

Who knew?

HUD, they are not just about ESAs

Who am I?

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- Director, UT Arlington
- Previous institutional experience (Higher Ed)
 - Assistant Director, OSU
- Outside of Higher Ed
- No formal legal training

By show of hands, how many of you believe
HUD only covers ESAs?

What we thought we knew @ OSU!

- University housing is covered by HUD
- HUD covers ESAs
- All other housing accommodations fall under ADA
 - Interactive process
 - Documentation from qualified providers

HUD language is confusing

HUD language examples of confusion

- “A housing provider may not ordinarily inquire as to the nature and severity of an individual’s disability...However, in response to a request for a reasonable accommodation, a housing provider may request reliable disability-related information...”
- “...In most cases, an individual's medical records or detailed information...”
- A doctor or other medical professional... who is in a position to know about the individual's disability may also provide verification of a disability.
 - Q&A 18,
<https://www.hud.gov/sites/documents/huddojstatement.pdf>
- “The Act makes it unlawful to refuse to make reasonable accommodations to rules, policies, practices, or services when such accommodations may be necessary to afford persons with disabilities an equal opportunity to use and enjoy a dwelling.
- ...To show that a requested accommodation may be necessary, there must be an identifiable relationship, or nexus, between the requested accommodation and the individual’s disability.”
 - Q# 6,
https://www.justice.gov/sites/default/files/crt/legacy/2010/12/14/joint_statement_ra.pdf

What we experienced (Our
Story)

Looking forward – changes we implemented

- Forms
- Language changes around processes

Form changes

- Does this student require ongoing treatment?
- What is the diagnosis or conditions that impact the student's physical and/or cognitive function?
- How long do you expect the student to be limited by their disability-related impacts in their housing environment?
- Please summarize how the student is substantially limited in the housing environment by their disability-related impacts?

Language changes around processes

- **Please have** the DAS Housing Documentation Form filled out by a qualified provider
- Once you have completed the steps above, please call...and **set up** a 30-minute Zoom appointment with a DAS Housing Adviser
- Based on the information provided in your application, **DAS may request** the DAS Housing Documentation form filled out by a qualified healthcare provider
- Once DAS receives the information above, **we may request** a 60-minute Zoom appointment with a DAS Housing Adviser

Conciliation agreement training

- HUD required training
 - Who was required to attend?
 - Who provided the training?
 - How to find trainings?

Thank you for spending time with me!

Questions