

**CITIZENS FOR AFFORDABLE HOUSING IN NEWTON  
DEVELOPMENT ORGANIZATION, INC. D/B/A/ CAN-DO**

**POLICY AND PROCEDURES FOR REASONABLE ACCOMMODATION AND  
REASONABLE MODIFICATION**

Citizens for Affordable Housing In Newton d/b/a CAN-DO, received federal financial assistance for this project and is subject to the requirements of Section 504 of the Rehabilitation Act of 1973 and its implementing regulations at 24 CFR Part 8. The Act prohibits housing providers from discriminating against housing applicants or residents because of their disability or the disability of anyone associated with them and from treating persons with disabilities less favorably than others because of their disability. The Act also makes it unlawful to refuse to make reasonable accommodations relative to rules, policies, practices or services when accommodations may be necessary to enable a person with disabilities equal opportunity to use and enjoy residing in a housing unit.

The Act defines a person with a disability to include (1) individuals with a physical or mental impairment that substantially limits one or more major life activities; (2) individuals who are regarded as having such impairment; and (3) individuals with a record of such impairment. The term *substantially limits* suggests that the limitation is "significant" or "to a large degree". The term *major life activities* refers to those activities that are of central importance to daily life such as seeing, hearing, walking, breathing, performing manual tasks, caring for one's self, learning and speaking.

Under the Act, physical or mental impairment includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, HIV infection, mental retardation, emotional illness, drug addiction (other than addiction caused by current illegal use of a controlled substance) and alcoholism.

1. The definition of reasonable accommodation and reasonable modification under The Act are as follows:

- **Reasonable accommodation** is a request for a change or waiver to policies, practices, procedures or services to provide greater use and accessibility of the housing services.

- **Reasonable modification** is a physical alteration to provide greater accessibility and use of the premises for a person with a disability. Reasonable modifications can include structural changes to interiors and exteriors of residential units as well as common areas.

2. Persons in need of a reasonable accommodation and/or reasonable modification should make a request to the Executive Director, Josephine McNeil at 1075 Washington Street, West Newton, MA 02465 or via e-mail at [jam\\_cando@msn.com](mailto:jam_cando@msn.com). Or by phone, at 617-964-3527.

3. Within 5 days of receipt of the request CAN-DO will contact the applicant and arrange to meet with him/her to determine the specific nature of the reasonable accommodation or reasonable modification. In the event the applicant has a mobility impairment CAN-DO will arrange to meet with the applicant at a location that is wheelchair accessible. At that meeting, CAN-DO will prepare a written account of the request and ask the applicant to sign to show his/her agreement with the write-up.

Within 5 days of that meeting, CAN-DO will submit the report to its architect and/or contractor to obtain a description and the cost to satisfy the request. Upon receiving the report CAN-DO will determine if the request will cause an undue administrative and financial burden or changes the basic nature of the housing program. CAN-DO will provide the applicant with a copy of the report.

In order to determine whether the costs are reasonable, CAN-DO will establish a 3 member panel of volunteers which shall include a building professional, other than the one who wrote the report, a disability advocate and a lawyer familiar with disability law, who will review the request and the report from the architect/contractor and provide CAN-DO with a written report. The applicant will be given the opportunity to meet with the panel.

The report from the panel will be presented to CAN-DO's Board of Directors who will make the final determination regarding the expenditure of funds. This process must be completed within 21 business days of the original request.

4. If the Board denies the request because it would cause an "undue hardship", and the Applicant thinks he/she has been discriminated against he/she has the right to file a fair housing complaint with the City of Newton's Human Rights Commission.

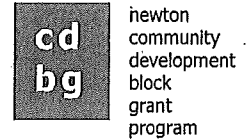
Policy Adopted by Board of Directors on March 10, 2010

Policy Revised by Board of Directors on June 23, 2010

Policy Revised by Board of Directors on July 14, 2010



**CITY OF NEWTON, MASSACHUSETTS**  
Department of Planning and Development



Setti D. Warren  
Mayor

August 31, 2010

Josephine McNeil, Executive Director  
Citizens for Affordable Housing in Newton Development Organization, Inc.  
1075 Washington Street  
Newton, MA 02465

Re: Veterans' House, 2148-50 Commonwealth Avenue

Dear Josephine:

The release of Community Preservation Funds for the project at 2148-2150 Commonwealth Avenue is dependent on approval of CAN-DO's Policy and Procedures for Reasonable Accommodation and Reasonable Modification document. I am writing to approve the final version of the plan dated July 14, 2010. I had already approved the second version of the plan, dated June 23, 2010, via an email dated June 25, 2010.

Please keep this letter in your project file for future reference.

Sincerely,

Trisha Kenyon Guditz  
Housing Program Manager

Cc: Amy Yuhasz  
✓ Alice Ingerson