

Equal Opportunity and Fair Housing

Fair Housing

DHHS, Shalom House, Inc, and its sub-contractors must comply fully with all federal and state nondiscrimination laws and with the statutes and regulations governing fair housing and equal opportunity in housing and employment. This program affirmatively furthers Fair Housing, which means that according to 24 CFR 578.93 we must:

- i. Affirmatively market housing subsidies and supportive services to eligible persons regardless of race, color, national origin, religion, sex, age, familial status, or handicap who are least likely to apply in the absence of special outreach and maintain records of those marketing activities.
- ii. Where a recipient encounters a condition or action that impedes fair housing choice for current or prospective program participants, provide such information to the jurisdiction that provided the certification of consistency with the Consolidated Plan; and,
- iii. Provide program participants with information on rights and remedies available under applicable federal, State and local fair housing and civil rights laws.

Our agency will comply with civil rights and fair housing laws and requirements, and comply with nondiscrimination and equal opportunity provisions of Federal civil rights laws, including:

- i. The Fair Housing Act which prohibits discriminatory housing practices based on race, color, religion, sex, national origin, age, disability, or familial status. Additionally, the Equal Access Rule prohibits denial to apply or receive assistance for a family or individual based on marital status, gender identity or sexual orientation;
- ii. Section 504 of the Rehabilitation Act which prohibits discrimination on the basis of disability under any program or activity receiving Federal financial assistance;
- iii. Title VI of the Civil Rights which prohibits discrimination on the basis of race, color or national origin under any program or activity receiving Federal financial assistance;
- iv. Title II of the American with Disabilities Act which prohibits public entities, which include State and local governments, and special purpose districts, from discriminating against individuals with disabilities in all their services, programs and activities, which include housing and housing-related services, such as housing search and referral assistance;
- v. Title III of the Americans with Disabilities Act which prohibits private entities that own, lease, and operate places of public accommodation, which includes shelters, social service establishments, and other public accommodations that provide housing from discriminating on the basis of disability.

We will not use data collected from the application process to discriminate or prioritize applicants for housing and services based on a protected status. The referral process is informed by the Federal, State and local Fair Housing laws and regulations, to ensure applicants are not steered toward any particular housing facility or neighborhood.

It is the responsibility of our agency to ensure maintenance of copies of marketing, outreach, and other materials used to inform eligible people of the program to document compliance with these requirements (24 CFR 578.103).

Additionally, we will ensure meaningful access to persons with limited English proficiency by:

Translating documents that advertise assistance, services, and contact information into other languages common in the community as needed, including notices about participant's rights and other documents vital for program access; and

Work with language services or a pool of interpreters to assist persons who speak an alternate primary language other than English and need assistance communicating.

A reasonable accommodation is an adjustment made to a rule, policy, practice, or service that allows a person with a disability to have equal access to all rental subsidy programs administered by this agency. Federal regulations stipulate that requests for accommodations will be considered reasonable if they do not create an "undue financial and administrative burden" for our agency or result in a "fundamental alteration" in the nature of the program or service offered. A fundamental alteration is a modification that alters the essential nature of a provider's operations.

Reasonable Accommodation

Types of Reasonable Accommodations:

When needed, the agency will modify their policies and procedures to accommodate the needs of a person with disabilities. Examples include:

- Permitting certifications to be completed by mail.
- Using higher payment standards if the program determines this is necessary to enable a person with disabilities to obtain a suitable housing unit
- Providing additional time extensions for locating a unit when necessary because of lack of availability of accessible units or special challenges of the family in seeking a unit
- Approving a live-in aide that is necessary for the care and well-being of a person with a disability
- Allowing an additional bedroom (e.g. to accommodate medical equipment or a live-in aide)
- Rent from a relative
- Extend or reinstate a voucher
- Waive a stated deadline to provide information, make a request, or file an appeal of a decision regarding housing assistance

Request for an Accommodation

If an applicant or program participant indicates that an exception, change, or adjustment to a rule, policy, practice, or service is needed because of a disability, OBH requires that the Program treat the information as a request for reasonable accommodation, even if no formal request is made

The person with a disability does not have to be the person making the request. The request can be made by a family member or someone else acting on the person's behalf.

The person requesting the accommodation must explain what type of accommodation is needed to provide the person with a disability full access to our agency and its programs.

If the need for the accommodation is not readily apparent or known to the agency, the person requesting the accommodation must explain the relationship between the requested accommodation and the

disability. There must be an identifiable connection, or nexus, between the requested accommodation and the disability.

The agency shall ensure that all such requests are submitted in writing to the Central Administrative Agency (CAA) for determination.

The agency shall ensure that each written request for a Reasonable Accommodation includes reliable disability related information that:

- Verifies that the individual has a disability that falls under the Fair Housing Act; and
- Describes the needed accommodation; and
- Shows an identifiable relationship between the requested accommodation and the individual's disability.

The CAA may deny a request for reasonable accommodation if the request was not made by on or behalf of a person with a disability or if there is no disability-related need for the accommodation.

In addition, a request for reasonable accommodation or modification may be denied if providing the accommodation or modification would impose an undue financial and administrative burden on the housing provider or it would fundamentally alter the nature of the housing provider's program.

The determination of undue financial and administrative burden must be made on a case-by-case basis involving various factors. If an undue burden or fundamental alteration exists, the housing provider is still required to provide any other reasonable accommodation up to the point that would not result in an undue financial and administrative burden on the DHHS PSHP program and/or constitute a fundamental alteration of the program.

If the CAA denies the requested accommodation, the agency shall discuss with the requester whether there is an alternative accommodation that would effectively address the requester's disability-related needs without a fundamental alteration to the provider's operations and without imposing an undue financial and administrative burden as part of an interactive process.