

TERRACINA RESIDENTIAL COMMUNITY, INC.

REASONABLE ACCOMMODATION POLICY

STATE OF TEXAS §
 §
COUNTY OF DENTON §

KNOWN ALL MEN BY THESE PRESENTS:

WHEREAS, the Terracina Residential Community, Inc. ("Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the Declaration of Covenants, Conditions and Restrictions, recorded on June 23, 2011, at Instrument No. 2011-57614 of the Official Public Records, Denton County, Texas, and re-recorded on June 27, 2011, at Instrument No. 2011-58584 of the Official Public Records, Denton County, Texas (the "Declaration"), as such may be amended and/or supplemented from time to time, as well as other governing legal documents of the Association; and

WHEREAS, the Association is a "property owners' association" as defined in Section 202.001(2) of the Texas Property Code; and

WHEREAS, the Board of Directors of the Association ("Board") desires to establish procedures for reasonable accommodation requests for persons with disabilities that be might be submitted to the Association via the Board for approval.

NOW, THEREFORE, IT IS RESOLVED that the Board adopts the following Reasonable Accommodation Policy (the "Policy"):

1. POLICY STATEMENT

The Association is dedicated to ensuring that persons with disabilities are not discriminated against on the basis of disability within the Association in connection with the Association's actions. If a person with a disability requests an accommodation to an existing rule, policy, practice, or service in order to have an equal opportunity to use their home/lot or enjoy the benefits of the community, the Association will provide the accommodation. The Association is not required to make changes that would fundamentally alter a program or create an undue financial and administrative burden.

A copy of the Association's Reasonable Accommodation Policy shall be recorded in the Official Public Records of Denton County, Texas and will be provided to all owners within the development once recorded, and will be available for copying or production when requested.

2. PROCEDURE

A person with a disability may request a reasonable accommodation at any time. The person with a disability may submit a request in writing, orally, or by any other equally effective means of communication to the Association via (i) its Board, (ii) the Architectural Control Committee (the "ACC") (if such request is an ACC matter), or (iii) the Association's Property Management Company, if the Association has a Property Management Company. If the person with a disability is unable to submit a request in writing, the Association will assist the individual to reduce the request to written form. The Association will ensure that all reasonable accommodation requests are reduced to writing. Decisions to approve or deny requests for reasonable accommodations shall be made on a case-by-case basis by the Association with the consideration of the disability, the needs of the person, as well as the nature of the program or activity in which the person seeks to participate, if applicable.

Reasonable accommodation requests are processed in the order they are received. If additional information or documentation is required, the Association will notify the requester for a reasonable

accommodation in writing. If the Association does not receive the requested information within twenty-one (21) calendar days, the request for a reasonable accommodation will be closed. If the requester submits the requested information after twenty-one (21) calendar days, the request for a reasonable accommodation will be processed as a new reasonable accommodation request in the order it was received.

The Association may contact the licensed health care professional named by the person with the disability requesting the accommodation to verify the need for the requested accommodation. If verification is not received within sixty (60) calendar days, the Association, via (i) its Board, (ii) the Architectural Control Committee (the "ACC") (if such request is an ACC matter), or (iii) the Association's Property Management Company, if the Association has a Property Management Company, the request for a reasonable accommodation will be denied due to lack of verification and the Association will notify the requester in writing.

Within ten (10) business days of receipt of all required supporting documentation to render a decision, the Association, via (i) its Board or (ii) the Architectural Control Committee (the "ACC") (if such request is an ACC matter), will issue a determination on the request for a reasonable accommodation and notify the requester in writing. Upon request, the written notification will be provided in an alternate format. Notifications of denied reasonable accommodation requests will provide information on the procedures for appealing the determination.

If the requester makes a subsequent request for a different reasonable accommodation, such request will be processed as a new reasonable accommodation request.

3. VERIFICATION OF NEED FOR A REASONABLE ACCOMMODATION

The Association may request documentation to verify that the person requesting an accommodation is a person with a disability and such person has a disability-related need for the requested reasonable accommodation.

However, the Association shall request only such documentation that is necessary to verify that the person requesting an accommodation is a person with a disability and such person has a disability-related need for the requested reasonable accommodation. The Association shall not require unnecessary information regarding the person's disability such as the specific disability or the nature or extent of the disability.

Verification of a person's disability may be submitted by the following licensed health care professionals:

1. A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices;
2. Any other person determined to be capable of providing health care services, which include only:
 - a. Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice in the State and performing within the scope of their practice as defined under State law; and
 - b. Nurse practitioners, nurse-midwives, clinical social workers and physician assistants who are authorized to practice in the State and performing within the scope of their practice as defined under State law; or
3. A health care provider who is authorized to diagnose and treat physical or mental health conditions.

4. **GUIDELINES FOR DENYING REASONABLE ACCOMMODATION REQUESTS**

Requested accommodations will not be approved if the person's disability is not verified by a health care professional, the individual is not a person with a disability, or the requested accommodation is not necessary and reasonable based on the health care provider's responses.

Additionally, requested accommodations will not be approved if one of the following would occur as a result of the approval:

1. A violation of state and/or federal law;
2. An undue financial and administrative burden to the Association; or
3. A structurally impracticable alteration.

5. **RIGHT TO APPEAL DENIAL OF REQUEST FOR A REASONABLE ACCOMMODATION**

If the request for a reasonable accommodation is denied, the requester may file a written appeal. The written appeal must be submitted to the Association in compliance with the procedure for appeals as described in the Association's governing legal documents within ten (10) business days in order to receive an informal hearing with the Board.

Applicants, residents, and participants may at any time exercise their right to appeal an Association decision through the local HUD office or the United States Department of Justice. The current local HUD office's contact information is provided below:

U.S. Department of Housing and Urban Development
307 W. 7th Street, Suite 1000
Fort Worth, Texas 76012
Phone: (817) 978-5600 • Fax: (817) 978-5625
TTY: (202) 708-1455

IT IS FURTHER RESOLVED that this Policy is effective upon recordation in the Public Records of Denton County, Texas. This Reasonable Accommodation Policy is to remain in force and effect until revoked, modified or amended. In the event that any provision of this Policy is deemed by a court with jurisdiction to be ambiguous or in contradiction with any law, this Policy and any such provision shall be interpreted in a manner that complies with an interpretation that is consistent with the law.

This is to certify that the foregoing Policy was adopted by the Board at a meeting of the same held December 11, 2024, and has not been modified, rescinded or revoked.

**TERRACINA RESIDENTIAL
COMMUNITY, INC.**

By: Michael Avary

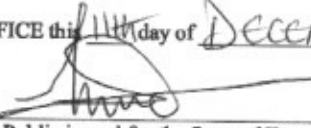
MICHAEL AVARY
Printed Name

Title: PRESIDENT

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, a Notary Public in and for said county and state, on this day personally appeared Michael Avari, President Terracina Residential Community, Inc., a Texas non-profit corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said association.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 14th day of December 2024.



Notary Public in and for the State of Texas

