

**Courtside Procedures for Reasonable Accommodation in Housing
Under the Fair Housing Act
October 29, 2018**

1. What is a “reasonable accommodation” in housing?

The Federal Fair Housing Act (FHA) is a federal law that prohibits discrimination in housing. The FHA allows Individuals with disabilities to request a reasonable accommodation. The South Carolina Fair Housing Law also provides similar protections.

2. Who can request a reasonable accommodation?

Courtside owners who are disabled, a person residing in or intending to reside in that dwelling, or any person associated with the owner or renter may request a reasonable accommodation. A person is considered disabled if they have a physical or mental impairment which substantially limits one or more of their major life activities.

3. How can you request a reasonable accommodation?

Requests for accommodation may be made orally or in writing. Please submit your request to IMC.

4. Who will decide your reasonable accommodation request?

The Courtside Board will consider each reasonable accommodation request on a case-by-case basis to determine whether the granting of the request is necessary to afford the person who submitted the request equal opportunity to use and enjoy their dwelling. The decision by the board will be communicated in writing to the person who requested the accommodation. The Courtside Board will provide a response within 30 days unless additional information is requested by either party.

5. Information that may be requested by the Courtside Board from an individual requesting a reasonable accommodation.

If the individual who requested a reasonable accommodation has a disability that is obvious, e.g. blindness, no additional information may be required.

If the disability of the individual requesting a reasonable accommodation is not obvious, the person receiving the request may request information that verifies that the individual is disabled. The person receiving the request may also request information that describes the accommodation that has been requested and that shows the relationship between the individual's disability and the need for the requested accommodation.

6. Who can verify the disability of the individual for whom a reasonable accommodation has been requested?

This information can be provided by the individual who has requested the accommodation, such as by submitting proof that the individual receives disability benefits. This information can also be verified by a doctor or other medical professional, a peer support group, a non-medical service agency, or a reliable third party who is in a position to know about the individual's disability.

7. When can a reasonable accommodation request be denied?

A reasonable accommodation request can be denied if it was not made on behalf of a person with a disability or if there is no disability-related need for the accommodation. A reasonable accommodation request can also be denied if it is not "reasonable". A reasonable accommodation request is not "reasonable" if it imposes an undue financial or administrative burden on the party to whom it is submitted.

8. Request to have an assistance animal.

An individual may request a reasonable accommodation to have an assistance animal if the individual is disabled as defined by the FHA, and the animal performs work, assistance, tasks, or other services for the benefit of the individual, or if it provides emotional support that alleviates one or more of the identified symptoms or effects of the individual's disability. An individual may be asked to verify that the person is considered disabled and needs the animal to alleviate issues related to their disability.

Service animals and emotional support animals are not pets and must provide service that alleviates one or more of the identified symptoms or effects of the individual's disability.

9. Service animals or emotional support animals must comply with all elements of the Hilton Head regulations and Beaufort County ordinances.

Courtside may deny a reasonable accommodation if keeping that animal is not “feasible” and “practical”. A reasonable accommodation request for an assistance animal can be denied if the animal poses a direct threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation. Each animal will be assessed individually.

10. Courtside will not restrict where an assistance animal is allowed to be present.

An individual with a disability who has an assistance can take the animal in all areas of the premises where persons are normally allowed to go, unless doing so would impose health risk to the owners, such as in the swimming pool. Courtside will not stop a person with a disability from taking their assistance animal out of the building and into the common areas of the property.