

*Reasonable
Accommodation*

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CLEARBROOK CONDOMINIUM ASSOCIA
TION NO 4

Employee ID MANEYSA

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NJPRPA	\$	12.00
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RECORDING	\$	3.00
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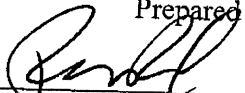


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Prepared by:


RONALD L. PERL, ESQ.

**ADDENDUM TO MASTER DEED AND BY-LAWS OF
CLEARBROOK CONDOMINIUM ASSOCIATION NO 4**

THIS ADDENDUM to the Master Deed and By-Laws is made this 9th day of December 2014, by the Clearbrook Condominium Association No 4, Woodland Village, a New Jersey nonprofit corporation, located in the Township of Monroe, County of Middlesex and State of New Jersey (hereinafter referred to as "Section 4").

The Association does hereby add the following resolution as an addendum to the Master Deed and By-Laws recorded in the Office of the Middlesex County Clerk on July 29, 1974 in Deed Book 2860 at Page 627 et seq. This Addendum shall supersede any previously adopted regulations with regard to resident requests for "reasonable accommodation to disabilities".

Record and Return:
Ronald L. Perl, Esq.
HILL WALLACK LLP
202 Carnegie Center
P.O. Box 5226
Princeton, New Jersey 08543-5226

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**Resolution of The Board of Directors of Clearbrook Condominium Association No 4
Adopting Protocol for Responding to Resident Requests for
"Reasonable Accommodation to Disabilities"**

WHEREAS, Clearbrook Condominium Association No 4 (Section 4) is a New Jersey corporation subject to the federal Fair Housing Amendments Act of 1988 (42 U.S.C. §§ 3601 et seq.; the "FHAA") and is a "housing provider" as defined pursuant to the New Jersey Law Against Discrimination (N.J.S.A. 10:5-1 et seq., the "NJLAD") and governed by the regulations promulgated thereunder; and

WHEREAS, the NJLAD and FHAA require that Section 4 as a housing provider consent to a resident's request for "reasonable accommodation" if the resident establishes to Section 4's satisfaction the existence of a legally recognized "disability" and right to "reasonable accommodation" to aid in mitigating the effect of the disability to permit them to make full use and enjoyment of Section 4's "common elements"; and

WHEREAS, Section 4 as a housing provider has the right to obtain relevant medical information from applicants in order that the Board, not being comprised of medical professionals, may determine whether the applicant is "disabled" and has a right to "reasonable accommodation"; and

WHEREAS, the Section 4 Board of Directors, in order to obtain sufficient reliable medical information, has the right to obtain the opinion (s) of the applicant's competent medical services provider (s) identifying the resident's disability; why a reasonable accommodation is medically necessary; the medical necessity for the specific accommodation(s) requested; and regarding whether there are acceptable alternative accommodations (except in cases where the disability and need for specific accommodation is obvious) that do not impose an undue burden on Section 4; and

WHEREAS, the Section 4 Board of Directors has determined that it is in the Association's best interests to adopt a uniform protocol to analyze and respond to disabled residents' requests for "reasonable accommodation" as the best means of ensuring equal treatment of all residents without discrimination in order that all may make equal use of Section 4's "common elements"; and

WHEREAS, the Section 4 Board of Directors has conferred with and obtained the opinion of its corporate counsel regarding its duty to provide "reasonable accommodation"; and

WHEREAS, the Section 4 Board of Directors pursuant to the By-Laws Article V, Section 1 of the Association's By-Laws possesses the power to administer the Association's affairs; and

WHEREAS, the Section 4 Board of Directors desires to establish a protocol to ensure that all such requests are treated fairly, equally and without discrimination and in compliance with the FHAA and NJLAD.

NOW THEREFORE BE IT RESOLVED as follows:

1. A resident who requests "reasonable accommodation" to a legally recognized disability must file a written request with Section 4 Board of Directors;
2. Section 4 Board of Directors shall acknowledge its receipt of a request within five (5) days by certified mail, return receipt requested, addressed to the resident's last known address as listed in Section 4's records.
3. Section 4 Board of Directors within five days of receipt of a request shall forward the request to the Section 4's legal counsel for review.
4. Counsel within 10 days of receipt shall review the request and respond to the Section 4 Board of Directors with its initial recommendations including any recommendation for immediate action(s) that may be taken. Counsel's recommendation(s) shall include a request that the Section 4 Board of Directors direct counsel to respond to the resident by letter:
 - a. conveying that the Section 4 Board of Directors has decided to grant or deny the request based on the information provided by the resident to the Board; or
 - b. requesting that the resident within 30 days provide (additional) supporting medical or other relevant information to counsel in the event the Section 4 Board of Directors finds that the initial submission provided is inadequate to afford it a reasonable basis upon which to grant or deny the request; such information may be provided by the resident in
 - (1) any form the resident or his medical provider(s) choose or

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- (2) the form "Medical Provider Confidential Certification Letter" provided by the Section 4 Board of Directors counsel to the applicant; or
 - c. requesting that the resident consult with Section 4 Board of Directors regarding resolution of the request.
5. The Section 4 Board of Directors within a reasonable period of time of receipt of counsel's recommendation shall review the request and inform the resident whether the Section 4 Board of Directors is granting or denying the request or, in the alternative, requesting that the resident confer further with the Section 4 Board of Directors.
6. Section 4 Board of Directors is directed to implement this Protocol and is hereby authorized to adopt any necessary procedures to implement this Protocol; subject to Board approval, in order to achieve the purpose of affording reasonable accommodation.

For the purposes of this resolution, the term "resident" shall include the record owner or other person(s) permanently residing in the unit who are otherwise legally entitled to occupancy pursuant to Section 4's governing documents, including, but not limited to, tenants who occupy a residence pursuant to a written lease properly filed with and approved by the management office.

For the purposes of this resolution, the term "common elements" shall mean the commonly owned real property within Section 4 as it is defined in Article I, Section 4(m) of the By-Laws of Section 4.

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IN WITNESS WHEREOF, the Clearbrook Condominium Association No 4 has affixed its hand and seal the day and year first above written.

Tamzin Wojtko
TAMZIN WAJTKO, Secretary

Charles Strulovitz
Charles Strulovitz, President

ACKNOWLEDGMENT

STATE OF NEW JERSEY :
: SS
COUNTY OF MIDDLESEX :

I certify that on 9th of December 2014, Tamzin Wajtko personally came before me and acknowledged under oath, to my satisfaction, that he/she is the Secretary of the Clearbrook Condominium, Association No 4, is the attesting witness to the signing of this document by the proper corporate officer who is Charles Strulovitz , the President of the corporation; This document was signed and delivered by the corporation as its voluntary act duly authorized by a proper Resolution; he/she knows the proper seal of the corporation which was affixed to this document; and he/she signed this proof to attest to the truth of these facts.

Subscribed and sworn to, before me, this 9th day of December 2014.

Donna Galindo
A Notary Public of New Jersey
My Commission Expires: _____

