

Family Owned and Operated

REASONABLE ACCOMMODATION POLICY FOR ASSISTANCE ANIMALS

The Federal Fair Housing Act and other state and local fair housing laws require housing owners and managers to provide reasonable accommodations for applicants/residents with disabilities¹. Burnham Rentals employees, agents, or designees are committed to granting reasonable accommodations when necessary to afford persons with disabilities the equal opportunity to use and enjoy a dwelling in their rental units.

Under fair housing laws, a person is entitled to reasonable accommodation if he or she has a disability that is defined as a physical or mental impairment that substantially limits one or more major life activities. The person also must show that he or she may need the accommodation because of the disability. Reasonable accommodations may include waiving or varying rules or policies to allow a resident 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 may be necessary to afford the person an equal opportunity to use and enjoy housing ("Assistance Animal").

A common type of reasonable accommodation is allowing a person with a disability to keep an Assistance Animal.² Dogs are the most common type of assistance animal; however, there are many other animals that can be assistance animals as well. Breed, size, and weight limitations may not be applied to an assistance animal and these animals are not required to be individually trained or certified. Payment of a fee or deposit applied to individuals with pets may not be applied. Burnham Rentals is committed to ensuring that individuals with disabilities, who make a reasonable accommodation request, may keep such animals to the extent required by federal, state, and local law. In the case of an individual who requests a reasonable accommodation for an assistance animal, Burnham Rentals will consider the following two criteria:

1. That the individual requesting the accommodation to keep an assistance animal meets the definition of a person with a disability;
2. That the individual requesting the accommodation to keep an assistance animal has a disability-related need for the animal.

¹ For this purpose, a person with a disability is defined as a person with 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. Physical or mental impairments include, and are not limited to, such diseases/conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, HIV, mental retardation, emotional illness, drug addiction (other than addiction caused by current, illegal use of a controlled substance) and alcoholism. The term "substantially limits" suggests that the limitation is significant or to a large degree. The term "major life activity" means those activities that are of central importance to daily life, including, but not limited to, the following: seeing, hearing, walking, breathing, performing manual tasks, caring for one's self, learning, and speaking.

² An assistance animal, also known as a service animal, an emotional support animal, or a therapy animal, is not a pet. It is an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person's disability. Assistance animals perform many disability-related functions, including, but not limited to, the following: guiding individuals who are blind or have low vision, alerting individuals who are deaf or hard of hearing to sounds, providing protection or rescue assistance, pulling a wheelchair, alerting persons to impending seizures, or providing emotional support to persons with disabilities who have a disability-related need for such support.

If the individual meets the two criteria, Burnham Rentals may allow the individual with a disability to live with and use an Assistance Animal in all areas of the premises where persons are normally allowed to go unless doing so would fundamentally alter the nature of the housing provider's services, or imposes an undue financial and administrative burden. The following documentation is required.

1. **Completion of the Assistance Animal Request Form.** If you require assistance in completing the Assistance Animal form, please call the management office at 812.339.8300 for assistance or to make an oral request for reasonable accommodation.
2. **Verification from your healthcare provider.** Burnham Rentals may ask individuals who have disabilities that are not readily apparent or known to submit reliable documentation of a disability and their disability-related need for an assistance animal. Burnham Rentals can provide a document for the applicant/resident to give their healthcare provider outlining what is needed. Burnham Rentals may request documentation from a treating physician, psychiatrist, social worker, other mental health professional, or other reliable third party, stating that the animal provides support that alleviates one or more of the identified symptoms or effects of an existing disability. We will not ask about the nature or extent of your disabilities, nor will we ask for access to medical records or request extensive information of an individual's physical or mental disabilities. It is Burnham Rentals policy to seek only the information needed to determine if the request should be granted under federal, state, or local law. All information provided to Burnham Rentals or their agent in connection with this request will be kept confidential, except as otherwise required by law.
3. **Consent from all parties to the lease/roommates of acceptance of the Assistant Animal.** Due to the joint-and-severable liability of the leasing documents, all parties to the lease must agree to have the Assistance Animal in the residence.
4. **Completion of the Lease Addendum for Assistance Animals.** Once the above items are provided and approved, Burnham Rentals will initiate a lease addendum to all parties involved with the lease outlining agreement to the Assistance Animal and the owner's responsibilities.

Because Burnham Rentals is dedicated to the health and safety of all residents please note that if the specific Assistance Animal poses a direct threat to the health, safety, or property of others, the request may be denied if it cannot be reduced or eliminated by other reasonable means. A determination that an Assistance Animal poses a direct threat of harm to others or would cause substantial physical damage will be based on an individualized assessment that relies on demonstrable, objective evidence about the nature of the harm and the specific animal's actual conduct and characteristics. It will not be based on speculation or fear about the types of harm or damage an animal may cause. It will not be based on evidence about harm or damage that other animals have caused.

It is considered a Class A infraction of Indiana Law (IC 22-9-7) to provide inaccurate or false information concerning the disability status of an individual. Infractions are punishable up to \$10,000, for any person who misrepresents their need or makes materially false statements to a health service provider to obtain documentation. We will not accept documentation from an online service provider that charges a fee for providing written documents, yet provides no other services; or documentation from an out-of-state health services provider that does not have ongoing therapeutic relationship with the individual.

Burnham Rentals is committed to providing people with Burnham Rentals accepts reasonable accommodation and modification requests from persons with disabilities and those acting on their behalf. Burnham Rentals will answer in writing within 14 days of receiving the request for an assistance animal. If the request is of a time-sensitive nature, please let us know and we will expedite the decision-making process. IF we need additional information to make a determination, we will promptly advise you of the information needed.

In the event of a denial due to a fundamental alteration to the operations of the property or if the request imposes an undue financial and administrative burden the request will be discussed with the individual who has made the request. Burnham Rentals is committed to participating in an interactive process with the person requesting the accommodation or modification in order to reach an alternative.