

# EQUAL HOUSING OPPORTUNITY POLICY

It is the policy and commitment of Brandywine Construction & Management, Inc. (“Brandywine”) to provide equal access to housing. In furtherance of this commitment, Brandywine does not discriminate on the basis of race, color, sex, national origin, disability, religion, familial status, source of income, or any other legally protected classification in the rental of its residential dwellings. Brandywine is committed to providing equal housing opportunities pursuant to applicable federal, state and local fair housing laws. This commitment includes granting reasonable accommodations when necessary to afford persons with disabilities<sup>1</sup> the equal opportunity to use and enjoy a dwelling with Brandywine.

Harassment or intimidation of a tenant, applicant or guest because of that person’s race, color, national origin, religion, sex, disability, familial status, source of income, or any other legally protected classification, is specifically prohibited and may be grounds for termination of tenancy. Harassment and intimidation includes, but is not limited to, abusive, foul or threatening language or behavior. Additionally, Brandywine strictly prohibits any adverse action/retaliation against a resident or applicant for reporting or opposing discriminatory treatment.

## **REASONABLE ACCOMMODATIONS**

It is Brandywine’s policy and commitment to afford all applicants and tenants the equal opportunity to use and enjoy a dwelling or housing services. In furtherance of this commitment, Brandywine will provide reasonable accommodations—that do not impose an undue financial or administrative burden—to applicants and residents who are disabled, as defined by applicable federal, state or local law. Additionally, Brandywine will permit residents with disabilities to make reasonable modifications to their dwellings.

A ***reasonable accommodation*** is any change, exception or adjustment to a rule, policy, practice or service that allows a person with a disability to use and enjoy a dwelling, including public and common use areas.

A ***reasonable modification*** is any structural change made to a resident’s living space or to the common areas of a community, which is necessary to enable the resident with a disability to have full use and enjoyment of the housing. Reasonable modifications can include structural changes to interiors and exteriors of dwellings and to common and public use areas.

## *INTERACTIVE PROCESS*

Brandywine will engage in an interactive dialogue with residents and applicants who make a reasonable accommodation or modification request. In the event an accommodation or

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<sup>1</sup> Under fair housing laws, a person with a disability is generally defined as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who is regarded as having such an impairment, or a person with a record of such an impairment.

modification request is deemed to be unreasonable or would result in an undue burden, Brandywine will provide a written explanation for the denial of the request.

**All requests for reasonable accommodations or modifications must be submitted in writing to the Property Manager.**

#### *ASSISTANCE ANIMALS*

Reasonable accommodations may include waiving or varying Brandywine's rules or policies to allow a resident with a disability to keep an "assistance animal." An assistance animal is an animal that does work or performs tasks for the benefit of a person with a disability, or provides emotional support or other assistance that alleviates one or more symptoms or effects of a person's disability ("Assistance Animal"). The most common Assistance Animals are dogs, although other animals may qualify as Assistance Animals. Assistance Animals are not pets under Brandywine's policies, and Assistance Animals will be governed by this policy and not by standard pet policies.

It is the responsibility of a person with a disability who is a resident, tenant, or occupant of a Unit to inform Brandywine as to the need for an Assistance Animal and to request a reasonable accommodation and provide any required documentation. A request for a reasonable accommodation for an Assistance Animal must be made in writing by completing and returning the Assistance Animal Application Form. This form can be obtained from your Property Manager. If the applicant requires assistance in completing the form, the Property Manager or his or her designee will provide assistance or will fill out the form based on an oral request. Brandywine is using the form to record reasonable accommodation requests so that we obtain only the information necessary to make a reasonable accommodation decision and do not obtain confidential information that is not required to make a reasonable accommodation decision.

In the case of a resident, tenant, or occupant who requests a reasonable accommodation for an Assistance Animal that provides emotional support or other assistance that alleviates one or more symptoms or effects of the resident's disability, Brandywine may require as part of the Assistance Animal Application Form a written statement from a health or social service professional<sup>2</sup> indicating:

1. That the applicant has a disability, and
2. That the animal would provide emotional support or other assistance that would alleviate one or more symptoms or effects of the disability.

In the case of a resident, tenant, or occupant who requests a reasonable accommodation for an Assistance Animal that does work or performs tasks for the benefit of a person with a disability, Brandywine may require as part of the Assistance Animal Application Form that the resident provide:

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<sup>2</sup> "Health or social service professional" means a person who provides medical care, therapy, or counseling to persons with disabilities, including, but not limited to, doctors, physician assistants, psychiatrists, psychologists, or social workers.

1. A written statement from a health or social service professional indicating that the person has a disability, and
2. Information that the animal has been individually trained to do work or perform tasks that would alleviate 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 alleviate one or more symptoms or effects of the disability.

Once a completed Assistance Animal Application Form is submitted, Brandywine will then determine whether the animal provides assistance needed by that resident to afford him or her an equal opportunity to enjoy living with Brandywine. Brandywine will not ask about the nature or severity of the person's disability. Many times, both the disability and the assistance provided by the Assistance Animal is obvious – for example, a dog guiding an individual who is blind or has low vision, or a dog pulling the wheelchair of a person with a mobility impairment. If this is the case, no further inquiry will be made and Brandywine will grant the resident the reasonable accommodation.

In processing requests for Assistance Animals, Brandywine will take reasonable measures to protect the confidentiality of any information or documentation disclosed in connection with the requests. Such measures may include limiting access to such information to persons specifically designated to deal with requests for reasonable accommodations, who will disclose information only to the extent necessary to determine whether to grant the request, and keeping all written requests and accompanying documentation in a secure area to which only those designated persons have access, except as otherwise required by law.

Brandywine will provide a response written requests for a reasonable accommodation within 14 days. Prior to denying a request, Brandywine will attempt to engage in an interactive process with the person making the request in which the parties discuss possible alternative accommodations that might effectively meet the person's disability-related needs. Brandywine recognizes a person with a disability is generally in the best position to know whether or not a particular accommodation will be effective in meeting his or her needs. If a request is denied, an explanation for the denial will be included in the written notification of denial.

Residents approved to live with an Assistance Animal are responsible for the care and supervision of their animal. This means that while the animal is in common areas, it is on a leash, in a carrier, or otherwise in the resident's direct control. When in the presence of others, the animal is expected to be well-behaved (not jumping on or nipping at people, not snarling or barking, etc.). Residents with Assistance Animals are also responsible for the proper disposal of animal waste. Should the Assistance Animal cause damage to the dwelling unit or common areas beyond reasonable wear and tear, Brandywine may require the tenant to pay for the costs of repairs.

## **PROBLEMS**

If you believe rental staff is not handling your request for an Assistance Animal properly or in a timely manner, please contact the Property Manager immediately. Any issues of perceived or threatened discriminatory treatment, harassment or intimidation should be immediately reported, in writing, to the Property Manager. Brandywine will conduct a thorough and objective

investigation into all such complaints, and if substantiated, will take prompt remedial action. Additionally, individuals may raise a complaint to the U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity if he or she believes that a request for a reasonable accommodation has been unreasonably denied or delayed.