



DEPARTMENT OF
HOUSING



CDBG-DR

**REASONABLE ACCOMMODATION POLICY
FOR CDBG-DR/MIT PROGRAMS**

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**PUERTO RICO DEPARTMENT OF HOUSING
CDBG-DR/MIT PROGRAMS
REASONABLE ACCOMMODATION POLICY
VERSION CONTROL**

VERSION NUMBER	DATE REVISED	DESCRIPTION OF REVISIONS
1	July 29, 2020	Original Version
2	April 19, 2022	Multiple edits throughout the document. Included Appendices.
3	July 7, 2023	Included CDBG-MIT applicability.

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1 Overview

The Reasonable Accommodation Policy (**RA Policy or Policy**) is established by the Puerto Rico Department of Housing (**PRDOH**) to provide consistency and guidance to all PRDOH Community Development Block Grant–Disaster Recovery (**CDBG-DR**) and Community Development Block Grant–Mitigation (**CDBG-MIT**) Program staff, subrecipients, and contractors on the handling of reasonable accommodation and modification requests (**RAR or requests**) they receive from individuals claiming a disability-related need. These disability-related need requests may be received from anyone in the public, ~~an program~~ applicants ~~to a program~~, program beneficiaries ~~of a program~~, employees, or tenants of government-subsidized housing. Regardless of who submits or receives a RAR, it is critical each is handled consistently, with proper due diligence and in compliance with all applicable federal and state laws and regulations. For the purposes of this Policy, the applicable laws are those which apply to activities receiving Federal, state, or local funds and include the Americans with Disabilities Act of 1990 (**ADA**),¹ 42 U.S.C. 12101 *et seq.*, Section 504 of the Rehabilitation Act of 1973 (**Section 504**),² 29 U.S.C. 794 *et seq.*, and the Fair Housing Act of 1968 (**FHA**),³ 42 U.S.C. § 3601-3619 *et seq.*

According to Federal Register Vol. 83, No. 28 (February 9, 2018), 83 FR 5844, the use of CDBG-DR funds must comply with federal accessibility standards or reasonably accommodate individuals with disabilities. The same requisites were established for the use CDBG-MIT funds, as per Federal Register Vol. 84, No. 169 (August 30, 2019), 84 FR 45838.⁴

As a result, ~~this~~ RA Policy applies to all programs receiving funding from the PRDOH CDBG-DR/MIT Programs. ~~This Policy~~ However, it does not apply to reasonable accommodation requests related to employment. Reasonable accommodation requests in the workplace have to be channeled directly with the employer.

~~The~~ Additionally, this RA Policy is based on federal fair housing laws; it supersedes any existing policy and/or practice applicable to the PRDOH CDBG-DR/MIT Programs and its subrecipients and contractors, as well as all Puerto Rico laws and regulations that run afoul, ~~or in any way~~ conflict or otherwise affect disabled individuals' rightful claims to integrated and accessible housing services, reasonable accommodations and/or modifications.

¹ Implementing regulations found at 28 C.F.R. Part 35.

² Implementing regulations found at 24 C.F.R. Part 8.

³ Implementing regulations found at 24 C.F.R. Part 100.

⁴ According to notice 84 FR 45838, 45848, each grantee receiving CDBG-MIT funds which will directly benefit a person, household or business must indicate that it will make exceptions to the maximum award amounts when necessary to comply with federal accessibility standards or to reasonably accommodate a person with disabilities. Grantee must also indicate that it will adopt policies and procedures governing maximum award amounts and any exceptions, how it will analyze the circumstances under which an exception is needed and how it will demonstrate that cost of providing assistance is necessary and reasonable.

2 Definitions

Disability (and equivalent term “handicap”): with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or being regarded as having such an impairment as described at 28 C.F.R. § 35.108(f). The definition of *disability* shall be construed broadly in favor of expansive coverage, to the maximum extent permitted by the terms of the ADA. These terms do not include current, illegal use of or addiction to a controlled substance. This definition is illustrative and non-exhaustive.⁵

Disabled person: any person who has: 1) a physical or mental impairment which substantially limits one or more of such person’s major life activities, 2) a record of having such an impairment, or 3) being regarded as having such impairment. This definition extends to renters, residents, heads of household, persons residing or intending to reside with these individuals, as well as any other person associated with such a renter, resident, or head of household.⁶

Disparate impact (and the equivalent term “discriminatory effect”): a practice has a discriminatory effect where it actually or predictably results in a disproportionate impact on a group of persons, or creates, increases, reinforces, or perpetuates segregated housing patterns because of race, color, religion, sex,⁷ handicap, familial status, or national origin.⁸

Reasonable accommodation (RA): a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary to avoid discrimination on the basis of disability and afford a person with disabilities an equal opportunity to use and enjoy a dwelling, public and common use spaces, or to participate in any government-assisted program or activity.⁹

⁵ Should the review of a request include verifying that a person qualifies as a “disabled person” who is entitled to a RAR, reviewers should consult the full definitions of “disability” and “handicap”, as well as definitions for related terms, established at 28 C.F.R. § 35.104 and 24 C.F.R. § 100.201. Note, these definitions are likewise considered illustrative and non-exhaustive.

⁶ See 42 U.S.C. §3604(f)(1-5).

⁷ Executive Order No. 13988, 86 FR 7023 (2021) on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation includes gender identity or sexual orientation as a protected class, requires all federal agencies to extend existing protection on the basis of sex to include sexual orientation and gender identity. HUD will fully enforce the Fair Housing Act to prohibit discrimination on the basis of gender identity or sexual orientation.

⁸ See 24 C.F.R. § 100.500(a), and Federal Register Vol. 86, No. 120 (June 25, 2021) 83 FR 33590, proposed rule entitled “Reinstatement of HUD’s Discriminatory Effects Standard”.

⁹ There are differences in how the FHA and Section 504 define and require RAs and reasonable modifications (RMs). Section 504 does not distinguish between RAs and RMs. Instead, both are captured by the term “reasonable accommodations.” This is due to the fact that under Section 504, both accommodations and modifications must be provided and paid for by a grantee receiving federal funds so far as they are considered reasonable. The Fair Housing Act applies to all individuals and entities involved in the provision of housing and residential lending with certain exceptions, however those providers are required to provide only RAs and incur any costs so long as they are considered reasonable. RMs under the FHA are the burden of the requestor to provide, but providers are required to allow such modifications to occur so long as they are reasonable.

Reasonable modification (RM): a structural change made to existing premises, occupied or to be occupied by a person with a disability, to afford such person full enjoyment of the premises. Reasonable modifications can include structural changes to interiors and exteriors of dwellings and to common and public use areas.

3 RAR Policy Statement

PRDOH CDBG-DR/MIT Programs, its subrecipients and contractors, shall not discriminate on the basis of disability, on its face or as applied, while interpreting local laws, regulations, or during the administration of state or federally funded housing programs. In order to comply with anti-discrimination local and federal laws and regulations pertaining to disabilities, PRDOH must have in place policies, practices, and procedures to provide reasonable accommodations and modifications, when necessary, to afford equal services and opportunities to persons who are disabled, have a record of being disabled or are perceived to be disabled. PRDOH shall not act in any manner or arrange for any practice which may have the intentional or unintentional effect of subjecting qualified individuals with disabilities to prohibited discrimination.

PRDOH, as grantee, will ensure every reasonable effort is made to meet the disability-related needs of requesting individuals to the maximum extent feasible. A requested accommodation or modification is considered "reasonable" when:

- It is requested by a person with a known disability-related need, or by someone acting on behalf of such a person.
- The RAR clearly relates to and serves the known disability-related need.
- Providing the accommodation or modification would not result in either a financial and administrative burden to the Program, or a fundamental change in the Program activities or operations.

PRDOH is responsible for ensuring that all its employees, subrecipients, and contractors, have access to this Policy and are familiar with its contents, as well as having a clear understanding of their roles and responsibilities within this Policy to ensure the civil rights of disabled people are not infringed upon. This includes not only the handling of RARs, but the dissemination of this Policy and related information to the general public upon request.

PRDOH will not impose any fee or cost for reasonable accommodation or modification requests or otherwise retaliate against any person for having made, aided, or encouraged another person to make a disability-related request.

4 Section 504 Compliance

The PRDOH CDBG-DR/MIT Federal Compliance and Subrecipient Management Division (**FCSM**) is charged with coordinating CDBG-DR/MIT Program compliance with Section

504 and ADA and monitoring related activities. This includes managing and overseeing PRDOH's responsibility to provide accessible housing services, investigating and promptly resolving disability-related complaints, and managing all reasonable accommodation and modification requests received by PRDOH, its subrecipients, housing programs property owners, and its contractors in accordance with this Policy and related processes.

5 Subrecipients and Contractors

Subrecipients and contractors performing construction activities must adhere to Section 504 and ADA when responding to a RAR or otherwise responding to the needs of a household with disabilities. Both subrecipients and contractors are expected to have either on staff or contracted expertise to ensure they can respond to the needs of disabled individuals, when necessary, in a safe, reasonable, and compliant manner.

Additionally, subrecipients and contractors should have at least one responsible individual that will ensure appropriate handling and evaluation of RARs received by any staff working for or on behalf of their entity. Subrecipients' and contractors' staff that may receive RARs submissions from program participants should know the identity of the individuals or individuals designated as responsible for receiving RARs.

6 RAR Submission

Any disabled person, family member of, or individual authorized by a disabled person (all referred herein as “**requestor**”) may request a reasonable accommodation or modification in several ways. PRDOH employees and any subrecipient or contractor staff working on behalf of a PRDOH CDBG-DR/MIT Program are required to accept and handle RARs in accordance with this Policy. It is advisable for requestors to submit a request in writing to ensure the RAR is accurately received and responded to; however, oral requests are also valid and accepted.

To assist in collecting RAR information, PRDOH has created a **Reasonable Accommodation and Modification Request Form**,¹⁰ which is available on its website or can be requested in person from PRDOH staff as well as other individuals working on behalf of PRDOH and its programs. Some programs, including the CDBG-DR Repair, Reconstruction, or Relocation Program (**R3 Program**) and the CDBG-MIT Single-Family Housing Mitigation (**SFM**) Program may have a Program-specific form¹¹ which will be provided to individuals who either indicate in their program application that they have a disability or request the form from PRDOH or program staff. Any form may be used to submit a RAR.

¹⁰ Refer to Appendix 6 for RAR Form download.

¹¹ Refer to Appendix 6.

While it is preferable RARs be submitted in writing directly to the related subrecipient or program staff, requests may also be submitted through the following contact methods:

Email:	fairhousing@vivienda.pr.gov
Online:	Available in English https://cdbg-dr.pr.gov/en/fair-housing/reasonable-accommodations/ and Spanish https://cdbg-dr.pr.gov/fair-housing/someter-solicitud-de-acomodo-o-modificacion-razonable/ .
Postal Address:	Puerto Rico CDBG-DR/MIT Program Attn: Federal Compliance and Subrecipient Management Division P.O. Box 21365 San Juan, PR 00928-1365
Customer Service Call Center Phone Numbers	(787) 274-2527 (TTY: 787-522-5950) 1-833-234-CDBG / 1-833-234-2324 Toll Free (English and Spanish)

Regardless of how the request is conveyed to PRDOH or its subrecipients or contractors, the requestor should make clear that their request is for a reasonable accommodation and/or modification relating to disability-related needs of themselves, someone in their household, or someone on behalf of whom they are making the request.

7 RAR Review

Any RAR received by PRDOH, subrecipients, or contractors must be logged, reviewed, and evaluated to determine a responsive action. For RARs received by PRDOH and its contractors, they will be logged in the Reasonable Accommodation Request Management System (**RAR System**), which will track actions and communications related to how PRDOH will respond to the request.

Subrecipients of CDBG-DR/MIT Programs should have a system and responsible individuals in place to receive, evaluate, and manage related actions and communications for any RARs received in relation to any CDBG-DR/MIT activities in which they are engaged. PRDOH is available to provide assistance to subrecipients as needed.

Once evaluation of the RAR is completed, the proper responsive action must be determined. These responses include:

- Providing the accommodations or modifications as requested;
- Offering a change or alternative to the requested accommodations or modifications via direct communication (phone call, e-mail, etc.) with the

requestor. Any agreed upon changes must be documented in a Reasonable Accommodation/Modification Request Change or Alternative Approval Form;¹²

- Requesting additional information from the requestor, which may include additional information from the applicant, medical professional, support group, therapists, non-medical service agency, or a trusted third party who is in a position to know about the individual's disability, and confirms the presence of a disability and states how the requested accommodation and/or modification would help serve the needs of the disabled household member;
- Denying the request via a Reasonable Accommodation/Modification Request Denial Notice.¹³

Should the initial response to the RAR be anything other than providing the RAR/RM as requested, then PRDOH or the subrecipient will ensure the requestor is engaged in a process of open dialogue to:

- Request additional information to understand the nature of the person's disability or the relationship between the person's disability and the RAR; and/or
- Determine changes or alternatives to the RAR that meet the disabled person's needs and are reasonable and feasible to be provided by PRDOH or the related program.

If sufficient information cannot be provided by the requestor, or a reasonable alternative cannot be agreed upon, then PRDOH or the subrecipient may deny the request through a written notification.¹⁴

An accommodation or modification request may also be denied if providing it would cause an undue financial or administrative burden¹⁵ or if such accommodation or modification would fundamentally alter the nature of the Program. However, every effort should still be made to accommodate the request to the extent that it would not result in such a burden or change. Such determinations will be made on a case-by-case basis and only at the direction of the CDBG-DR/MIT FCSM Division.

The denial notification will also include information for how to present a Program based Reconsideration request and/or an Administrative Review petition directly with PRDOH, should the requestor choose to do so. More information regarding the appeals process

¹² Refer to Appendix 8.

¹³ Refer to Appendix 9.

¹⁴ Id.

¹⁵ An undue financial or administrative burden constitutes an action requiring significant difficulty or expense when considered in light of a number of factors. These factors include the nature and cost of the RA/RM in relation to the financial resources, structure, or the impact otherwise of the RA/RM upon the construction of the site. These determinations must always be made on a case-by-case basis. Refer to Appendix 3 and 4 for an in-depth explanation of what constitutes an undue financial or administrative burden.

can be found under the Program-Based Reconsideration and/or Administrative Review Section of this Policy.

7.1 RAR Intake

All PRDOH employees, subrecipients, and contractors are responsible for handling any RARs they receive in accordance with this Policy and associated evaluation process. With regards to CDBG-DR/MIT Program, the requirements of this Policy extend to all case managers, housing counselors, program staff, program managers, construction managers, and anyone else interacting on behalf of PRDOH and its programs.

While it is permissible to establish a method (i.e., a form) for program applicants and other individuals to submit a request, all recipients of a request are required to honor any oral or written request regardless of how it is conveyed. The best practice is to put any oral requests into writing as soon as possible to have written, agreed-upon records of what was requested.

A requestor need not use the phrases “accommodation” or “modification” in their request for it to be valid, nor explicitly state they have a disability, however the requestor should communicate their request in a manner in which a person could reasonably understand it to be a request for a change or modification of a rule, policy, practice, structure, or other activity that meets the needs of a disabled person.

Once a request is received, one of the first and most crucial steps of the intake process is to ensure the proper information is collected and logged. For RARs received directly by PRDOH, this is performed in the RAR System, which helps manage and track the status of all RARs received by PRDOH. Subrecipients should establish a system through which they are able to collect the information described in the next section.

7.2 RAR Management

The CDBG-DR/MIT FCSM Division will be responsible for managing and maintaining the RAR System up to date, which in some cases will be populated by program staff. PRDOH and its contractors will have exclusive access to the RAR System. All CDBG-DR/MIT employees and contractors are required to report each and every RAR received in the RAR System regardless of action taken, along with all information listed below.

PRDOH is required to maintain this log with the following information:

- Date of RAR received by the responsible individual, program staff or program manager;
- Description of the request;
- Any subsequent requests;
- Action taken;
- Description of any changes proposed or executed in response to the original request; and

- Documentation reflecting the final disposition of each request.

Because not all information may be known upon receiving a request, such as the action taken or final disposition, it is important that information is also promptly entered into the RAR System once it becomes available. Following entry into the RAR System, the request will be evaluated, and a determination will be made regarding the RAR.

7.3 Subrecipient methods of managing RAR's

Every subrecipient will be responsible for establishing their own system for managing RARs. The established method or system must be one that allows subrecipients to safely manage confidential information and keep a record of the required information for each RAR to provide reports on a quarterly basis to PRDOH. Whichever method or system subrecipients may use to manage RARs, it must include the following minimal information per each RAR:

- Date of RAR received by the responsible individual, program staff or program manager;
- Description of the request;
- Any subsequent requests;
- Action taken;
- Description of any changes proposed or executed in response to the original request;
- If case was referred to PRDOH for further guidance; and
- Documentation reflecting the final disposition of each request.

7.4 RAR Evaluation

Once a request has been received and entered into the RAR System that each entity will use, it will be reviewed to evaluate and determine if the requesting individuals' disability-related needs can be met and if the RAR is feasible. Generally, every effort should be made to provide the accommodations or modifications as requested. The evaluation and final disposition of each request considers the answer of the following four (4) basic questions:¹⁶

- Is more information needed to understand the nature of the person's disability or the relationship between the person's disability and the RAR?
- Would providing the RAR as requested cause an undue financial and administrative burden?
- Would providing the RAR as requested result in a fundamental alteration of a program or operations?
- Could the disabled person's needs be met by a change or an alternative to the requested RAR?

¹⁶ Refer to Appendix 7 for further information and guidance regarding the process of answering these questions.

The following guidance¹⁷ should be considered when evaluating the answers to the above questions:

- It should not be a standard practice to request information to confirm a disability or need for every RAR. Information should be requested only when it is necessary to verify that the person meets the definition of “disability” established by this Policy and cited regulations, or when it is necessary to evaluate the relationship of the reasonable modification to the known disability.¹⁸
- Any information must be kept confidential and must not be shared with any other persons unless they need the information to make or assess a decision to grant or deny a ~~reasonable modification request~~ RAR.
- The determination of undue financial and administrative burden must be made on a case-by-case basis involving various factors, such as the cost of the requested accommodation, the financial resources of the provider, the benefits that the accommodation would provide to the requester, and the availability of alternative accommodations that would effectively meet the requester's disability-related needs.¹⁹
- A “fundamental alteration” is a modification that alters the essential nature of a provider's operations. While such a request could be denied, a provider or program should discuss with the requestor whether there is any alternative accommodation that would effectively meet the requester's disability-related needs without fundamentally altering the nature of its operations or program activities.

It is also recommendable for any person receiving a RAR, or any individual that will be reviewing a RAR, to use the RAR Evaluation Checklist for guidance purposes when reviewing and evaluating a request. It is important to use these documents to evaluate each request based on the particular set of circumstances of each case.²⁰

Should any responsible individual reach a point at which they are unable to make a determination or proceed with the evaluation, they should contact the CDBG-DR/MIT FCSM Division through any of the following methods for guidance and support on completing the evaluation and proceeding with the next steps.

- **E-mail:** fairhousing@vivienda.pr.gov
- **Postal mail:** Puerto Rico CDBG-DR/MIT Program
Attn: Federal Compliance and Subrecipient Management Division

¹⁷ Additional guidance can be found in Appendices 3 and 4. Also, the CDBG-DR/MIT FCSM Division will provide a checklist to reviewers.

¹⁸ Additional Guidance on requesting information can be found at #6 and #7 of Appendix 4: Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Modifications Under the Fair Housing Act (March 5, 2008), https://www.hud.gov/sites/documents/reasonable_modifications_mar08.pdf.

¹⁹ Section 504 accessibility standards established at 24 C.F.R. § 8.32 could provide additional guidance in this determination.

²⁰ Refer to Appendix 7.

P.O. Box 21365
San Juan, PR 00928-1365

PRDOH or its subrecipients may deny a requests for accommodation or modification provided that it would cause an undue financial or administrative burden, or it would constitute a fundamental change to a program. PRDOH or its subrecipients will issue a Reasonable Accommodation/Modification Request Denial notice to the requestor along with the reasons the request is being denied. However, every efforts should still be made to accommodate the request to the extent that it would not result in such a burden or change. Such determinations will be made on a case-by-case basis.

8 RAR Approvals, Changes, and Denials

8.1 RAR Approvals

If a RAR is approved as requested, based on the evaluation, then the requestor should be provided with whatever service, policy or procedure change, or modification of a structure as requested. The responsible individual must document the provision of the accommodation or modification. The documentation may be through a written policy or procedure change, photos or receipts related to the change or service provided, a scope of work that includes the modifications of a structure, or any other written document which describes the accommodation or modification provided.

8.2 RAR Approved with Changes

In instances where a RAR cannot be reasonably fulfilled as requested, either in whole or in part, based on the subsection for evaluation, then the requestor should be engaged in a forum of open dialogue to discuss these challenges and potential changes, or alternatives to their request that are reasonable. If the requestor agrees to the proposed change or alternative, they should complete and sign a Reasonable Accommodation/Modification Request Change or Alternative Approval Form.²¹ The RAR Change or Alternative Approval Form will serve to document the agreed upon changes that were made to the original request and that the proposed changes or alternatives meet the disability related needs of the requestor and/or the household member.

8.3 RAR Denials

If the efforts to work with the requester and find a reasonable alternative to accommodate a person's disability-related needs have failed in a resolution of the request, then the RAR may be denied, and a Reasonable Accommodation/Modification Request Denial Notice will be sent to the requester. The notice will describe the reasons the request is being denied and how they may appeal the decision directly with PRDOH. PRDOH and its subrecipients have the authority to deny a RAR only after documented efforts of open dialogue, with the requester, to discuss the challenges and identify a reasonable alternative to the requested accommodation or modification. When a

²¹ Refer to Appendix 8.

subrecipient has determined that they will deny a RAR, they have the option of referring the request to the CDBG-DR/MIT FCSM Division to conduct a courtesy review in which PRDOH will review the case and provide further guidance if needed. The CDBG-DR/MIT FCSM Division will be available to subrecipients in this role whenever they require further guidance. However, subrecipients are expected to have the staff and expertise on hand to evaluate each RAR properly in accordance with federal regulations and this Policy. Also, they should generally be able to exercise their authority properly to approve or deny a RAR without referring the request to the CDBG-DR/MIT FCSM Division.

9 Program-Based Reconsideration and/or Administrative Review

Persons denied reasonable accommodation or modification have the right to request a Program-based Reconsideration with the program that denied the RAR or request an Administrative Review directly with PRDOH. If an applicant fails to contest a determination within the time allotted, the inaction will be deemed as an acceptance of the determination.

9.1 Program-Based Reconsideration Request

Applicants may file a written Program-based Reconsideration Request directly with the Program, via electronic or postal mail, within **twenty (20) calendar days** from the date a copy of the notice was filed in the record of the Program. Provided, that if the date on which the copy of the notice is filed in the records of the Program differs from the mailing date (postal or electronic) of said notice, the **twenty (20) calendar day- term** shall be calculated from the mailing date or the date the electronic mail was sent, whichever applies. Notices distributed via electronic communication shall be considered valid. In the event a notification is sent via postal and electronic mail, the notification date will be one sent beforehand. Program notices will include the electronic and postal mailing addresses on where to submit these, as these may vary.

Applicants who file a Program-based Reconsideration Request are encouraged to provide individual facts or circumstances, as well as supporting documents to justify their petition. In the Reconsideration Request process, the Program will only review facts and information already included in an Applicant's file, unless the Applicant submits new documentation. The Program has the discretion to accept or reject new documentation based upon its relevance to the Program-based Reconsideration Request.

The Program will review and address the Reconsideration Request within **fifteen (15) calendar days** of its receipt. Applicants will be notified of the reconsideration determination via a Reconsideration Request Approved or a Reconsideration Request Denied notification.

Filing a Program-based Reconsideration Request does not substitute, negate, or preclude any legal right that an Applicant has to challenge a determination made by

the Program. Therefore, Applicants who believe the initial determination of the Program to be erroneous, may submit, at their discretion, either a Program-based Reconsideration Request or a petition for review of the decision made by the Program by filing an Administrative Review Request at PRDOH in accordance with Regulation Number 4953, of August 19, 1993, which regulates the Formal Adjudication Process for PRDOH and its Adjunct Agencies (Regulation 4953).²²

9.2 Administrative Review Request

If an Applicant disagrees with a Program determination, or with the Reconsideration Request Denial determination, said party may file directly to PRDOH, as grantee, an Administrative Review Request following the procedure established in Regulation 4953. The Applicant must submit such request, in writing, within **twenty (20) calendar days** from the date a copy of the Program determination or a Reconsideration Request Denial determination notice was filed in the record of the Program. Provided that if the date on which the copy of the notice was filed in the record of the Program differs from the mailing date (postal or electronic) of said notice, the **twenty (20) calendar day-term** shall be calculated from the mailing date or the date the electronic mail was sent, whichever applies. Notices distributed via electronic communications shall be considered valid. In the event a notification is sent via postal and electronic mail, the notification date will be the one that was sent first. Administrative Review Requests shall be submitted via:

- **E-mail:** LegalCDBG@vivienda.pr.gov
- **Postal mail:** Puerto Rico CDBG-DR/MIT Program
Attn: CDBG-DR/MIT Legal Division
P.O. Box 21365
San Juan, PR 00928-1365
- **In person:** PRDOH Headquarters
CDBG-DR/MIT Legal Division
606 Barbosa Avenue, Juan C. Cordero Dávila Building
Río Piedras, PR, 00918

If the Applicant disagrees with any **final** written determination on an Administrative Review Request notified by PRDOH after completing the Administrative Adjudicative Procedure, said party may file a Judicial Review petition before the Court of Appeals of Puerto Rico within **thirty (30) days** after a copy of the notice has been filed. See Act No. 201-2003, as amended, 4 LPRÁ § 24 *et seq.*, known as the "Judiciary Act of the Commonwealth of Puerto Rico of 2003", and Section 4.2 of Act No. 38-2017, as amended,

²² For more details, you can access Regulation No. 4953 (in Spanish) at: <https://www.vivienda.pr.gov/wp-content/uploads/2015/09/4953-Reglamenta-los-procedimientos-de-adjudicacion-formal.pdf>

known as the "Uniform Administrative Procedures Act of the Government of Puerto Rico", 3 LPRA § 9672.

An individual's receipt or denial of an accommodation or modification does not prevent the individual from making another request at a later time if circumstances change and they believe that an accommodation or modification is needed due to limitations from a disability (e.g., the disability worsens, or they require an additional or different reasonable accommodation or modification).

10 Failure to act on a RAR

If PRDOH or its subrecipients delay responding to a request for an accommodation or modification, after a reasonable amount of time,²³ that delay may be construed as a failure to provide a reasonable accommodation or modification. A tenant or applicant may choose to seek legal assistance or file a complaint with the Department of Housing and Urban Development (**HUD**).²⁴

11 Dissemination of Reasonable Accommodation Policy

This Policy will be made available in English and Spanish on the PRDOH website at <https://www.cdbg-dr.pr.gov/en/resources/policies/> and <https://www.cdbg-dr.pr.gov/recursos/politicas/>, on-site at any PRDOH office where information related to federally or state funded housing programs is made available to the public, and to any citizen upon request. Additionally, PRDOH will ensure that this Policy is readily available, and made known to all PRDOH employees, subrecipients, and contractors.

12 Appendices

Appendix 1: The Role of Housing in Accomplishing the Goals of Olmstead
<https://www.hud.gov/sites/documents/OLMSTEADGUIDNC060413.PDF>

Appendix 2: New ADA Regulations and Assistance Animals as Reasonable Accommodations

<http://servicedogcentral.org/content/files/2011-02-17%20HUD%20memo%20on%20new%20ADA%20regulations%20on%20assistance%20animals.PDF>

Appendix 3: Reasonable Accommodations under the Fair Housing Act

https://www.justice.gov/sites/default/files/crt/legacy/2010/12/14/joint_statement_ra.pdf

Appendix 4: Reasonable Modifications under the Fair Housing Act

https://www.hud.gov/sites/documents/reasonable_modifications_mar08.pdf

²³ HUD does not provide a specific time frame. This instance varies on a case-by-case basis.

²⁴ A tenant or applicant may choose to seek legal assistance or file a complaint with HUD at: https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint.

Appendix 5: Memorandum of Understanding Among the Department of the Treasury, HUD, and the U.S. Department of Justice

<https://www.justice.gov/crt/memorandum-understanding-among-department-treasury-department-housing-and-urban-development-an-0>

Appendix 6: RAR Reasonable Accommodation/Modification Request Form

<https://cdbg-dr.pr.gov/en/fair-housing/reasonable-accommodations/>

Appendix 7: RAR Evaluation Checklist

CDBG-DR/MIT PROGRAM REASONABLE ACCOMMODATION/MODIFICATION REQUEST EVALUATION CHECKLIST

Subrecipients are required to provide reasonable accommodations and modifications (**RA/RM**) requested by individuals to meet a disability-related need to afford that individual an equal opportunity to participate in a government-funded program and fully enjoy the benefits to which they are entitled. This Checklist is to assist those responsible for receiving and evaluating reasonable accommodation and modification requests (**RARs** or **requests**) related to a claimed disability received from CDBG-DR/MIT program participants. It is critical that each request is handled consistently with proper due diligence and in compliance with all applicable federal laws, and that its handling and the evaluation follow the requirements and guidance of the CDBG-DR/MIT Reasonable Accommodation Policy.²⁵

This Checklist is for guidance purposes only. Judgment will need to be used in evaluating each request based on its particular set of circumstances. Every reasonable effort should be made to meet the disability-related needs of individuals requesting reasonable accommodations or modifications to the maximum extent feasible. However, it may be necessary at times to deny a request. Such denials shall be considered and may be authorized by the subrecipient with PRDOH being available for a courtesy review, as denial of a RAR request could be considered an act of discrimination if not properly justified.

STEP 1: Log the Request

Every RAR received must first be entered into a **RAR Log in the Reasonable Accommodation Request Management System (RAR System) implemented by the Subrecipient**, with the following required information:

- Date of RAR received by the responsible individual, program staff or program manager;
- Description of the request;
- Any subsequent requests;
- Action taken;
- Description of any changes proposed or executed in response to the original request; and
- Documentation reflecting the final disposition of each request.

All subrecipients must log this information using their own established method of RAR intake and have their designated Section 504/ADA coordinator complete this checklist.

²⁵ <https://www.cdbq-dr.pr.gov/en/resources/policies/> (English) and <https://cdbq-dr.pr.gov/recursos/politicas/> (Spanish).

Note that not all required information may be known at this step but will be entered later in the evaluation process as it is established.



The RAR request was entered into the appropriate RAR Log with all required, known information.

STEP 2: Evaluate the Request

The next step is to evaluate whether the RAR can be granted as requested (without changes). There are **four basic (4)** questions that must be answered, based on an initial review, to make this determination:

1. Is more information needed to understand the nature of the person's disability or the relationship between the person's disability and the requested RAR?
2. Would providing the RAR as requested cause an undue financial and administrative burden?
3. Would providing the RAR as requested result in a fundamental alteration of a program or operations?
4. Could the disabled person's needs be met by a change or accommodation other than the requested by the individual, or an alternative to the requested RAR?

If the answer is "no" to all four questions, then this step is satisfied, and the RAR should be provided as requested and the remaining required information should be entered into the RAR Log.

If the answer is "yes" to one or more of these questions, then check the appropriate checklist item(s) below and proceed to the corresponding step(s) for further evaluation instructions.

If the answer was "no" to all:



The answer to all four (4) questions was "no" and the RAR will be provided as requested.



The remaining required information listed at Step 1 was entered into the appropriate RAR Log.

If the answer was "yes" to any, check all that apply:



More information is needed to understand the nature of the person's disability. *(follow Step 3)*



More information is needed to understand the relationship between the requested RAR and the person's known disability. *(follow Step 4)*



Providing the RAR as requested would cause an undue financial and administrative burden. *(follow Step 5)*



Providing the RAR as requested would result in a fundamental alteration of a program or operations. *(follow Step 6)*

<input type="checkbox"/>	A change or alternative to the requested RAR could be proposed in order to reasonably meet the disabled person's needs. (follow Step 7)
--------------------------	--

STEP 3: Requesting information regarding a person's disability

When a request is received, it may be necessary to request disability-related information from the person to whom the RAR relates. However, such information may be requested from this person ONLY when it is necessary to verify that the person meets the definition of "disability" (i.e., when the disability is not obvious or known).

HUD provides definitions for "disability" and equivalent term "handicap"; however, these definitions are considered illustrative and non-exhaustive. In general, these terms include, with regards to an individual, any physical or mental impairment that substantially limits one or more of the major life activities of such individual; has a record of such impairment; or is regarded as having such an impairment. HUD also advises that these definitions (found at 24 C.F.R. § 100.201 and 28 C.F.R. § 35.104) shall be construed broadly in favor of expansive coverage. The full definitions should be consulted during this review.

Information that is acceptable to request includes:

- If under sixty-five (65) years old, proof of Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) benefits, or a credible statement of such by the individual.
- Verification from a doctor, medical professional, peer support group, non-medical service agency, or reliable third-party in a position to know about the individual's disability.

Information that is generally not acceptable to request (but may be voluntarily provided by a disabled person) includes:

- Medical records;
- Detailed information about the person's disability;
- Diagnosis, treatment, or extent of the disability; and
- Name of the disability.

Any information related to a person's disability should be handled with confidentiality and discretion in mind. This can be ensured by distributing such information only to the individual(s) who are playing a direct role in the evaluation of the request. It should be documented which information was requested from whom and what was received. It is also acceptable to follow up with any providers to verify the information received.

If you were directed here by Step 2 and only the first three (3) boxes below are checked, then this step is satisfied.

<input type="checkbox"/>	Acceptable information was requested from the individual to establish that they meet the definition of "disability."
<input type="checkbox"/>	Information was received from the individual that was responsive to the above request.
<input type="checkbox"/>	Based on the information received, a determination was made that the individual has a disability which meets HUD definitions.
<input type="checkbox"/>	Based on the now-known disability, it is necessary to request information to understand the relationship between the individual's disability and the requested RAR. <i>(if checked, proceed to Step 4)</i>

STEP 4: Requesting information regarding how a RAR relates to an individual's disability

If the individual's disability is known, it may be necessary to request information to understand how a RAR relates to or serves the needs of the disability. However, such information may be requested from this person ONLY when the need for the RAR is not readily apparent or known.

The ultimate purpose of an RAR is to afford a disabled person an equal opportunity to benefit from or participate in a program, or to afford full enjoyment of the premises of a dwelling. Therefore, any information requested should consider the guidance provided under **Step 3** and be used to establish how the ~~requested RA/RM~~ RAR affords such equal opportunity or full enjoyment with respect to the known disability.

If you were directed here by Step 2 or 3 and all four (4) boxes below are checked, then this step is satisfied unless it is determined that a change to the request is necessary.

<input type="checkbox"/>	Acceptable information was requested from the individual to understand how a requested RAR relates to or serves the needs of a known disability.
<input type="checkbox"/>	Information was received from the individual that was responsive to the above request.
<input type="checkbox"/>	Based on the information received, it is now understood how the requested RAR affords the disabled individual an equal opportunity to benefit from or participate in a program, and/or full enjoyment of the premises of a dwelling.
<input type="checkbox"/>	It is reasonable to provide the RAR as requested without changes or alternatives. <i>(If this cannot yet be determined, proceed to Steps 5, 6, and/or 7 as applicable)</i>

STEP 5: Determining Undue Financial and Administrative Burden

A program or provider is obligated to provide a RAR only so far as it is "reasonable". There is no standard for reasonableness, so this determination must be made on a case-by-case basis considering the specific factors relating to the request and disabled individual's needs. These factors may include the:

- Cost of the RAR requested;

- Financial resources available to the program or provider;
- Benefits that the RAR would provide to the disabled individual; and
- Availability of alternatives that would effectively meet the individual's disability-related needs.

As the reasonableness of a request RAR is evaluated based on the above, consider the following guidance:

- For any housing or activity receiving Federal assistance, all RARs must be provided and paid for by the provider or program unless providing them as requested would be an undue financial and administrative burden.
- The purpose of providing a RAR is to allow a disabled person an equal opportunity to participate in and/or fully enjoy any benefits from a program. In many cases, including most RMs specifically, costs are likely to be incurred by the provider/program. HUD regulations governing the use of its funds contemplate extra costs as necessary to reasonably meet individuals' disability-related needs.
- For programs providing awards, such as those under the CDBG-DR/MIT Program, the costs associated with providing a RAR should generally not be considered in the determination of an award. In other words: a program should be prepared to provide reasonable exceptions (accommodations) to any thresholds or caps that govern program awards so that disabled participants are afforded an opportunity to participate and benefit from the program equal to that for someone without a disability.²⁶
- Keep in mind that denying a RAR could itself trigger financial and administrative burdens. A denied individual has the right to appeal the decision directly with PRDOH, submit an administrative complaint to HUD, or pursue legal action if they believe they were unlawfully denied the RAR.
- Section 504 does not require that building alterations be made that have little likelihood of being accomplished without removing or altering a load-bearing structural member. (See 24 C.F.R. § 8.32(c))
- If a request or part of a request is deemed to be unreasonable as requested, every effort should be made to provide the RAR to the extent that it is reasonable in accordance with Step 7.

<input type="checkbox"/>	The RAR request was evaluated based on the above guidance and it was determined that the RAR does not pose an undue financial and administrative burden. <i>(if this is checked, then Step 5 is satisfied)</i>
<input type="checkbox"/>	The RAR request was evaluated based on the above guidance and it was determined that the RAR does pose an undue financial and administrative burden. <i>(if this is checked, then follow Step 7)</i>

²⁶ See slide #66 of this presentation: <https://files.hudexchange.info/course-content/2019-cdbg-dr-problem-solving-clinic-days-2-and-3-active-cdbg-dr-grantees/Overview-of-Cross-cutting-Requirements-Part-1-Environmental-Review-and-Fair-Housing-Slides.pdf>.

STEP 6: Determining a Fundamental Alteration of a Program or Operations

An accommodation or modification request may not be considered reasonable if it would result in a program or provider having to engage in activities outside of its established scope or provide a service that it does not otherwise provide. In making this determination, the review should consider the types of activities that a program or provider already engages in.

Example: A housing repair program received a RAR for a lift chair to assist a disabled person. The request may not be considered reasonable if the program does not otherwise pay for furniture and engages in only construction activities.

Example: A tenant in a wheelchair in a multifamily development asks the landlord for weekly transit to the grocery store. This request may not be considered reasonable if the landlord does not otherwise provide transit services to tenants. However, they may provide an alternate accommodation to their parking rules to allow an assistant to park near the tenant's unit and provide the necessary assistance.

If a request or part of a request is determined to be a fundamental alteration of a program or operations as requested, every effort should be made to provide the RAR to the extent that it is not such an alteration in accordance with Step 7.

<input type="checkbox"/>	The RAR request was evaluated based on the above guidance and it was determined that the RAR does not result in a fundamental alteration of a program or operations. <i>(if this is checked, then Step 6 is satisfied)</i>
<input type="checkbox"/>	The RAR request was evaluated based on the above guidance and it was determined that the RAR does result in the fundamental alteration of a program or operations. <i>(if this is checked, then follow Step 7)</i>

STEP 7: Proposing a Change or Alternative to a RAR

If it is ever the case that a person with a known disability requests a RAR that is determined to be not reasonable for any of the aforementioned reasons, the next step should always be to engage the person in an interactive process of open dialogue to identify any changes or alternatives to the RAR that may both meet the disabled person's needs and are reasonable to be provided by the program or provider.

HUD is generally deferential to the disabled person to know best what of their needs are, so any change or alternative would need to be agreeable to the disabled person to be considered having fulfilled the RAR.

If a change or alternative to the request is agreed upon, then a Reasonable Accommodation/Modification Request Change or Alternative Approval Form should be filled out with the agreed upon changes and signed and dated by the Applicant. This Form will be included along with the original Request Form and other related

information in the Applicant's file to document the agreed upon changes made to the original request.

However, if a change or alternative to the request cannot be agreed upon that both meets the needs of the disabled person and is also reasonable for the program or provider, then the RAR and all related information should be provided to the CDBG-DR/MIT FCSM Division for further consideration and final disposition.

If only the first three (3) boxes below are checked, then this step is satisfied.

<input type="checkbox"/>	The disabled person was engaged in an interactive process of open dialogue to discuss their RAR and potential changes or alternatives to the request.
<input type="checkbox"/>	Through this interactive process of open dialogue, changes and/or alternatives were agreed upon that both met the needs of the disabled person and are reasonable to provide.
<input type="checkbox"/>	A Reasonable Accommodation/Modification Request Change Approval Form was filled out with the agreed upon changes and was signed and dated by the Applicant.
<input type="checkbox"/>	A change and/or alternative to the RAR could not be agreed upon that was acceptable to both the disabled person and the program or provider. <i>(If this is checked, proceed to Referral of Request to PRDOH section)</i> DO NOT NOTIFY THE REQUESTOR OR DISABLED INDIVIDUAL THAT THEIR REQUEST HAS BEEN DENIED

Approval of Request

Steps 1 and 2 should be completed in all cases. Should Step 2 refer you to any other steps, those should be completed before taking any further actions. If all steps to which you were referred are satisfied, then the RAR should be provided as requested or, if applicable, as changed. Be sure that all remaining required information is entered into the RAR management system and that the original Request Form, this Checklist, the Change Form (if applicable), and any other information compiled for this evaluation is included in record for the case. Recall that some of this information may be sensitive or confidential and should be handled as such.

PRDOH Courtesy Review

If the evaluation of the request using this Checklist concluded in any outcome other than the provision of the RAR that met the needs of the disabled person, or if the responsible individual performing this evaluation has determined that the request should be denied or cannot complete the required steps and needs further guidance, then the original RAR, this Checklist, and any other information collected or received from the requestor for the purpose of evaluating this request should be compiled and delivered to the CDBG-DR/MIT FCSM Division at fairhousing@vivienda.pr.gov for PRDOH to conduct a courtesy review; however, subrecipients are expected to have the staff and expertise on

hand to properly evaluate RARs in accordance with federal regulations and this Policy, and should generally be able to properly exercise their authority to approve or deny a RAR without referring the request to PRDOH. **Neither the requestor nor the disabled individual should be notified at this time regarding the approval or denial of their request.**

At this point, PRDOH and the Section 504/ADA coordinator from the subrecipient will work together in determining whether the RAR should be approved as requested, approved with changes, or denied. The requestor will receive written notification from PRDOH once they receive their request with information regarding any next steps. PRDOH will contact any individuals involved with the Program activities related to the requestor as necessary to gather additional information and/or provide guidance on next steps to complete the evaluation and help the subrecipient make a determination.

Appendix 8: RAR Change Approval Form

**CDBG-DR/MIT PROGRAM
REASONABLE ACCOMMODATION/MODIFICATION REQUEST CHANGE
OR ALTERNATIVE APPROVAL**

I, _____ (Full Name), Applicant to the _____ Program (**the “Program”**) with Case Number _____ (if applicable), hereby acknowledge and agree with the following:

1. I requested a reasonable accommodation or modification from the Program to address a disability-related need for myself and/or someone in my household;
2. The Program reviewed my request, and discussed with me a proposed change or alternative to my requested accommodation or modification;
3. The proposed change or alternative to my requested accommodation or modification is agreeable to me and/or the disabled member of my household and is understood to be a necessary change to my request for it to be considered reasonable; and
4. The written description below accurately describes the agreed upon change or alternative to my reasonable accommodation or modification request.

Describe the requested accommodation(s) or modification(s) that are subject to the change/alternative:

--

Describe the agreed upon changes and/or alternatives to the above accommodation(s) or modification(s):

--

By signing below, I acknowledge that the Program will provide me with the reasonable accommodations or alternatives, as described above, along with any other accommodations from my original request that are not addressed within this document. I also attest that I sign this Reasonable Accommodation/Modification Request Change or Alternative Approval willingly and voluntarily.

Check here if this form is being completed by a family member or individual acting on the Applicant's behalf.

Only one signature is required below from the individual making this request.

Applicant Name	Applicant Signature	Date
----------------	---------------------	------

Name of authorized family member or individual making this request	Signature of authorized family member or individual making this request	Date
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Appendix 9: RAR Denial Notice Template

[Date]

Via postal and electronic mail

[Applicant name]

[Applicant address]

Re: Reasonable Accommodation/Modification Request Denial Notice

Case Number: [Case ID]

Dear [Applicant name]:

The [subrecipient agency or division name], on behalf of the [Community Development Block Grant-Disaster Recovery Program (**CDBG-DR**)] [Community Block Grant-Mitigation (**CDBG-MIT**)], Program, administered by the Puerto Rico Department of Housing (**PRDOH**), has reviewed your Reasonable Accommodation Request (**RAR**) submitted on [Reasonable Accommodation Request Date] related to your participation in the [Name of CDBG-DR/MIT Program] (**Program**).

This notice is to inform you that upon careful review of your circumstances and supporting documents, if any, your Reasonable Accommodation Request for [RA/RM Requested] is hereby **denied**.

In an effort to provide you with reasonable accommodation or modification, subsequent attempts were made to try and find alternative accommodations or modifications to the one you have requested that would both serve your needs and be feasible for PRDOH to provide. [Include specific attempts, proposed changes or explanations provided to the specific case where alternative accommodations or modifications were suggested]. Since an agreement to an alternative solution could not be reached your RAR is denied.

Specifically, the reason(s) to deny your RAR is as follows:

- [Providing the RAR would cause an undue financial or administrative burden on the Program.]
- Providing the RAR would result in a fundamental alteration of the Program or its normal operations.
- The applicant has not provided additional requested documentation that justifies the need for the RAR.
- There is no established relationship between the RAR and the Applicant's known disabilities.
- Other]

[Explain specifics of the RAR request and why it had to be denied, include any other information pertinent to the case.]

If you disagree with the determination that is notified in this RAR Denial, you may contest it. You have the right to request a Program-based Reconsideration with the Program or

request an Administrative Review directly with PRDOH, in accordance with Regulation No. 4953, of August 19, 1993, which regulates the Formal Adjudication Process for the PRDOH and its Adjunct Agencies (**Regulation No. 4953**). You may file a Program-based Reconsideration Request or an Administrative Review Request by submitting a written request, within **twenty (20) calendar days** from the date a copy of the notice was filed in the record of the agency. If you fail to contest a determination within the time allotted, the inaction will be deemed as an acceptance of the determination.²⁷

Denial of a RAR does not prevent you from submitting another RAR to address another disability-related need not otherwise addressed by the Program, or if circumstances change later and you believe that an accommodation and/or modification is needed due to limitations from a disability (e.g., the disability worsens, or you require an additional or different reasonable accommodation and/or modification).

If PRDOH or its subrecipients delays responding to RAR, after a reasonable amount of time which will vary on a case-by-case basis, the delay may be construed as a failure to provide a reasonable accommodation and/or modification. The Applicant may choose to seek legal assistance or file a complaint directly with HUD at: https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint.

²⁷ If you wish to contest this determination, you may file a Program-based Reconsideration Request directly with the [Insert CDBG-DR/MIT Program Name] Program by submitting a written Request, via electronic or postal mail, within **twenty (20) calendar days** from the date a copy of the notice was filed in the record of the agency (sent to the Applicant). Provided, that if the date on which the copy of the notice is filed in the records of the agency differs from the mailing date (postal or electronic) of said notice, the twenty (20) calendar day-term shall be calculated from the mailing date (postal or electronic). Notices distributed via electronic communication shall be considered valid. In the event a notification is sent via postal and electronic mail, the notification date will be the one sent beforehand.

The Program-based Reconsideration Request may be sent via electronic mail to: [Insert e-mail]; via postal mail to: [Insert Postal mail]; or in person at: [Insert Physical Address for in person filing]. Applicants who file a Program-based Reconsideration Request are encouraged to provide individual facts or circumstances, as well as supporting documents to justify their petition. Applicants will be notified of the reconsideration determination via a Reconsideration Request Approved or a Reconsideration Request Denied notification and will be notified of their right to request an Administrative Review at the PRDOH.

Therefore, Applicants who believe the initial determination of the Program to be erroneous, may submit, at their discretion, either a Program-based Reconsideration Request or a petition for review of the decision made by the Program by filing an Administrative Review Request at the PRDOH in accordance with Regulation No. 4953, of August 19, 1993, which regulates the Formal Adjudication Process for the PRDOH and its Adjunct Agencies (Regulation No. 4953). If an Applicant disagrees with a Program determination, or with the Reconsideration Request Denial determination, said party may file directly to PRDOH, as grantee, an Administrative Review Request in accordance with the Regulation No. 4953. The Applicant must submit such request, in writing, within **twenty (20) calendar days** from the date a copy of the Program determination or a Reconsideration Request Denial determination notice was filed in the record of the agency. Provided, that if the date on which the copy of the notice is filed in the records of the agency differs from the mailing date (postal or electronic), the twenty (20) calendar day-term shall be calculated from the mailing date (postal or electronic). Notices distributed via electronic communication shall be considered valid. In the event a notification is sent via postal and electronic mail, the notification date will be the one sent beforehand.

The request should be submitted via email to: LegalCDBG@vivienda.pr.gov; via postal mail to: CDBG-DR Legal Division, P.O. Box 21365, San Juan, PR 00928-1365; or in person at PRDOH's Headquarters at: CDBGDR Legal Division, 606 Barbosa Avenue, Juan C. Cordero Davila Building, Río Piedras, P.R. 00918. Consequently, PRDOH will issue an Order or a Final Determination pursuant to Section 3.14 of the Uniform Administrative Procedure Act, as amended, 3 LPRA § 9654 and will advise of the applicant's right to request a reconsideration in the agency or to seek judicial review, as a matter of right, in the Court of Appeals.

Should you have any questions regarding your case, this RAR Denial or need additional information regarding the CDBG-DR/MIT Program, please contact [Case Manager] by phone at [Case Manager Phone] or via email at [Case Manager Email]. You may also access the CDBG-DR/MIT Reasonable Accommodation Policy, available in English and Spanish at: <https://cdbg-dr.pr.gov/en/download/reasonable-accommodation-policy/> and <https://cdbg-dr.pr.gov/download/politica-de-acomodo-razonable/>.

Sincerely,

[Subrecipient Federal Compliance /Section 504 Coordinator signature]

[Subrecipient Federal Compliance /Section 504 Coordinator name]

Federal Compliance/Section 504 Coordinator

END OF POLICY.