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Community Associations Newsletter

Anti-Discrimination and Accommodation Request Resolutions

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As you are cleaning the house to get ready for the new year, please do not forget to take a look at your association's resolutions. If they are more than five years old, they are worth reviewing to see if they need updating. If you find that you do not have any policies that eschew discriminatory behavior and set up a framework for handling fair housing requests, you may want to adopt rules and policies that detail how these issues are to be handled by Management and the Board of Directors.

Often when there is a fair housing related discrimination claim and an investigation ensues, the investigator will ask if your community has policy statements that prohibit discrimination and rules that governing the handling of fair housing matters. Whether the discrimination is coming from other residents, contractors, or the association itself, these policies and rules offer a transparent way for residents to see that the association will deal with discrimination and fair housing complaints in a consistent and thoughtful manner.

If your association has ever been faced with an architectural or animal request that it denied, only to then have the owner tell you that the request is related to a disability that was previously unknown, a reasonable accommodation and modification request resolution can help establish uniform review procedures.

Resolutions can become outdated due to statutory changes and case law in as quick as a year or two. Regular rule and policy review on an annual or biannual basis is helpful to associations to ensure the resolutions are still effective and conform with applicable laws. Should you need assistance with any fair housing related resolutions, or if you would like older resolutions and policies reviewed, please contact any one of our community association attorneys for assistance.

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