proposed live-in aides who do not meet all of RRHA's screening criteria applicable to live-in aides, such as a criminal background check and as more fully described in Chapter 5 of RRHA's Admissions & Continued Occupancy Policy and Chapter 3-I.M of RRHA's Administrative Plan, will be denied and the Requestor will be given an opportunity to propose another individual to serve as their live-in aide.

### **5. Utility Allowances**

Upon request from a family that includes a disabled person, RRHA must approve a utility allowance that is higher than the applicable amount on the utility allowance schedule if a higher utility allowance is needed to make the program accessible to and usable by the family. The policy of the RRHA is to adjust the amount of tenant-paid utilities or PHA consumption levels for tenant allowances in documented situations when a qualified family is entitled to the adjustments.

Such adjustments shall be made based on the qualification of the individual's special need and the relief granted to the resident should be commensurate with the estimated value of the utility consumption necessitated by the equipment or condition causing the excess consumption. Residents wishing to request relief under this procedure should contact the Property Manager of the development in which they reside to acquire an Excess Utility Relief request form. If an individual submits a reasonable accommodation request using the form and procedures outlined above, the staff member receiving the request will provide the individual with the appropriate Excess Utility Relief request form and offer to assist in its completion.

Residents with disabilities may not be charged for the use of certain resident-supplied appliances if there is a verified need for special equipment because of a disability.

## **VIII. MONITORING REASONABLE ACCOMMODATION REQUESTS**

All reasonable accommodations will be inputted into the Reasonable Accommodation Log maintained by the Section 504 Coordinator. All Reasonable Accommodation Requests will be monitored by the Section 504 Coordinator. Failure by staff to input requests and update the status of the request in the Reasonable Accommodation Log will be flagged by the Section 504 Coordinator and the appropriate RRHA supervisor will be notified. On a monthly basis, the Section 504 Coordinator will provide a report to the Chief Compliance Officer as to the status of all Reasonable Accommodation Requests.

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**IX. FORM(S) THAT APPLY**

- A. Reasonable Accommodation Request Form
- B. Verification of Disability
- C. Section 504 Determination Notice
- D. Request for Grievance Form



**RICHMOND REDEVELOPMENT AND HOUSING AUTHORITY**  
**REQUEST FOR**  
**REASONABLE ACCOMMODATION**

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

City, State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

☐ I need a reasonable accommodation at this time (please complete information below).

The following person(s) in my household has/have a disability and is requesting the reasonable accommodation/modification indicated below: (Please indicate need clearly and specifically)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

( ) uses wheelchair ( ) uses walker, crutches ( ) blind or vision impaired ( ) deaf or hard of hearing  
( ) Other: \_\_\_\_\_

If you or a member of your household becomes disabled or needs an accommodation after you have submitted this form, you may fill out another form.

If you need help understanding or filling out *this form*, or have any questions regarding the rights of persons with disabilities, you should contact:

Calandra Trotter  
Assistant Vice President for Housing Compliance &  
Section 504 Coordinator  
600 East Broad Street  
Richmond, VA 23219  
Phone: (804) 780-4200 (TTY 711)  
Email: [Compliance@rrha.com](mailto:Compliance@rrha.com)



## Verification of Disability

I, \_\_\_\_\_ have been working with  
(Professional's name- Please Print)

\_\_\_\_\_ since \_\_\_\_\_.  
(Patient, Client's Name)

I understand that “**Disability**” is defined as:

1. A physical or mental impairment which substantially limits one or more of the person's major life activities, and/or
2. A record of having a physical or mental impairment which substantially limits one or more of the person's major life activities, and/or
3. Being regarded as having a physical or mental impairment which substantially limits one or more of the person's major life activities.

I also realize that under this definition, a **major life activity** includes, but is not limited to: caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and/or working. Understanding this, **I affirm that the above-named patient has a disability which meets this legal definition.**

Please specify the accommodation needed in relation to the identified disability: \_\_\_\_\_

**Furthermore, I certify and affirm that the information provided on this form is true and correct to the best of my knowledge and in my professional opinion that the above named patient's disability, the reasonable accommodation or modification described below is necessary and will affirmatively enhance the above named patient's quality of life by ameliorating the effects of their disability:**

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Phone)



## REASONABLE ACCOMMODATION/MODIFICATION DETERMINATION NOTICE

Applicant/Participant's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Accommodation Requested: \_\_\_\_\_

A determination has been made that RRHA ☐ will / ☐ will not be able to offer the accommodation/modification proposed above.

☐ The request was approved because a knowledgeable professional confirmed you meet the civil rights definition of disability and the change you requested is as a direct result of your disability.

☐ The request was approved after engaging in the interactive process and reaching an agreement on an alternative accommodation.

Alternative Accommodation: \_\_\_\_\_

**For approvals, staff will review how and when your request will be made.**

☐ The request was denied because:

☐ Your medical provider certified that your disability does not meet the civil rights definition of disability

☐ Your medical provider certified that you do not need the change requested as a direct result of your disability

☐ Your request would pose a fundamental alteration in the nature of the program.

☐ Your request would pose an undue financial and administrative burden to the Agency.

☐ Other: \_\_\_\_\_  
\_\_\_\_\_

If you disagree with this determination, you may begin the informal review hearing procedure within 15 business days, either verbally or in writing upon notification of ineligibility. Refer to the **Informal Review Hearing Procedure** for more information. If you do not request an informal review/hearing within 15 business days of receiving the notice of denial, the case will be considered closed.

This form was completed by:

Supervisor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

### For Denials:

Director of Assisted Housing Signature: \_\_\_\_\_

Date: \_\_\_\_\_





### **Reasonable Accommodations for Persons with Disabilities**

RRHA is a public agency that provides low rent housing to eligible families, elderly families and single people. RRHA is not permitted to discriminate against applicants on the basis of their race, religion, sex, color, national origin, age, disability, familial status or elderliness. Also, RRHA must provide "reasonable accommodations" to applicants if they or any family members have a disability. A reasonable accommodation is some modification or change RRHA can make to its buildings, apartments, programs or procedures to assist an otherwise eligible person with a disability to participate equally in RRHA's programs. Examples of reasonable accommodations would include but not be limited to:

- Making alterations to a RRHA unit so it could be used by a family member with a wheelchair;
- Adding or altering unit features so they may be used by a family member with a disability;
- Installing strobe-type flashing light smoke detectors in an apartment for a family with a hearing impaired member;
- Making large type documents, Braille documents, cassettes or a reader available to an applicant with a vision impairment whenever meetings with RRHA are needed;
- Making a sign language interpreter available to an applicant with a hearing impairment during interviews or meetings with RRHA staff;
- Permitting an applicant or resident to be accompanied or represented by a family member, friend or advocate at all meetings and interviews with RRHA if the individual desires such representation;
- Permitting an outside agency or individual to assist an applicant with a disability to meet the RRHA's applicant screening criteria or to comply with the essential provisions of the Lease.

An applicant family that has a member with a disability must still be able to meet essential obligations of tenancy. These include being able to pay rent, to care for their apartment, to report required information to the Housing Authority, but there is no requirement that they be able to do these things without assistance.

If you or a member of your family have a disability and think you might need or want a reasonable accommodation, you may request it at any time in the application process or at any time you need an accommodation. This is up to you. If you would prefer not to discuss your situation with the housing authority, that is your right.



**REQUEST FOR GRIEVANCE HEARING OF REASONABLE  
ACCOMMODATION REQUEST DECISION**

Applicant/Participant's Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

RRHA Property Manager (if applicable) \_\_\_\_\_

Brief explanation of the nature of your reasonable accommodation request grievance:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I request a hearing regarding my request for reasonable accommodation. The purpose of the hearing is to discuss a decision to reconsider the determination of denial or no further action.

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Return this completed form to:

Calandra Trotter  
Assistant Vice President for Housing Compliance &  
Section 504 Coordinator  
600 East Broad Street  
Richmond, VA 23219  
Phone: (804) 780-4200 (TTY 711)  
Email: [Compliance@rrha.com](mailto:Compliance@rrha.com)