

RESOLUTION 2025-76

**RESOLUTION ADOPTING THE UNION TOWNSHIP REASONABLE
ACCOMMODATION POLICY**

**UNION TOWNSHIP
4350 Aicholtz Road
Cincinnati, OH 45245**

The Board of Trustees of Union Township, Clermont County, Ohio met in regular session at the Union Township Administration Building, 4350 Aicholtz Road, Cincinnati, OH 45245 on December 9, 2025 with the following members present: Michael Logue, Joe Dills, and John Becker.

Mr. Dills made a motion to adopt the following Resolution: 2025-76

WHEREAS, pursuant to the Federal Fair Housing Act, as Amended, Union Township, Clermont County, Ohio is obligated to provide individuals with disabilities the opportunity to secure reasonable accommodations with respect to housing rules, policies, practices, and procedures of Union Township, Clermont County, Ohio and Housing Providers to guarantee equal access to housing for those individuals; and

WHEREAS, pursuant to a settlement agreement with Housing Opportunities Made Equal (“HOME”), authorized by the Board and subsequently executed in December of 2022, the Township is obligated to formulate and adopt a Reasonable Accommodation Policy to comply with the provisions of the Federal Fair Housing Act and the terms of that certain settlement agreement; and

WHEREAS, the Township has developed the *Union Township Reasonable Accommodation Policy* (the “Reasonable Accommodation Policy”), in compliance with the Federal Fair Housing Act and other relevant state and federal laws, working in consultation with, and at the direction of, the Union Township Law Director, a copy of which is attached as **EXHIBIT A** and is incorporated herein by reference; and

WHEREAS, the Board of Trustees of Union Township, Clermont County, Ohio (the “Board”) desires to adopt the Reasonable Accommodation Policy, a copy of which shall be maintained on file with the Fiscal Officer of the Township and with the Township Planning and Zoning Director, in compliance with the Federal Fair Housing Act, because the Reasonable Accommodation Policy provides individuals with disabilities the opportunity to secure reasonable accommodations with respect to housing rules, policies, practices, and procedures of Union Township, Clermont County, Ohio so as to guarantee equal access to housing for those individuals; and

WHEREAS, through the adoption of the Reasonable Accommodation Policy, exemptions or Reasonable Accommodations requested, and subsequently granted as per the policy shall be specifically exempted from all relevant and applicable provisions of the *Union Township Zoning Resolution* or any other relevant local land use law, regulation, or practice established by Union Township, Clermont County, Ohio, to the extent required to achieve compliance with the Federal Fair Housing Act or any other relevant federal or state law; and

WHEREAS, the Board of Trustees further desires to authorize the Township Administrator, working in conjunction with the Planning and Zoning Director and the Township Law Director, to amend, or otherwise cause amendments to the Union Township Reasonable Accommodation Policy on an “as needed” basis in order to respond to changes in Federal Fair Housing Law or other relevant federal and state laws.

NOW, THEREFORE BE IT RESOLVED by the Board of Trustees of Union Township, Clermont County, Ohio, as follows:

SECTION 1. The Board of Trustees of Union Township, Clermont County, Ohio hereby adopts the Union Township Reasonable Accommodation Policy, a copy of which is attached as **EXHIBIT A** and incorporated herein by reference.

SECTION 2. The Township Fiscal Officer and Township Planning and Zoning Director are directed to preserve a copy of the Reasonable Accommodation Policy on file in

each of their respective offices, to be made available for inspection. In addition, the Township Administrator is further authorized to post the policy upon the Township website, or in other conspicuous areas of the Township, in order to assure availability of the Policy to members of the public.

SECTION 3. The Board further finds that exemptions or Reasonable Accommodations requested, and subsequently granted as per the policy shall be specifically exempted from all relevant and applicable provisions of the *Union Township Zoning Resolution* or any other relevant local land use law, regulation, or practice established by Union Township, Clermont County, Ohio, to the extent required to achieve compliance with the Federal Fair Housing Act or any other relevant federal or state law.

SECTION 4. The Board hereby authorizes the Township Administrator, working in conjunction with the Planning and Zoning Director and the Township Law Director, to amend, or otherwise cause amendments to the Union Township Reasonable Accommodation Policy on an "as needed" basis in order to respond to changes in Federal Fair Housing Law or other relevant federal and state laws.

SECTION 5. The Board specifically finds that the adoption of this policy is necessary to comply with the terms and conditions of that certain settlement agreement, executed between the Township and Housing Opportunities Made Equal, in December of 2022.

SECTION 6. That this Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 7. That this Board upon majority vote does hereby dispense with the requirement that this resolution be read on two separate days, and hereby authorizes the adoption of this resolution upon its first reading.

SECTION 8. That this resolution is the subject of the general authority granted to the Board of Trustees through the Ohio Revised Code and not the specific authority granted to the Board of Trustees through the status as a Limited Home Rule Township.

SECTION 9. That this Resolution shall take effect from and after the earliest date as permitted by law.

Mr. Becker seconded the resolution and upon roll call the vote was as follows:

Mr. Logue - yea

Mr. Dills - yea

Mr. Becker - yea

Resolution 2025-76 adopted December 9, 2025.

ATTEST:


Ronald B. Campbell, Fiscal Officer

12/9/2025
Date

Approved as to form:



Brodi J. Conover
Union Township Law Director

CERTIFICATION

I, Ronald B. Campbell, Fiscal Officer of Union Township, hereby certify, as official custodian of the records of Union Township, Clermont County, Ohio that the foregoing is taken and copied from the Record of Proceedings of Union Township and that the same is a true and accurate copy of the original on file in the township hall at *4350 Aicholtz Road, Union Township, Ohio 45245*.



Ronald B. Campbell, Fiscal Officer



12/9/2020

Date

UNION TOWNSHIP REASONABLE ACCOMMODATION POLICY

Pursuant to the Federal Fair Housing Act, as Amended, Union Township, Clermont County, Ohio is obligated to provide individuals with disabilities the opportunity to secure reasonable accommodations with respect to housing rules, policies, practices, and procedures of Union Township, Clermont County, Ohio and Housing Providers to guarantee equal access to housing for those individuals.

(1) Definitions. For purposes of this Policy, the following terms are defined below:

- A. **Disability:** A physical or mental impairment that substantially limits one or more major life activities, a record of having such an impairment or being regarded as having such impairment, as appropriately documented by a physician or other qualified medical professional. Individuals who are currently using illegal substances are not covered under the Act, unless they have a separate, documented disability.
- B. **Authorized Agent:** A person or persons designated by individual(s) with a disability to make decisions for the individual(s). Such designation shall be in writing and properly documented either through affirmative signature appointing an individual to serve as an Authorized Agent, or alternatively, it may be the duly appointed custodial parent or guardian of a minor child, or in the case of mental or physical disability, may also be a court ordered guardian, power-of-attorney, conservatorship, or other similar document.
- C. **Reasonable Accommodation:** For purposes of this Policy, a Reasonable Accommodation includes reasonable modifications and accommodations to a principal residence required to achieve compliance with the Federal Fair Housing Act. A reasonable modification is a change made to residential property occupied by a person with a disability to afford such a person the full enjoyment of the premises. A reasonable accommodation is a change, exception, or adjustment to a rule, policy or practice and that results in an exemption to an otherwise codified land use regulation or practice. A Reasonable Accommodation may include, but not be limited to, such accommodations as setback relief, additional structures or structural modifications, or the use of assistance animals, or any other modification or accommodation required to achieve compliance with the Federal Fair Housing Act and/or the objectives stated within this Policy.
- D. **Reasonable Accommodation Request:** A request to modify land use, zoning, and building regulations, policies, practices, or procedures to give individuals with disabilities an equal opportunity to use and enjoy a dwelling.
- E. **Property Owner:** The individual or company that is responsible for the payment of any rates and taxes that arise on the property in question or exercises owners' rights to the property such as a block of the property in question. For purposes of this Policy, the Property Owner shall be the owner of the property as listed in the then-current tax

duplicate and tax records, on file with the office of the Clermont County Auditor's Office.

- F. **Qualified Applicant:** The individual residing in the home, regardless of occupancy or ownership status, possessing a Disability and requiring a Reasonable Accommodation, pursuant to this Policy. For purposes of this Policy, a Qualified Applicant may include an owner, occupant, or renter of a dwelling unit.
- G. **Dwelling Unit:** Shall mean the place of principal residence where Qualified Applicant seeking a Reasonable Accommodation resides on a permanent basis. For purposes of this Policy, a dwelling unit may be any detached, semi-detached, or attached home, apartment, condominium, landominium, or other similarly situated and authorized dwelling unit or place where residential occupancy is permitted.
- H. **Reasonable Accommodation Review Process:** The process, consisting of approval of the Law Director and the Director of Planning and Zoning, designated to make determinations on fair housing accommodation requests pursuant to these Regulations. The Law Director and the Director of Planning and Zoning shall undertake appropriate training in Fair Housing Law on an as-needed basis, and as required if amendments to Fair Housing Laws are adopted.

(2) Requesting Reasonable Accommodation.

- A. An Individual with a disability meeting the standard of "Qualified Applicant" or the Authorized Agent of any such individual(s) may request a Reasonable Accommodation to the Union Township, Clermont County, Ohio's land use regulations, zoning regulations, policies, practices and procedures.
- B. A Reasonable Accommodation shall be made in writing, addressed to the Union Township Reasonable Accommodation Review Board, or may also be made in writing on a form established and maintained for administrative convenience by Union Township, Clermont County, Ohio, available at the Union Township Planning and Zoning Department. The request and information provided must include:
 1. Name and address of the Individual(s) with a disability whom are requesting the accommodation and serving as a Qualified Applicant under this Policy.
 2. Documentation of Authorized Agent status, if the applicant is not the Qualified Applicant and/or occupant of the principal residence for which the Reasonable Accommodation is sought.
 3. Address of the property for which a Reasonable Accommodation is requested.
 4. Description of the Reasonable Accommodation requested and the Union Township, Clermont County, Ohio's land use regulation, zoning regulation, policy, practice or procedure to which a change is required for the person with a disability, as to maintain compliance with the Federal Fair Housing Act.
 5. Name, address, and phone number of the Property Owner.

6. Written authorization from the Property Owner, if the qualified applicant is not the owner or occupant of the property (e.g. landlord permission, etc.).

C. A Reasonable Accommodation Request may be made at any time when the Reasonable Accommodation is necessary to ensure equal access to housing.

D. The Reasonable Accommodation Request must not be made available to review to anyone who is not a member of the Reasonable Accommodation Review Process, except in accordance with disclosures otherwise required pursuant to the Ohio Public Records Law.

E. While a Reasonable Accommodation Request is pending, all of the Union Township, Clermont County, Ohio's land use regulations, zoning regulations, policies, practices and procedures that apply to the property in question shall remain in full force and effect, subject to the enforcement provisions enumerated within the *Union Township Zoning Resolution*, or pursuant to Ohio Law.

F. The grant of a Reasonable Accommodation Request by the Reasonable Accommodation Review Process does not exempt an individual's obligations to comply with any other applicable Union Township, Clermont County, Ohio land use regulations, zoning regulations, policies, practices and procedures.

(3) Reasonable Accommodation Review Board.

A. Reasonable Accommodation Requests must be reviewed by the Reasonable Accommodation Review Board, as part of the Union Township Reasonable Accommodation Review Process. The Reasonable Accommodation Review Board shall consist of the following members:

1. Union Township Law Director,
2. Union Township Planning and Zoning Director, and
3. Union Township Assistant Township Administrator

B. The Reasonable Accommodation Review Board shall issue a written decision approving or denying a Reasonable Accommodation Request within thirty (30) calendar days of their Receipt of the Reasonable Accommodation Request (the "Initial Review Period"). A failure to issue a decision within thirty (30) calendar days from receipt of such request shall result in approval of the request.

C. During the Initial Review Period, the Board may request additional information or clarification from the Qualified Applicant to make an informed decision, pursuant to the provisions enumerated within this Policy.

D. If the Reasonable Accommodation Review Board determines that the Board requires additional information or clarification to act upon the Reasonable Accommodation

Request, the Reasonable Accommodation Review Board may make specific and detailed requests of the further information needed from the Individual(s) with a disability serving as the Qualified Applicant pursuant to this Policy, or any Authorized Agent thereof, in writing. If such a request is made, the thirty (30) day Initial Review Period within which the Reasonable Accommodation Review Process must decide is stayed until the Individual(s) with a disability, or their Authorized Agent, as applicable, files a written response to the request, provided such response shall be required within thirty (30) calendar days from the date upon which such information request is made.

- E. If no response is received from the Qualified Applicant or Authorized Agent thereof, the Reasonable Accommodation Review Board may proceed with reviewing the request based upon the original information provided. If additional information is timely received, pursuant to this Policy, from the Qualified Applicant or an Authorized Agent thereof in response to a request made by the Reasonable Accommodation Review Board, the Reasonable Accommodation Review Board shall have an additional ten (10) calendar days from the date such additional information or correspondence is received to render a written decision.
- F. Upon conclusion of its review of a request made pursuant to this Policy, the Reasonable Accommodation Review Board may grant the Reasonable Accommodation Request, grant the Reasonable Accommodation Request with modifications, or deny the Reasonable Accommodation Request based on one or more of the Factors for Consideration of Reasonable Accommodation Request.

(4) Factors for Consideration of Reasonable Accommodation Request.

- A. The Reasonable Accommodation Review Board's written decision to grant, grant with modifications, or deny a Reasonable Accommodation Request shall be based upon the following factors:
 1. Whether the housing, which is the subject of the request for reasonable accommodation, will be used by Individual(s) with a disability;
 2. Whether the requested accommodation is necessary to make housing available to Individual(s) with a disability;
 3. Whether the requested accommodation would impose an undue financial or administrative burden on Union Township, Clermont County, Ohio; and
 4. Whether the requested accommodation would require fundamental alteration to Union Township, Clermont County, Ohio's land use and zoning regulatory framework or enforcement process.

(5) Written Decision by the Reasonable Accommodation Review Board.

- A. The Reasonable Accommodation Review Board's written decision on a Reasonable Accommodation Request must explain the basis of the decision by using their findings with respect to the factors set forth in Section 4(A)(1-4) of this Policy.
- B. All decisions by the Reasonable Accommodation Review Board must include notice to the Individual(s) with a disability who filed the Reasonable Accommodation Request's ability to appeal the decision of the Reasonable Accommodation Review Board within twenty (20) calendar days of the date of issuance.
- C. A copy of decision shall be sent to the Individual(s) with a disability serving as the Qualified Applicant who filed the Reasonable Accommodation Request for purposes of this Policy, and/or any Authorized Agent thereof, by certified mail within three (3) business days from the date of the decision.
- D. If the Reasonable Accommodation Review Board fails to render a written decision on the Reasonable Accommodation Request within the thirty (30) day Initial Review Period set forth in this Policy, or the extended review period as provided within Section 3 hereof, the Reasonable Accommodation Request is automatically granted.
- E. A decision issued by the Reasonable Accommodation Review Board shall not be subject to appeal by any adjacent or adjoining property owner, or any other person except the party originating the request for Reasonable Accommodation. In addition, a decision to grant a Reasonable Accommodation to a Qualified Applicant shall continue for as long as the Qualified Applicant continues to reside at the location subject to the Reasonable Accommodation Request.
- F. A Reasonable Accommodation Request granted pursuant to this Policy shall supersede any applicable provision of the *Union Township Zoning Resolution* for as long as the Reasonable Accommodation remains in effect at the property for which the request is sought and subsequently granted.
- G. The written decision of the Reasonable Accommodation Review Board shall be considered a final and binding order unless it is timely appealed to the Union Township Fair Housing Appeals Committee by the Individual(s) with a disability serving as the Qualified Applicant who filed the Reasonable Accommodation Request, or the Authorized Agent thereof, pursuant to this Policy.

(6) Appeals.

- A. The Individual(s) with a disability and serving as a Qualified Applicant pursuant to this Policy, who made the Reasonable Accommodation Request, or his or her Authorized Agent, as applicable, may appeal a decision of the Reasonable Accommodation Review Board by filing a written request for an appeal the Union Township Fair Housing Appeals Committee within twenty (20) calendar days of the date upon which the Reasonable Accommodation Review Board's written decision is issued. For Purposes of this Policy,

the Union Township Fair Housing Appeals Committee shall consist of the following members:

1. Union Township Fiscal Officer,
2. Union Township Administrator, and
3. Chairman of the Board of Trustees of Union Township, Clermont County, Ohio

B. Pursuant to this Policy, no person other than a Qualified Applicant submitting a Reasonable Accommodation request, or any Authorized Agent thereof, shall be extended the right to appeal a decision issued by the Union Township Reasonable Accommodation Request Board.

C. An appeal made pursuant to this Section shall clearly state the grounds for the appeal. Failure to provide a clearly articulated statement properly documenting the reasons or circumstances for the appeal shall result in rejection of the appeal by the Fair Housing Appeals Committee.

D. Upon timely receipt of an appeal made pursuant to this Policy, the Union Township Fair Housing Appeals Committee shall timely notify the Reasonable Accommodation Board of the filing of such appeal, within five (5) calendar days of receipt of such appeal.

E. Upon timely receipt of an appeal made pursuant to this Policy, the Union Township Fair Housing Appeals Committee shall notify and schedule an administrative hearing with the Qualified Applicant, and/or any Authorized Agent thereof, to review the circumstances of the appeal and to provide the appealing party with an opportunity to present testimony regarding the facts and circumstances surrounding the request, decision, and appeal. Such administrative hearing shall occur within twenty (20) calendar days of the date upon which such appeal is received, unless mutually agreed to by both the Fair Housing Appeals Committee and the party lodging the appeal. The Fair Housing Appeals Committee may, in its sole discretion, also request that one or more members of the Reasonable Accommodations Review Board attend and provide evidence regarding the facts and circumstances related to their initial determination and written decision necessitating the appeal.

F. Failure to timely schedule and hold a hearing within twenty (20) calendar days of receiving an appeal shall result in the appeal being granted in favor of the Qualified Applicant and/or Authorized Agent, as applicable.

G. Upon conclusion of the scheduled administrative hearing, the Fair Housing Appeals Committee shall issue a written decision within five (5) business days upon concluding the hearing. The Fair Housing Appeals Committee may either uphold the Reasonable Accommodations Review Board determination and deny the appeal, or may uphold the appeal and overturn the decision of the Reasonable Accommodations Review Board. Upon issuance of a decision regarding an appeal made pursuant to this Policy, the Fair Housing Appeals Committee shall send written notice to both the Reasonable Accommodation

Board and the person(s) filing the appeal of the Committee's decision regarding the appeal and disposition thereof, via certified mail within three (3) business days from the date of the decision.

- H. The decision of the Union Township Fair Housing Appeals Committee shall be a final, appealable administrative order, subject to any and all further rights of appeal by the party originating the appeal, including the filing of an administrative appeal pursuant to Chapter 2506 of the Ohio Revised Code.

(7) Reporting.

- A. The Union Township Planning and Zoning Director shall, pursuant to this policy, keep a permanent log and shall further track all requests for Reasonable Accommodation filed within Union Township. On an annual basis, the Planning and Zoning Director shall prepare a report evidencing the number of reasonable accommodations requested, and the disposition thereof to the Union Township Board of Trustees during the prior calendar year. The reasonable accommodation report filed by the Planning and Zoning Director with the Union Township Board of Trustees shall not list any identifying information, but shall include the number of reasonable accommodation requests received, the number granted, the number denied, and the number of appeals sought, granted, or denied, as applicable throughout the entire unincorporated area of Union Township.

