

## Roxanne Maher

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**From:** William Saums  
**Sent:** Monday, September 25, 2023 1:22 PM  
**To:** Nina Diaz; Town Council Group  
**Subject:** RE: Follow up to CRC meeting on 9/20/23

Nina,

Yes, received. I recently visited the property as well and observed the construction work taking place. I know that other councilors have been there too.

Thank you for the photos.

-Bill

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**From:** Nina Diaz <ninadiaz24@yahoo.com>  
**Sent:** Thursday, September 21, 2023 5:26 PM  
**To:** Town Council Group <TownCouncil@ledyardct.org>  
**Subject:** Follow up to CRC meeting on 9/20/23

Good afternoon, I would like to thank councilors Saums, Rodriguez, Paul and Marshall for their time and willingness to listen at last night's meeting. While the public was afforded productive dialog with said board members, there were a few questions they asked and I'd like to address those. Also during the meeting, I stated I had photos and documents pertaining to the housing authority matter to which I would include in this email. Please see those items attached.

When councilor Rodriguez was stating her observation of the property noting the evident safety concerns for residents and the potential liability to the town, she had also mentioned something "the mayor advised". This option was to lay a slab where the bench is mid driveway at king's corner, as well as an awning and making sure it is ada compliant. She stated this would pose a estimated cost of approximately 10,000 dollars. (To me personally, that's a lot of money that could be better spent elsewhere) in this email I will offer the board a suggestion that could solve this issue and save the town that ten thousand for something else.

Councilors Paul and Marshall both spoke to policy, which we are all familiar with. Everything has a policy. I think the disconnect prior to last night's meeting is that the needed information and chain of command was not user friendly online. The correct information was not easily available to the public. While we learned last week who to contact, I have since shared the correct information with residents of king's corner manor. As stated by multiple residents at the CRC meeting, the grievance goes right to the person residents are afraid of. Many haven't or won't speak up due not wanting to treated unfairly for speaking up. When councilor Paul asked, " has the smoking been brought up at meetings"? I again can only speak the last regular meeting but the answer to his question is " yes residents tried to bring it up and were invalidated and laughed at by board members, fellow residents and the director " immediately followed by the board of five non smokers voting against any type of compromise.

During my time to comment at last night's meeting, I had mentioned that while the housing authority has every right to make the property smoke free all together. I also stated that there is something called "request for reasonable accommodation" per the ADA. Per the ADA and Hud, any board should sincerely consider all request for reasonable accommodation. For example if a resident wrote a request and the request was to "smoke in their apartment", that's not reasonable and the board could, would and should deny it and offer a counter suggestion. Whereas if the board received a request from a disabled resident requesting accommodation in way of "being able to smoke under the open air carport that has untill very recently been the designated smoking area" due to the lengthy list of safety issues having

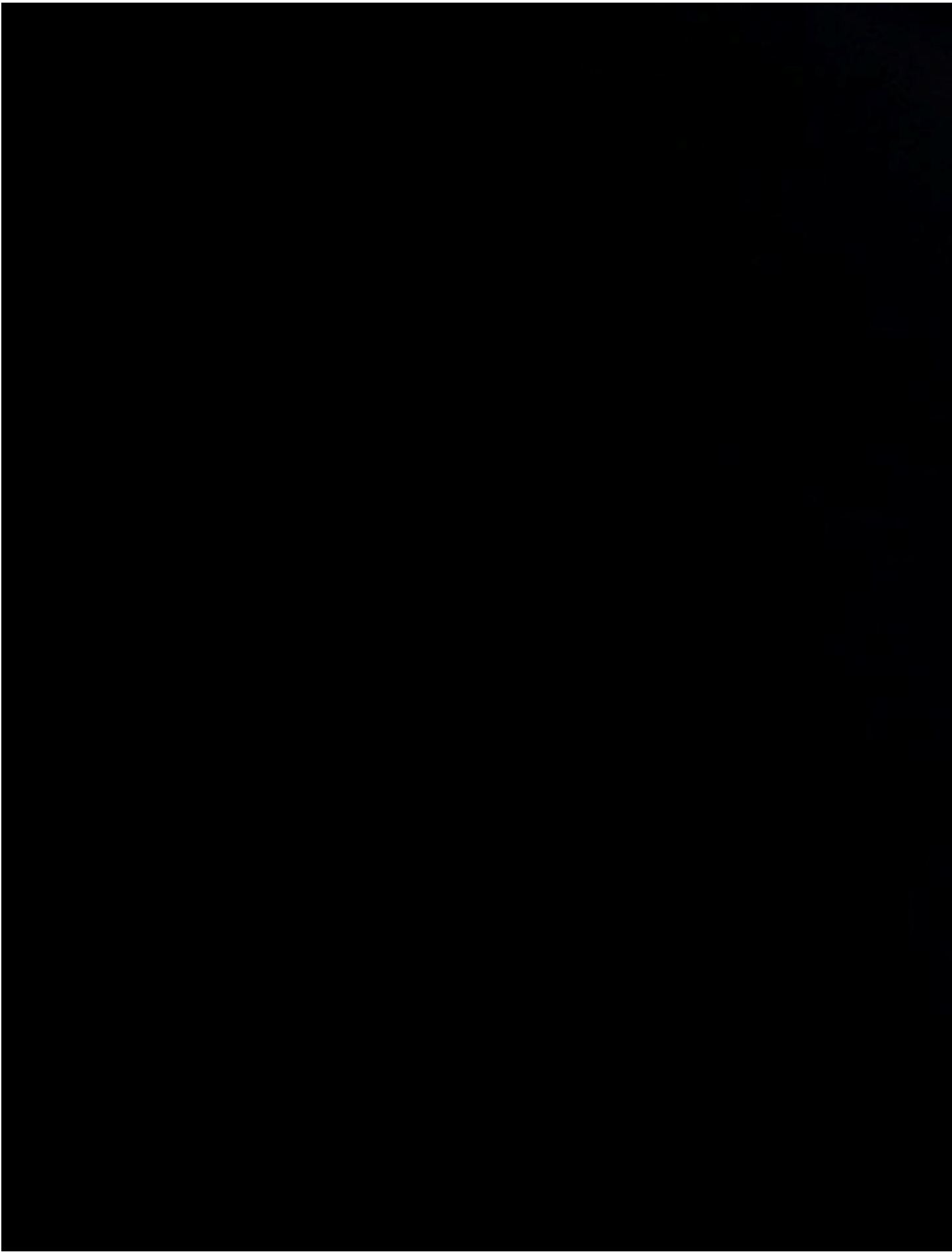
to go far beyond 300 feet, across a dark street onto someone else's property. That in fact is a very reasonable request for reasonable accommodation.

In the event that a reasonable accommodation is refused, that could lead to litigation for a civil rights violation against a disabled person. Which is not only a long expensive process but also poses additional unnecessary stress to our elder residents.

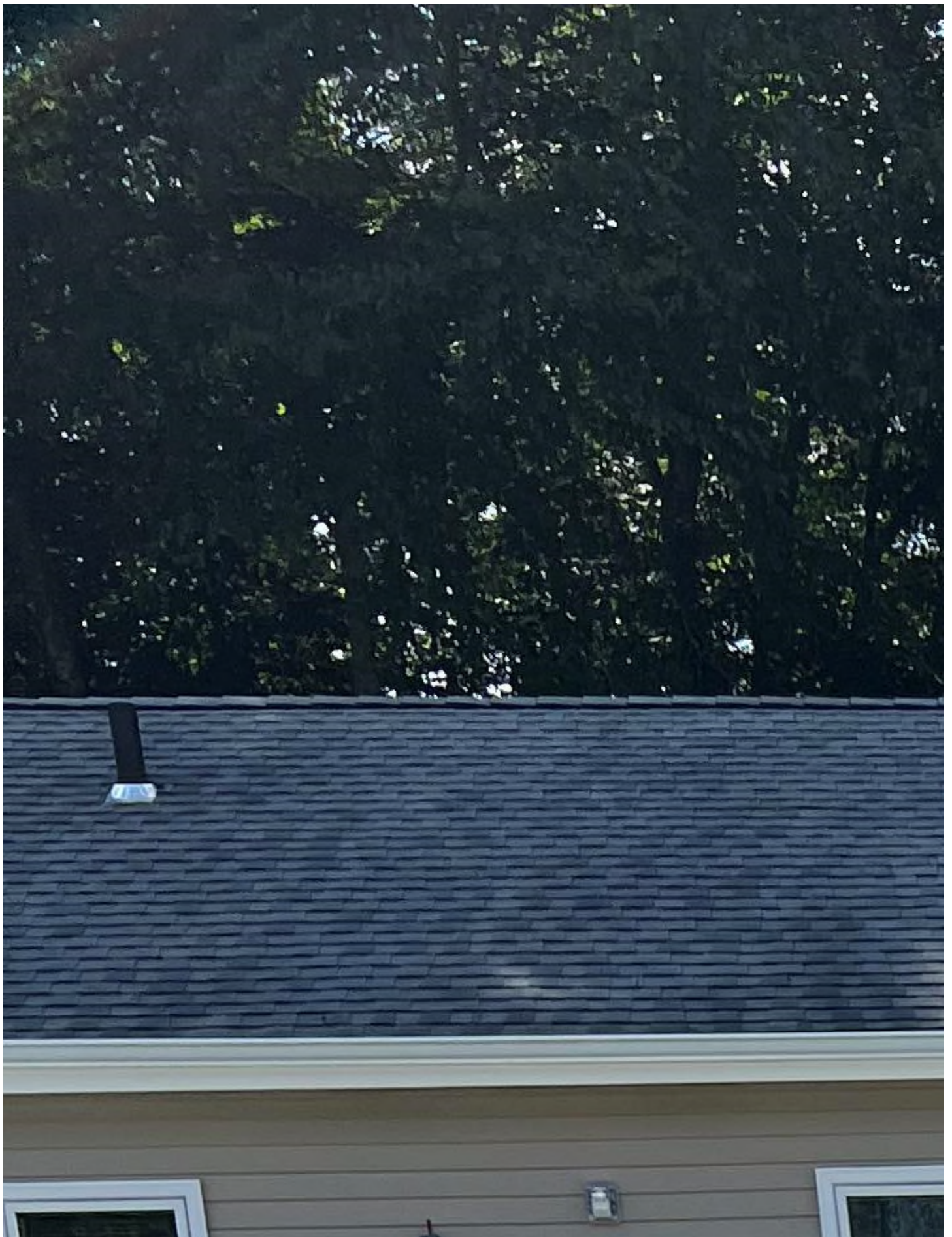
So the following is my suggestion to this situation (please understand I know that TC can't impose this rule but as Mr. Paul suggested that HA meetings be moved to the annex and recorded, maybe this could be a suggestion also).

I suggest the board compromise with residents and reinstate use of the carport as the designated smoking area which is in compliance with the 25ft rule. My first reason is to ensure residents have somewhere safe, well lit and that is accessible to disabled residents. This will also help with compliance of smoking policies. Next would be to save the ten thousand dollars. How on earth does it make sense to build another structure when there is already one on property which again is SAFER than making residents with mobility issues go further than needed. My final reason would be to avoid any potential civil rights issues with the













Ledyard Housing Authority

## Notice to Cure Violation

9/13/2023

[REDACTED]  
Sales Ferry, CT 06335

[REDACTED]  
Description of issue – At the September 5, 2023 Ledyard Housing Authority monthly meeting during the comment period and demonstrated behavior that was inappropriate toward Corner Manor and we received a complaint. If you did not invite the advocates to the writing that you did not invite them and disregard this violation.

The Ledyard Housing Authority has concluded that you are in violation of the Lease

### Section:

27. RULES AND REGULATIONS. Tenant and Tenant's guests shall obey all laws and ordinances and to engage in no activities in or on the Premises of an illegal nature, purpose or intent. His/her guests shall never be disorderly, boisterous, or unlawful and shall not disturb other Tenants of the Premises or neighborhood. The Tenant Rules and Regulations of this lease

The Ledyard Housing Authority has concluded that you are in violation of the Tenant

### Section:

The tenant(s) agree to cooperate with Management in all Landlord-Tenant related matters and not interfere with the management of the development. Cooperation includes, but is not limited to, the time frame required which relate to eligibility and continued residency, appearing at meetings, certifications and other housing related appointments and answering all questions to the best of their determination. Tenant represents that all the information contained in his/her/their application, income/financial statements is true. Failure to cooperate with Management shall be considered a violation of the lease and is grounds for termination of assistance or termination of the lease. Tenant(s) or staff, such as abusive or threatening language or actions, is not permitted.

If you have an issue with  
being broken, any tena  
neighbor disputes unle







9:53



Reasonable Accommod...  
no-smoke.org



**ACCOMMOD  
FOR PUBLIC  
HOUSING  
RESIDENTS**

- ***Scope of HUD's Smoke-Free Rule***

The smoke-free housing rule applies to public housing units, with the exception of dwelling units in a mixed-finance project and housing assistance provided under section 8 of the U.S. Housing Act of 1937, such as Housing Choice ("Section 8") Vouchers. In addition, housing and properties that have converted to project-based rental assistance contracts under RAD are exempt.



policies that prohibit the use of all tobacco products inside (1) all public housing units; (2) all interior areas, including indoor common areas, hallways, and stairwells, community centers, day care centers, laundry rooms/centers, and similar structures; and (3) all rental administrative office buildings. In addition, smoking must be prohibited within 25 feet from all public housing units and rental administrative buildings.

The policy must be followed by residents, guests, staff members, and business

property that are more than 25 feet from such buildings, smoking would be prohibited on the entire property, and residents, guests, or staff members who wished to smoke would have to go to some other property in order to smoke.

In areas farther than 25 feet from such buildings, PHAs have the discretion to (a) allow smoking; (b) establish designated smoking areas (DSAs), including enclosed or partially enclosed structures with benches and lighting; (c) establish additional smoke-free areas (such as around playgrounds); or (d) making



smoking areas, the PHAs would still be subject to those requirements.” In the event that a PHA establishes a DSA, the area must comply with HUD’s smoking policy, including by being outside or in restricted areas. HUD recommends “appropriate wellness and safety features, such as appropriate seating and shade,” be provided for any DSAs that are established. In addition, under the Fair Housing Act, Section 504, and the ADA, PHAs must “ensure that the area is accessible for persons with disabilities with features such as “a flat or paved

Electronic nicotine delivery systems (ENDS), such as e-cigarettes, and incense, are not covered by the HUD although PHAs have discretion to p their use. HUD further noted that if, future, evidence arises that banning ENDS will result in significant maintenance savings, it would reco including them as prohibited product

While smoking on PHA property is prohibited under this policy, HUD ha made clear that the rule does not p individual PHA residents from smol elsewhere, and PHAs should contin



- ***What about Applicants and Tenants with Disabilities?***

Under the federal Fair Housing Act PHAs are required to make reasonable accommodations (RAs) to persons with disabilities. A disability is defined under the FHA as a physical or mental impairment that substantially limits one or more life activities.

Although nicotine is an addictive substance, and individuals with various types of disabilities may smoke

PHAs must continue to make reasonable accommodations to applicants and tenants who smoke who are in compliance with the PHA's smoke-free policies. Thus, while it would not be reasonable for a smoker to be granted RA to allow him or her to continue smoking in a unit, or to smoke closer than 25 feet from a covered building, it could be reasonable to grant other types of accommodations.

The Preamble to the Final Rule, as well as HUD's Smoke-Free Guidebook, provide



or accommodations.

The Preamble to the Final Rule, as well as HUD's Smoke-Free Guidebook, provide several examples of potential accommodation requests that, depending on the individual circumstances, could be considered reasonable:

1. An individual with a mobility impairment could request (and be granted) an accommodation to install a ramp to a different unit that was close to the door to allow easier access

CHRO as well as any liability to the town in the event a resident gets hurt.

I truly appreciate your time and attention to this email, if I can provide anything further; please let me know.

Best regards-  
Nina Diaz

[Sent from Yahoo Mail on Android](#)