



Department of Housing
Municipality of San Juan
Policy for Effective Communications



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Created December 2021**



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I. Introduction

The key to communicating effectively is to consider the nature, length, complexity, and context of the communication and the person's methods of communication. It is the policy of the Municipality of San Juan Housing Department (the "**Department**") that all persons with disabilities, including residents, employees, applicants, participants, and members of the public, are able to communicate effectively. The officials, agents, contractors and private management companies of the Department shall provide suitable auxiliary aids and services, so that persons with disabilities, including hearing, visual or cognitive conditions, can have an equal opportunity to participate in the benefits of the programs, services, and activities offered by the Department.

This policy seeks to ensure that persons with a vision, hearing, or speech disabilities can communicate with, receive information from, and convey information to the Department, in compliance with all regulations and guidelines related to the American with Disabilities Act of 1990 (**ADA**).

II. Auxiliary Aids and Services

According to the ADA and the regulations issued by the Civil Rights Division of the US Department of Justice (**DOJ**)¹, the term "*auxiliary aids and services*" includes, but is not limited to, the following:

- Qualified sign language interpreters, note-takers, transcription services, written materials, telephone handset amplifiers, assistive listening devices, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunications devices for deaf persons (**TDD**), videotext displays, or other effective methods of making aurally delivered materials available to persons with hearing impairments.
- Qualified readers, taped texts, audio recordings, Braille materials, large print materials, or other effective methods of making visually delivered materials available to persons with visual impairments.

¹ See DOJ revised final regulations implementing the ADA for title II (State and local government services) and title III (public accommodations and commercial facilities) published on September 15, 2010, in the Federal Register.





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III. Requests for Effective Communication

When an auxiliary aid or service is required to ensure effective communication, the Department will provide an opportunity for the person with disabilities to request the auxiliary aid or service, either orally or in writing. The Department will give primary consideration to the auxiliary aid or service choice requested.

The term "*primary consideration*" means that the Department will honor the person's requested auxiliary aid or service, unless it can show (i) that another equally effective means of communication is available; (ii) that the use of the means chosen would result in a fundamental alteration of the nature of the service, program, or activity; or, (iii) that the chosen means would represent an undue financial and/or administrative burden for the Department. If the requested choice would result in an undue burden or a fundamental alteration of the service, the Department shall still provide an alternative aid or service that provides effective communication.

The term "*undue burden*" is defined as significant difficulty or expense. The Department reserves the right to determine what constitutes an undue burden, which may vary from other government entities, or from one year to the next, for reasons that include, but are not limited to, the impact of changing economic conditions, or the total resources at the Department's disposal. Any determination as to what constitutes an undue burden in relation to a request for effective communication shall be issued, in writing, by the Director of the Department of Housing, or their appointed designee.

The person will submit their request for auxiliary aids or services to the Section 504 / ADA Coordinator. All requests shall be dated and time-stamped upon receipt by the Department. Within two (2) business days of receiving the person's request, the Section 504 / ADA Coordinator will respond to the person and discuss possible alternatives to ensure effective communication when the preferred type of auxiliary aid or service is not available, or not required. The Department of Housing will take additional steps to seek support services from local non-profit organizations, such as the Puerto Rico Chapter of the National Federation of the Blind.

Five (5) business days after receiving the effective communication request, the Section 504 / ADA Coordinator will notify the person of the proposed auxiliary aid or service to be provided.

The Section 504 / ADA Coordinator will maintain copies of all requests for effective communication and all related notifications and rulings. Requests for auxiliary aid or service for effective communication will be directed to the Section 504 / ADA Coordinator who can be reached using the following contact information:





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Any requests for auxiliary aids or services for scheduled public events such as hearings, or board meetings, among others, must be submitted no later than five (5) business days prior to the event.

IV. Grievance Procedures

Any person with questions or a grievance related to a determination issued by the Section 504 / ADA Coordinator regarding requests for auxiliary aids or services for effective communication, shall initially present a grievance with the corresponding Housing Director, or appointed designee, within ten (10) business days of receiving the determination.

