

High Point Management Office
100 HIGH POINT DRIVE, HARTSDALE, N.Y. 10530
Phone (914)761-6100 FAX (914)761-6117

Date: July 12, 2024

To: High Point Residents

From: Management

Re: Reasonable Accommodations/Modifications Policy

In accordance with Westchester County Human Rights Commission and Fair Housing laws, please find attached Reasonable Accommodation and Modification request forms.

Should you have any questions, please contact the Management Office at 914/761-6100 or via email: highpointcondo@outlook.com.

Thank you.

HIGH POINT OF HARTSDALE
REASONABLE ACCOMMODATIONS AND MODIFICATIONS POLICY

High Point Community Association, Inc., and/or each High Point of Hartsdale condominium board, (“High Point”) are committed to granting reasonable accommodations to its rules, policies, practices, or services when such accommodations may be necessary to afford people with disabilities an equal opportunity to use and enjoy their dwellings, as required by federal, state and local law.

In keeping with that commitment, High Point shall distribute a copy of this policy to all residents of High Point, and all new residents will be provided with a copy of this policy immediately when they join our community.

A reasonable accommodation may include a change or exception to a rule or policy that is needed because of a person’s disability, or it may be a physical change to a common area.

A reasonable modification is a physical change to the structure of a resident’s unit.

It is High Point’s general policy to provide reasonable accommodations and/or modifications to individuals with disabilities whenever an individual has a disability and there is a disability- related need for the requested accommodation or modification. A disability-related need for a requested accommodation or modification exists when there is an identifiable relationship, or nexus, between the requested accommodation or modification and the individual’s disability.

If there is any cost associated with providing an accommodation, which may include modification to a common area, the cost will be to High Point.

Consistent with all relevant fair housing laws:

High Point may deny the requested accommodation if providing it would impose an undue burden on High Point, or if the requested accommodation would fundamentally alter the nature of High Point’s operations. If granting a reasonable accommodation would impose an undue financial and administrative burden or would fundamentally alter the nature of High Point’s operations, High Point will consult with the requester and provide any reasonable accommodation that would not impose such a burden or result in a fundamental alteration.

If there is a request for a reasonable modification to a resident’s unit, any such cost for the modification is the responsibility of said resident.

High Point accepts reasonable accommodation and reasonable modification requests from persons with disabilities and those acting on their behalf. Reasonable Accommodation and/or Modification Request Forms are available from the onsite Management Office and may be returned to the same by either visiting the Management Office, or by emailing to highpointcondo@outlook.com. If assistance is required in completing the form, or if the request needs to be made verbally, please contact The Management Office at 914-761-6100. The two (2) admins in the office will be available to take such requests initially, and subsequently present such requests to the property manager for review.

High Point will keep a record of all requests for reasonable accommodations and reasonable modifications, whether made verbally or in writing, in a central file at the Management Office located at 100 High Point Drive.

High Point will make a reasonably prompt decision regarding every request for a reasonable accommodation or modification. If the request is of a time-sensitive nature, that should be noted at the same time the request is made, and High Point will expedite the decision-making process. In the event High Point needs additional information to make a determination, it will promptly advise the requester of the information needed. It is High Point's policy to seek only the information needed to determine if a reasonable accommodation or reasonable modification should be granted under federal, state, and/or local law. The information High Point may seek is set forth in the forms attached to this policy. **High Point or its agents may ask minimally invasive questions and/or for the minimally invasive supporting documentation as may be necessary in order to establish the existence of a disability and the need for the requested accommodation or modification.** If High Point grants the request, the requester will receive a letter so indicating.

If High Point denies the request, High Point or its designated agent will provide the requester with a letter stating the reasons for its denial. If High Point believes that the request poses an undue financial and administrative burden or a fundamental alteration to the nature of High Point's operations, High Point or its agent will schedule a meeting at a mutually convenient time to discuss possible alternatives. If agreement on an alternative is not reached, High Point or its agent will send the requester a letter providing High Point's decision on the requested accommodation or modification and a detailed explanation of High Point's reasons for a denial to grant an alternative.

If an individual with a disability believes that the request has been denied unlawfully or a response has been unreasonably delayed, then that person may file a complaint by writing or calling any of the following:

Westchester County Human Rights Commission
112 East Post Road, 3rd Floor
White Plains, New York 10601
Tel No. 914-995-9500
<https://humanrights.westchestergov.com>

U.S. Department of Housing and Urban Development
Office of Fair Housing and Equal Opportunity
26 Federal Plaza, Room 3532
New York, NY 10278-0068
Tel No. (800) 496-4294
<https://www.hud.gov/>

New York State Division of Human Rights
One Fordham Plaza, 4th Floor
Bronx, New York 10458
Tel No. (888) 392-3644
TDD: (718) 741-8300
<https://dhr.ny.gov/>

DEFINITIONS AND PROCEDURES

A. High Point will grant reasonable accommodation and reasonable modification requests consistent with the enclosed policy and the following relevant statutes:

1. The Fair Housing Act defines a person with a “disability”¹ as one who: (a) has a physical or mental impairment which substantially limits one or more of such person's major life activities; or (b) has a record of having such an impairment; or (c) is regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance.
2. The New York State Executive Law defines a disability as (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term shall be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.
3. The Westchester County Fair Housing Law defines a disability as (a) a physical, mental, psychological, or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which substantially limit one or more of a person’s major life activities or prevents the exercise of an unimpaired bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques; or (b) a record or history of a physical, mental, psychological, or medical impairment. The term “physical, mental, psychological, or medical impairment” means: (1) an impairment of any system of the body; including, but not limited to: the neurological system; the musculoskeletal system; the special sense organs and respiratory organs, including, but not limited to, speech organs; the cardiovascular system; the reproductive system; the digestive and genitor-urinary systems; the hemic and lymphatic systems; the immunological systems; the skin; and the endocrine system; or (2) a mental or psychological disorder includes, but is not limited to, depression, bipolar disorder, anxiety disorders, and schizophrenia; or (3) a condition regarded or perceived by others as such an impairment.

The term “disability” does not include active alcoholism, active drug addiction, the current illegal use of controlled substances, or any other form of substance abuse, except, however, it may apply to a person who is recovering or has recovered, and is currently free from such substance abuse.

B. High Point or its designated agent will review and respond with reasonable promptness to all reasonable accommodation and reasonable modification requests, made in accordance with this policy.

¹ The Fair Housing Act uses the word “handicap,” which has been found to have the same legal meaning as “disability.”

- C. All information received by High Point regarding an individual's stated disability, including physical, mental, psychological, medical and/or psychiatric conditions, and disability-related need for a requested accommodation or modification shall be kept confidential and separate from the resident's file, unless the individual authorizes the release of the information or High Point is required to produce the information in response to a subpoena or court order.
- D. If the individual has a disability and a disability-related need for a reasonable accommodation or reasonable modification under federal, state or local law, High Point will grant such accommodation or modification as required under law. This shall include a request to keep a service, assistance or support animal, as required by law and this policy.
- E. Neither High Point nor any of its agents, employees or contractors will retaliate against any person because of a request for a reasonable accommodation or reasonable modification, or their use thereof.
- F. Neither High Point, nor any of its agents, employees or contractors, will discourage any individual from making a reasonable accommodation or reasonable modification request, including a request to keep a service, assistance or support animal.
- G. An animal that is trained to do work or perform tasks for an individual with a disability is known as a service animal. It is often readily apparent that an animal is trained to do work or perform tasks for an individual with a disability, such as a dog that guides an individual with a visual impairment. Where it is readily apparent that an animal is a service animal, High Point will not inquire about the individual's disability or the animal's training.
- H. An assistance or support animal is any animal that works, provides assistance, performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person's disability.

It is hereby acknowledged that **service, assistance and support animals are not pets**. However, an individual must request a reasonable accommodation to High Point's pet/animal policy in order to keep a service, assistance or support animal on premises.

High Point is dedicated to ensuring that individuals with disabilities may keep such animals as required by federal, state, and local law.

Rules applicable to pets do not apply to service, assistance or support animals, except as provided in High Point's Reasonable Accommodation Policy. However, when service, assistance or support animals are in building common or public areas, the service, assistance or support animals must be kept on a leash or in a carrier or cage, unless those devices prevent such animals from performing a disability-related task. Additionally, like any other resident, owners of service, assistance or support animals remain subject to the provisions of their lease.

Similarly, owners of service, assistance or support animals shall comply with all state and local animal laws except when such laws are preempted by the Fair Housing Act, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, the New York State Human Rights Law, or Westchester County Fair Housing Law, or the owner is entitled to a reasonable accommodation. With respect to taking action against residents for damage they or their animals cause, High Point will treat damage caused by service, assistance or support animals the same as comparable damage caused by residents, their guests, or pets or other animals.

In the case of an individual who requests a reasonable accommodation for an assistance or support animal, High Point may require, as necessary, that the individual provide:

1. A statement indicating that the person has a disability, or
2. Information that the animal has been individually trained to do work or perform tasks that would ameliorate one or more symptoms or effects of the disability; or information that the animal, despite lack of individual training, is able to do work or perform tasks that would ameliorate one or more symptoms or effects of the disability; or the animal provides emotional support that would ameliorate one or more symptoms or effects of the disability.

Notwithstanding the foregoing, this policy does not limit High Point's obligation to comply with all relevant fair housing laws.

REASONABLE ACCOMMODATIONS AND/OR
REASONABLE MODIFICATIONS
REQUEST FORM

PLEASE COMPLETE THIS FORM TO REQUEST AN ACCOMMODATION. IF YOU REQUIRE ASSISTANCE COMPLETING THIS FORM, OR WISH TO MAKE THE REQUEST VERBALLY, PLEASE CONTACT OUR OFFICE AT (914) 761-6100. The High Point Management Office WILL KEEP A RECORD OF ALL REQUESTS, WHETHER WRITTEN OR VERBAL.

RESIDENT NAME: _____

ADDRESS: _____

TELEPHONE #: _____

PERSON REQUESTING ACCOMMODATION:
(IF DIFFERENT FROM RESIDENT)
RELATIONSHIP TO RESIDENT:

1. Please describe the reasonable accommodation you are requesting:

2. Please explain why this reasonable accommodation is needed.
(You need not provide detailed information about the nature or severity of the disability.)

3. If you are requesting permission to have an animal in your apartment as an accommodation and it is not readily apparent to others that the animal is a service animal please answer the following:
 - (a) Type of animal (for example, dog, cat):

 - (b) Is the animal required because of a disability?

Yes _____ No _____

 - (c) Does the animal perform work or do tasks for you because of your disability?

Yes _____ No _____

(d) If the answer to 3(c) is YES:

- a. provide a statement verifying that you have a disability (*i.e.*, you have a physical or mental impairment that substantially limits one or more major life activities); and
- b. explain below how the animal has been trained to do work or perform tasks that ameliorate one or more symptoms or effects of your disability or, if the animal lacks individual training, how the animal is able to do work or perform tasks that would ameliorate one or more symptoms or effects of your disability:

You may provide any additional information or documentation of the training or work you describe above and attach it to this application.

(e) If the answer to 3(c) is NO:

If the animal for which you are making a reasonable accommodation request does *not* perform work or do tasks for you because of your disability, but provides emotional support or ameliorates one or more symptoms or effects of your disability, please submit a statement verifying that:

- a. you have a disability (*i.e.*, you have a physical or mental impairment that substantially limits one or more major life activities); and
- b. the animal would provide emotional support or other assistance that would ameliorate one or more symptoms or effects of your disability and how the animal ameliorates the symptoms or effect.

Please attach such a statement to this application.

(f) High Point may deny a request to keep an animal on the premises if the animal poses a direct threat (*i.e.*, a significant risk of substantial harm) to the health or safety of other individuals that cannot be eliminated or reduced to an acceptable level by another reasonable accommodation, or if the animal would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation. High Point will base such a determination only upon reliable, objective evidence of the specific animal's actual behavior or conduct, and not on speculation or fear about the types of harm or damage an animal may cause.

- (g) If the assistance or support animal is a dog or cat, please provide a copy of the animal's rabies certificate that is required by New York law. If you have not selected an animal at the time you complete this application, High Point may approve the application on condition that the applicant must submit a copy of the animal's rabies certificate before the selected animal moves in.
4. If you are requesting a physical change to the interior of your unit, please describe the modifications. Please also submit a written request and comply with any local, State, and/or Federal laws pertaining to same (e.g., securing the necessary Department of Building permits, maintaining necessary insurance).
 5. If you are requesting a physical change to the exterior of your unit or to a public or common use area, please describe the modification.
 6. Please provide any supporting documentation (e.g., medical proof of disability, government issued disability parking tag) that you would like High Point to consider towards your request, and indicate here the documents which you are submitting in support of the application.

Date:

Signature

Print name