

BURLINGAME RANCH AFFORDABLE HOUSING ASSOCIATION, INC.

BOARD OF DIRECTORS RESOLUTION

STATEMENT OF POLICIES UNDER THE FAIR HOUSING ACT

The Board of Directors of Burlingame Ranch Affordable Housing Association, Inc., a Colorado nonprofit corporation (the "Association"), hereby approves and adopts the following Resolution:

WHEREAS, Article IX, Section 5 of the Declaration of Covenants, Conditions and Restrictions of Burlingame Ranch Affordable Housing Subdivision (the "Declaration"), specifically prohibits dogs and cats within the Subdivision;

WHEREAS, the federal Fair Housing Act and the Colorado Anti-Discrimination Act (the "Acts"), and related regulations, require the Association to provide reasonable accommodations for residents with disabilities, including the ability to keep assistance animals, including dogs and cats.

BE IT THEREFORE RESOLVED, that the following Policies of the Association are hereby adopted and ratified:

1. General

The Association is committed to the interests of the disabled and the goal of equal access for and non-discrimination against the disabled in compliance with the Acts. This Statement of Association Policies (this "Statement") is a statement of the Association's desire and intent to comply with the Acts and all other state and federal laws protecting the disabled, and is not intended as a contractual commitment to any owner, guest or invitee of the Burlingame Ranch Subdivision (the "Project"), or to any third party.

2. Reasonable Modifications

In compliance with the Acts, the Association will reasonably modify its policies, practices or procedures in specific instances to attempt to accommodate the needs of an owner or renter of a Unit or Lot in the Project with a physical or mental disability. It is the responsibility of the disabled person to request a modification from the Association by making a request to the executive Board of the Association in writing. In accordance with the Acts, the Association will take all such requests seriously and will promptly determine whether the requested modification may be made. While the Association hopes to accommodate the request without investigation, the Association may make investigations to determine if the requesting party is a qualified individual with a disability and/or to determine the feasibility or effectiveness of a proposed modification. To make these determinations, the Association is permitted to request supporting documentation from the requesting person to the extent permitted by the Acts using the guidelines set forth in Section 3 below.

3. Reasonable Accommodation's - Assistance/Support Animals

a. If any Board member or the Property Manager of the Association knows of a resident's disability and disability related need of an assistance animal, or the disability and need is readily apparent, the Association shall accommodate any request by a disabled person for an accommodation of the Association's no dog or cat policy, without further documentation. For example, the Association may not ask a blind person regarding the disability-related need for a seeing-eye dog.

b. If the individual's disability is readily apparent or known but the disability-related need for the assistance animal is not, the Association may ask the individual to provide documentation of the disability related need for the assistance animal in question pursuant to subsection 3(c)(i)(2) below.

c. If the Board and the Property Manager do not know of a person's disability and disability related need of an assistance animal, the Association shall accommodate any request by a disabled person for an accommodation of the Association's no dog or cat policy if the following conditions are met:

i. The requesting resident must submit reliable documentation, such as a letter from a qualified health care professional (such as a physician, psychiatrist, social worker or other mental health professional) documenting that:

(1) *The individual has a disability*, as defined in the Fair Housing Act, i.e. a physical or mental impairment that substantially limits one or more major life activities;

(2) *That the individual has a disability related need for an assistance animal*, i.e. that the animal works, provides assistance, performs tasks or services for the benefit of a person with a disability, or provides emotional support that alleviates one or more of the identified symptoms or effects of a person's existing disability.

d. If the resident cannot provide reliable documentation of the requirements under 3(c)(i), then the reasonable accommodation request may be denied. However, if the resident does provide such reliable documentation of the requirements under Section 3(c)(i), the Association's inquiry is at an end. The Association shall not request access to supporting medical records or medical providers or request detailed or extensive documentation regarding the resident's physical or mental impairments.

e. An assistance animal request shall not be denied on the basis that the animal in question is not individually trained or certified

f. All requests for accommodations of an assistance animal shall be promptly addressed by the Association. While considering the request for accommodation, or waiting for requested documentation, the Association may, but is not required to, allow the animal in question to be considered temporarily an assistance animal until a final determination is made by the Board.

g. The Association may exclude an assistance animal from the Community if the Board determines:

i. based on an individualized assessment of the animal, that is based on objective evidence about the specific animal in question, that:

(1) The animal poses a direct threat the health or safety of other individuals that cannot be eliminated by another reasonable accommodation and its owner takes no effective action to control the animal's behavior so that the threat is mitigated or eliminated; OR

(2) Failure to exclude the animal would result in substantial physical damage to the property of others that cannot be eliminated by another reasonable accommodation; OR

ii. The accommodation would pose an undue financial and administrative burden; OR

iii. The accommodation would fundamentally alter the nature of the Association's operations.

h. In making such determination, the Association must rely on objective evidence about the individual animal's conduct, such as the animal's current conduct or a recent history of overt acts, and shall consider the nature, duration, and severity of the risk of injury; the probability that the potential injury will actually occur; and whether reasonable modifications of rules, policies, practices, procedures, or services will reduce the risk. In evaluating a recent history of overt acts, a provider must take into account whether the assistance animal's owner has taken any action that has reduced or eliminated the risk. Examples would include obtaining specific training, medication, or equipment for the animal. The Board shall not rely upon speculation or evidence regarding harm or damage that other animals have caused.

i. The exclusion of an assistance animal pursuant hereto will not affect access of the disabled resident to the Project.

j. Breed, size and weight limitations may not be applied to an assistance animal.

k. An assistance animal accommodation shall not be conditioned on payment of a fee or deposit.

4. Deviations

To the extent permitted under the Acts, the Board may change and deviate from this Statement in its sole discretion as it deems advisable under the circumstances.

5. Defenses.

Failure of the Association to comply with any provision in this Statement shall not be deemed to give rise to any liability to the Association or remedy against the Association unless directly provided under the Acts for violations of the Acts. Without limiting the generality of the foregoing, failure of the Association to comply with any provision in this

Statement shall not be deemed a defense to payment of assessments or maintenance charges, rental obligations, late or other charges, return check charges, attorney fees and/or costs otherwise payable to the Association.


CERTIFICATION

I, the undersigned, do hereby certify:

That I am a duly elected and acting Secretary of Burlingame Ranch Affordable Housing Association, Inc., a Colorado nonprofit corporation; and

That the foregoing This Statement Of Policies Under The Fair Housing Act was duly adopted by action of the Board of Directors of the Association at its meeting held on March 4th, 2015, at which a quorum was present.

Dated: March 10th, 2015.



Stefan Reveal, Secretary