

REASONABLE ACCOMMODATION POLICY

for

NEWPORT DUNES RESORT AND MARINA, DBA NEWPORT DUNES WATERFRONT RESORT AND MARINA ("RESORT")

1131 Back Bay Drive
Newport Beach, CA
92660

Equal Housing Opportunity

**We do business in accordance with
the Federal Fair Housing Law**



RESORT AND ITS PROPERTY MANAGER DO BUSINESS IN ACCORDANCE WITH THE FAIR HOUSING LAWS OF THE UNITED STATES, THE STATE OF CALIFORNIA AND APPLICABLE LOCAL LAWS AND REGULATIONS. AS SUCH, THEY DO NOT DISCRIMINATE AGAINST ANY PERSON BECAUSE OF AGE, RACE, COLOR, RELIGION, SEX, GENDER, GENDER IDENTITY, GENDER EXPRESSION, SEXUAL ORIENTATION, MARITAL STATUS, FAMILIAL STATUS, MILITARY OR VETERAN STATUS, NATIONAL ORIGIN (INCLUDING LANGUAGE USE RESTRICTIONS), ANCESTRY, DISABILITY (MENTAL AND PHYSICAL, INCLUDING HIV/AIDS, CANCER, AND GENETIC CHARACTERISTICS) GENETIC INFORMATION, IMMIGRATION STATUS, HAIR TEXTURE OR HAIRSTYLES, PRIMARY LANGUAGE, SOURCE OF INCOME OR CITIZENSHIP OR ANY OTHER LEGAL PROTECTED CLASSIFICATION.

REASONABLE ACCOMMODATION POLICY

IT IS THE POLICY OF RESORT TO COMPLY WITH ALL APPLICABLE FAIR HOUSING LAWS AT ALL TIMES. ALL DIRECT AND INDIRECT OWNERS, PARTNERS, MEMBERS, MANAGERS, OFFICERS, EMPLOYEES, REPRESENTATIVES AND AGENTS OF RESORT AND/OR ITS PROPERTY MANAGER (COLLECTIVELY, “RESORT PERSONNEL”) ARE LEGALLY PROHIBITED AND FORBIDDEN BY RESORT AND RESORT’S PROPERTY MANAGER FROM HARASSING OR OTHERWISE DISCRIMINATING AGAINST ANYONE WITH RESPECT TO ANY ASPECT OF RENTING HOUSING BECAUSE OF AGE, RACE, COLOR, RELIGION, SEX, GENDER, GENDER IDENTITY, GENDER EXPRESSION, SEXUAL ORIENTATION, MARITAL STATUS, FAMILIAL STATUS, MILITARY OR VETERAN STATUS, NATIONAL ORIGIN (INCLUDING LANGUAGE USE RESTRICTIONS), ANCESTRY, DISABILITY (MENTAL AND PHYSICAL, INCLUDING HIV/AIDS, CANCER, AND GENETIC CHARACTERISTICS), GENETIC INFORMATION, IMMIGRATION STATUS, HAIR TEXTURE OR HAIRSTYLES, PRIMARY LANGUAGE, SOURCE OF INCOME OR CITIZENSHIP OR ANY OTHER LEGALLY PROTECTED CLASSIFICATION, NEED FOR REASONABLE ACCOMMODATION OR EXERCISE OF ANY OTHER PROTECTED RIGHTS UNDER THE FEDERAL FAIR HOUSING ACT (“FHA”) OR CALIFORNIA STATE LAW. CAMPER(S) AT RESORT, PERSONS ASSOCIATED WITH CAMPER(S), AND PROSPECTIVE CAMPER(S) HAVE THE RIGHT NOT TO BE WRONGFULLY DISCRIMINATED AGAINST OR HARASSED. ANY RESORT PERSONNEL WHO DOES NOT COMPLY WITH THIS FAIR HOUSING POLICY COULD BE SUBJECT TO DISCIPLINARY ACTION, TERMINATION OF EMPLOYMENT, AND/OR SANCTIONS BY A COURT OF LAW.

Camper(s), person(s) associated with Camper(s) (such as a guest or household member) and prospective Camper(s) are entitled to reasonable accommodation(s) based on a disability with respect to Resort’s rules, regulations, practices, standards, policies and services, under the requirements of the FHA, as administered and enforced by the U.S. Department of Justice and the US Department of Housing and Urban Development (“HUD”) and the California Civil Code Section § 54.1 et seq., as administered and enforced by the California Department of Fair Employment and Housing (“DFEH”) and the California Attorney General’s Office, when the reasonable accommodation(s) are needed because of disability (handicap). If the accommodation(s) are needed because of disability, and are reasonable, they must be granted. Accommodations are reasonable when they do not create an undue financial or administrative burden and do not fundamentally change the housing services offered. When Camper(s), person(s) associated with Camper(s) (such as a guest or household member) or prospective Camper(s) receive reasonable accommodation(s), the regular rules, regulations, practices, standards, policies, and services are still applicable to all other persons at Resort.

REASONABLE ACCOMMODATION PROCEDURES

A “reasonable accommodation” is any change, exception, or adjustment to a rule, regulation, policy, practice, or service necessary for a person with a disability to have an equal opportunity to use and enjoy an RV lot, tent campsite, or cottage, and/or public and common use areas or

amenities within Resort. Reasonable accommodation(s) include, without limitation, the following examples:

1. Allowing you a waiver or modification in the rules, regulations or policies or how we do things that would make it easier for you to stay here.
2. Allowing a change to an RV lot, tent campsite, or cottage that would make it easier for you to stay here.
3. Allowing a change to a common area facility or common / publicly accessible area to give you access to the same.
4. Allowing a change in the way we communicate with you or give you information.

The FHA makes it unlawful to refuse to make reasonable accommodation(s) to rules, regulations, policies, practices, or services when such accommodation(s) may be necessary to afford persons with disabilities an equal opportunity to use and enjoy an RV lot, tent campsite, or cottage, including the use and enjoyment of the public and common use areas or amenities.

We do not and cannot require persons with disabilities to pay extra fees or deposits as a condition of receiving reasonable accommodation(s) for their handicap or disability.

We, as a “housing” provider (for recreational camping) under the law, can deny a request for a reasonable accommodation if the request was not made by or on behalf of a person with a handicap or disability or if there is no disability-related need for the accommodation requested. In addition, a request for a reasonable accommodation may be denied if providing the accommodation is *not reasonable* – i.e., if it would impose an undue financial and administrative burden on us as the housing provider or it would fundamentally alter the nature of Resort’s operations. 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 Resort, the benefits that the accommodation would provide to the requester, and the availability of alternative accommodation(s) that would effectively meet the requester's disability-related needs.

Management is required by law to keep all information about the disability *confidential*. Camper(s), person(s) associated with Camper(s) (such as a guest or household member) or prospective Camper(s) may be asked for information about the handicap or disability that is directly relevant to the need for and provision of an accommodation, and Resort Management will generally assume that the person requesting a reasonable accommodation is the most knowledgeable with respect to his/her handicap or disability and the required accommodations for the same.

Camper(s), person(s) associated with Camper(s) (such as a guest or household member) or prospective Camper(s) should make written requests for reasonable accommodations in order to ensure that Resort fully understands the request for a reasonable accommodation so it can be adequately and timely addressed. The attached form may be used for that purpose. Additional copies are available upon request. This information will form the basis of the *interactive process* between the Camper(s), person(s) associated with Camper(s) (such as a guest or household member) or prospective Camper(s) and Resort as the *interactive process* proceeds. The Request

for Reasonable Accommodation form is for you to complete. Resort Management will complete the Response to Request for Reasonable Accommodation form. Resort Management will respond in writing to all oral and written requests for reasonable accommodation(s) within two weeks or sooner if the situation requires an immediate response. A request by Camper(s), person(s) associated with Camper(s) (such as a guest or household member) or prospective Camper(s) for a reasonable accommodation may only be denied, in compliance under the FHA and state law, after Resort Management has determined, based on the case-specific facts and evidence, that the accommodation is “not reasonable” or that it will create an undue financial hardship on Resort. Resort Management will not provide you with an “oral” response so the parties have a written record of the *interactive process*. Although written requests for reasonable accommodation(s) are preferred and strongly encouraged for the benefit of all parties concerned, Resort does not require Camper(s), person(s) associated with Camper(s) (such as a guest or household member) or prospective Camper(s) to make such requests in writing and will not deny a request for an accommodation solely because it was not made in writing.

Resort will comply with its obligation under the Fair Housing Act to provide prompt responses to reasonable accommodation requests.

If Resort refuses a requested accommodation because it is not reasonable, Resort Management will discuss with the requester whether there is an alternative accommodation that would effectively address the requester's disability-related needs without a fundamental alteration to Resort's operations and without imposing an undue financial and administrative burden. If an alternative accommodation would effectively meet the requester's disability-related needs and is reasonable, the provider must grant it. An *interactive process* in which the housing provider and the requester discuss the requester's disability-related need for the requested accommodation and possible alternative accommodations is helpful to all concerned because it often results in an effective accommodation for the requester that does not pose an undue financial and administrative burden for the provider.

For clarification, nothing in this Policy is intended to imply that any Camper(s), person(s) associated with Camper(s) (such as a guest or household member) or prospective Camper(s) or other user of Resort is entitled to become a resident or to occupy any RV lot, tent campsite or cottage for nine months or more; any such extended occupancy is strictly prohibited.

[REQUEST FOR REASONABLE ACCOMMODATION FORM ATTACHED]

NEWPORT DUNES WATERFRONT RESORT
REQUEST FOR REASONABLE ACCOMMODATION
(use of this form is encouraged, but not required)

I occupy/intend to occupy Lot no./Tent Campsite No./Cottage No.: _____

Telephone Number: _____

Email Number: _____

The following member of my household has a
disability: _____

Please provide this reasonable accommodation (specify accommodation(s) being requested):*

This reasonable accommodation is necessary because:*

Date: _____

CAMPER(S)

Print
Name: _____

Signature: _____

*Please attach additional pages
if you need more space