

Welcome to the

WASHINGTON STATE CHAPTER
of
Community Associations Institute

*The leading professional organization providing education,
resources, and advocacy for community association living.*



Reasonable Accommodations – Bend But Don't Break

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Overview

- Legal requirements / Laws
- What are/are not “reasonable accommodations”?
- Specific situations
- Open forum

Legal requirements

- ADA
- HUD/FHA
- State & Local laws
- Anti-discrimination
- US/State Constitutions (e.g. 1st, 4th, and 6th Amendments)?
- Fair Housing in Washington State
 - King County Office Civil Rights (206) 296.7592

(Un)Reasonable Accommodations

- Legal predicate
 - DOJ & HUD enforce Fair Housing Act (“FHA”)
 - FHA “handicap” vs. ADA “disability”
 - “associations” and others “involved in the provision of housing . . .”
- Definition: equal opportunity to use and enjoy a dwelling

Parking

- Requests for:
 - Re-assignment of parking space(s)
 - Larger space
 - Converting guest to disabled parking
 - Others?

Physical modifications

- “Reasonable Modifications”
- “Full enjoyment of the premises”
 - Access ramps
 - Handrails
 - ARC variances
 - Others?

Therapy Animals



Therapy Animals

- Service vs. Support animal (dog vs. pot bellied pig)
- Criteria
- HOA action:
 - Ban or limitations
 - Type or breed
 - Reasonable accommodations

Marijuana

- Ban or restriction?
- Attack the problem, not the behavior
- Whether THC or nicotine or vapor...same enforcement strategies
- Declaration or Rules?
- Medicinal defense...reasonable accommodations

Mental Illness

- Evidence relied upon
- Link conduct to specific CC&R provisions
- Obtain assistance from family member
- Rely on professional third parties
- Look to governmental agencies for assistance
- Courts as last resort