

**Woodlake Association**  
**Accommodation Request Policy**

Woodlake Association's policy regarding the processing of requests for reasonable accommodations shall be as follows:

1. A Woodlake resident, or person acting on the resident's behalf, may make a request for an accommodation or modification by notifying Woodlake's General Manager either orally or in writing. Woodlake's General Manager shall be the person responsible for receiving such requests on behalf of Woodlake.
2. If the disability and need are apparent, Woodlake will not request further information before evaluating the request. If more information is needed about the resident's disability or need for accommodation, Woodlake may request that the resident provide additional information concerning the following only:
  - a. If the disability is known or apparent, then Woodlake may ask for information that:
    - i. Describes the needed accommodation; and
    - ii. Shows the relationship between the resident's disability and how the requested accommodation is necessary to afford the resident with a disability an equal opportunity to use and enjoy their dwelling and the common areas at Woodlake.
  - b. If the disability of the resident is not readily apparent to the person considering the request, Woodlake may request, in addition to the information in paragraph 2(a) above, only information that is necessary to establish that the individual has a disability.
3. Woodlake will not seek information about the resident's particular diagnosis or medical condition, the severity of the disability, medical records, medical history, other disability or medical issues unrelated to the request, or other disability or health related information beyond the information identified above in paragraph 2(a) or (b).
4. Woodlake shall process requests concerning assistance animals (including both service animals and support animals) in conformance with Title 2, section 12185 of the Code of California Regulations, including the following:
  - a. **Service Animals.** Persons, including tenants, occupants, invitees, owners, and others, are permitted to have service animals in all dwellings and common areas, subject to the restrictions set forth in section 12185(d). The only permissible questions that can be asked of an individual to determine if the animal is a service animal are: 1) "Are you an individual with a disability?" and 2) "What is the disability-related task the animal has been trained to perform?" It is not permitted to ask the individual with a disability to demonstrate the task.
  - b. **Support Animals.** Individuals with disabilities who have a support animal as defined in Title 2, section 12005(d)(2) of the Code of California Regulations may request a reasonable accommodation related to the individual's need for the support animal in dwellings and common areas.

- c. **Assistance Animals.** Provisions applicable to all assistance animals as defined in section 12005(d), including service animals and support animals, include:
- i. An individual with an assistance animal may also be covered by other legal obligations relating to assistance animals which include additional requirements or prohibitions, and may further restrict the nature and type of inquiry that may be made concerning assistance animals;
  - ii. An individual with an assistance animal shall not be required to pay any pet fee or other additional fee, including additional security deposit or liability insurance, in connection with the assistance animal;
  - iii. An individual with an assistance animal may be required to cover the costs of repairs for damage the animal causes to the premises, excluding ordinary wear and tear;
  - iv. An individual may have more than one assistance animal. Each animal must be individually determined to meet the requirements in this article. When an individual already has a support animal as a reasonable accommodation and requests an additional support animal as a reasonable accommodation, the person considering the subsequent request may consider whether the cumulative impact of multiple animals in the same dwelling unit constitutes an undue burden or fundamental alteration;
  - v. No breed, size, and weight limitations may be applied to an assistance animal;
  - vi. Reasonable conditions may be imposed on the use of an assistance animal to ensure it is under the control of the individual with a disability or an individual who may be assisting the individual with a disability, such as restrictions on waste disposal and animal behavior that may constitute a nuisance, so long as the conditions do not interfere with the normal performance of the animal's duties. For example, a leash requirement may interfere with the ability of a guide dog, signal dog, or service dog to assist an individual, in which case the animal may be under voice control or otherwise responsive. Similarly, a "no noise" requirement may interfere with a dog's job of barking to alert a blind individual to a danger or someone at the door, but incessant barking all night long or when the individual is not at home may violate reasonable restrictions relating to nuisance. Any such conditions may not be more restrictive than those imposed upon other animals on the property;
  - vii. Animal vests, identification cards, or certificates are not in and of themselves documentation of either disability or the need for a reasonable accommodation, other than as set forth in section 12185(c)(2) above;

- viii. If an individual with a disability is denied permission to have an assistance animal, the individual is still entitled to all the rights and privileges that otherwise would have been accorded the individual, so long as the individual no longer has the animal; and
  - ix. An assistance animal need not be allowed if the animal constitutes a direct threat to the health or safety of others (i.e. a significant risk of bodily harm) or would cause substantial physical damage to the property of others, and that harm cannot be sufficiently mitigated or eliminated by a reasonable accommodation.
5. The information establishing the resident's disability does not necessarily need to come from a doctor or psychiatrist, it can come from documents such as a DMV issued placard, social security benefits determination, or any reliable third party who is in a position to know about the resident's disability or disability related need. For example, the information could come from any health care provider or their office, a peer support group, non-medical service agency or person, or any other reliable third party.
  6. If the accommodation is of a nature that the General Manager has the pre-existing authority from the Board to grant the type of requested accommodation or modification, the General Manager shall grant it.
  7. If the General Manager lacks pre-existing authority from the Board to grant the requested accommodation, the General Manager shall forward the accommodation request to the Board, who will discuss and grant the request if possible in the next executive session.
  8. The resident shall be notified promptly of the status of their accommodation request: whether the General Manager is determining the request, or whether it has been forwarded to the Board and the timeline for the Board's deliberations.
  9. An accommodation will not be denied for lack of information. The General Manager or Board will first request clarification or additional information and provide a reasonable opportunity for the individual requesting the accommodation to provide the information.
  10. If the requested accommodation does not constitute an undue financial and administrative burden or fundamental alteration, it shall be granted.
  11. If Woodlake determines that the requested accommodation would result in an undue financial and administrative burden or fundamental alteration, Woodlake shall notify the resident in writing of this decision, and provide all reasons for not granting the accommodation – including how the requested accommodation constitutes an undue financial and administrative burden or fundamental alteration.

12. Woodlake shall engage in the interactive process, and promptly meet with the resident (as many times as is necessary) to exchange information to identify and evaluate alternative accommodations that would be equally effective in meeting the resident's needs that would not be an undue burden or fundamental alteration. The interactive process must be conducted in good faith. Good faith means the General Manager and/or the Board considering the request must make a fair and honest effort to engage in the interactive process and to consider the request.
13. At the conclusion of the interactive process, Woodlake shall provide the resident with a written decision allowing or denying the accommodation request (either as requested or modified during the interactive process). If the resident's accommodation is denied, Woodlake shall provide the resident with a list of organizations and phone numbers for the resident to call for further advice, including but not limited to Disability Rights California, Project Sentinel, and Legal Aid Society of San Mateo County.
14. All requests for accommodation and all information gathered in the interactive process shall remain confidential per Title 2, section 12176 of the Code of California Regulations.
15. No resident is limited in the number of accommodations they may request.
16. This policy shall be provided to residents, on an annual basis, in the usual manner for disseminating information by management i.e.: direct delivery, email, and publication in the newsletter.

The foregoing Accommodation Request Policy was approved by the Woodlake Board of Directors on 5/16/2021, 2021.

Dated: 5/18/2021

Woodlake Association

By: 