

ANNIE MAXIM HOUSE REASONABLE ACCOMMODATION POLICY

The Annie Maxim House recognizes that, to the extent required by law, it may be required to provide to our residents or potential residents with disabilities reasonable accommodations in order to enjoy the benefits of the House. For purposes of this policy, a "resident with a disability" means any resident who:

- a) has a physical or mental impairment that substantially limits one or more of the major life activities of such individual; or
- b) has a record of such impairment; or
- c) is regarded as having such impairment.

Examples of "major life activities" include: seeing, hearing, speaking, breathing, learning and walking. However, current illegal drug use, pedophilia, exhibitionism, voyeurism and other sexual behavior disorders, compulsive gambling, kleptomania or pyromania shall not be considered disabilities.

Procedures for Requesting a Reasonable Accommodation

If a resident with a disability desires to request a reasonable accommodation, the resident shall make a written request to the Executive Director. The request should identify the reasonable accommodation being requested and state why and for how long the accommodation is needed. The Executive Director will review the request and may request additional information and medical documentation verification before presenting the request to the Board of Directors who will decide whether to approve the request. If the Executive Director or the Board requests additional medical information, the resident or his/her agent will be required to provide the necessary information. The Board will grant the request if the requested accommodation is necessary for the resident to be able to participate in the Annie Maxim House or any of its programs, reasonable as defined by law and does not impose any undue hardship on the Annie Maxim House or the George A. Cowen Trust. The Board may impose conditions or restrictions on the requested accommodations in order to protect the interests of the Annie Maxim House or other residents of the Annie Maxim House to the extent permissible by law.

Policies Relating to Specific Reasonable Accommodations Which May Be Requested

1. Live-In Caretaker. There may be certain situations where a resident may request the assistance of a live-in caretaker. In the event that the Board authorizes a live-in caretaker as a reasonable accommodation, for any length of time, the following conditions will apply:

- Any costs associated with a live-in caretaker will be solely at the residents expense.
- The live-in caretaker will not be considered a resident of the Annie Maxim House but rather a licensee whose license or permission to reside on the Annie Maxim House's premises shall only be in effect so long as the resident resides at the Annie Maxim House and needs the live-in caretaker as a reasonable accommodation.
- The resident and the live-in caretaker will both acknowledge in writing that the live-in caretaker has no rights under any applicable land-lord tenant law and that the live-in caretaker will vacate the premises immediately upon the termination, for whatever reason, of the resident's residency or in the event the resident no longer needs the services of the live-in caretaker for a reasonable accommodation.
- the live-in caretaker will sign a statement agreeing to comply with all the rules and regulations of the Annie Maxim House, including but not limited to the rules governing behavior and access to the common areas.
- While the live-in caretaker resides on the premises, he/she shall be considered to be a guest and shall have no right to exercise any of the rights granted to the residents. However, this shall not be construed as preventing the caretaker from exercising on the resident's behalf any rights which the resident has in the event the resident is unable to do so.
- Because of the unique living environment provided by a congregate housing facility, the resident and live-in caretaker agree that the Executive Director or his/her designate may disclose to the other residents the fact that the resident has a live-in caretaker residing with him/her, the name and relationship of the live-in caretaker, and the approximate length of time the live-in caretaker shall be residing with the resident. Any such disclosure shall not be deemed to be a violation of any law, whether state or federal, purporting to protect a resident's right to privacy, and to the extent allowable, the resident and caretaker waive any such rights. If requested by the Executive Director, the resident and live-in caretaker will sign a written statement granting permission for the Annie Maxim House to make such disclosure. Nothing in this paragraph shall be construed to give the Annie Maxim House, or its agents, permission to disclose confidential medical information about a resident's condition.

- Under no circumstances shall the live-in caretaker be considered an agent, independent contractor, servant or employee of the Annie Maxim House or the George A. Cowen Trust, and under no circumstances shall the Annie Maxim House or the George A. Cowen Trust be held liable for damages or injuries caused by the live-in caretaker. By virtue of their receipt of a copy of this policy, all residents, their heirs, successors and assigns shall be considered to have notice that any live-in caretaker is not in any way affiliated with either the Annie Maxim House or the George A. Cowen Trust and that neither the Annie Maxim House nor the George A. Cowen Trust shall be held liable for any damages or injuries sustained by any residents or guests as a result of any intentional or negligent act or failure to act of the live-in caretaker.

Notice of the Reasonable Accommodation Policy.

Copies of this policy will be provided to all residents currently residing at the Annie Maxim House upon the adoption of this policy by the Board of Directors, and all residents will be required to sign an acknowledgement stating that they have received, read and understood the policy. Copies of this policy will also be provided to all new residents upon their application and/or beginning of their residency. Copies will also be posted in public places.