

## REQUESTS FOR REASONABLE ACCOMMODATION/MODIFICATION

A request for a reasonable accommodation or reasonable modification need not be in writing, but it is recommended that a request be made in writing so that there is a record of both the request and the date it was sent.

When considering a reasonable accommodation/modification request, a housing provider may take only the following into consideration:

- Is the individual for whom the request is made a person with a disability?
- Is the requested accommodation or modification necessary to allow the person with a disability an equal opportunity to use and enjoy a dwelling, including common use areas?
- Would the requested accommodation impose an undue financial and administrative burden on the housing provider?
- Would the requested accommodation require a fundamental alteration in the nature of the provider's operations?

A housing provider may not ask about the nature or severity of the disability. However, a housing provider may request information about the relationship between the person's disability and the need for the requested accommodation, if either the disability or the need for the requested accommodation is not apparent. This information can usually be provided by the individual making the request. A doctor or other medical professional, a peer support group, a nonmedical service agency, or another reliable third party who is in a position to know about the individual's disability may also provide the information.



For more information or to file a housing discrimination complaint, contact The Southwest Fair Housing Council (SWFHC) at:

**1-888-624-4611**

**520-798-1568**

**602-218-6491**

Relay Friendly

[www.SWFHC.org](http://www.SWFHC.org)



This material is based on work supported by the Department of Housing and Urban Development (HUD) under FHIP Grant # FPE2I22002. Any opinion, findings, and conclusions or recommendations expressed in this material are those of the author(s) and do not necessarily reflect the views of HUD.



## FAIR HOUSING RIGHTS OF PERSONS WHO ARE DEAF OR HARD OF HEARING OR WHO ARE BLIND OR HAVE LOW VISION



## HOUSING DISCRIMINATION IS ILLEGAL

The federal Fair Housing Act prohibits discrimination in housing related transactions because of race, color, religion, national origin, sex, disability or familial status. Many state and local laws also prohibit housing discrimination based on several additional protected classes.

The Fair Housing Act applies to a wide variety of housing transactions, including rentals, sales, home mortgages, appraisals and homeowners insurance. Landlords, real estate agents, lenders, insurance companies and condominium, cooperative and homeowner associations must not discriminate because of one's membership in a protected class.

Housing discrimination is against the law. One way to stop discrimination is to report it.

Landlords and other housing providers may not discriminate against persons with disabilities. This brochure discusses the fair housing rights of individuals with hearing, vision, communication or speech-related disabilities. This brochure also discusses reasonable accommodations and reasonable modifications that may be required to enable persons with such disabilities to use and enjoy a dwelling. For more general information about the fair housing rights of persons with disabilities, please see the brochure: ***Fair Housing Rights of Persons with Disabilities***.



## LANDLORDS AND PROPERTY MANAGERS

Landlords and their agents must ensure that individuals with vision, hearing, communication or speech-related disabilities can effectively communicate with them. For example, persons who are blind or have low vision may need to have the rental application or other housing related documents read to them. Housing providers may not refuse to communicate through TTY, video relay, or other relay systems.

## COMMONLY ASKED QUESTIONS AND ANSWERS

### What is the definition of a disability?

A disability is a physical or mental impairment which substantially limits one or more major life activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. It also includes a record of such an impairment or being regarded as having such an impairment. The law also covers someone who is associated with a person with a disability.

### What is a reasonable accommodation?

A "reasonable accommodation" is a change, exception or adjustment to a rule, policy, practice or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including its public and common use space. Examples of reasonable accommodations for residents who are deaf or hard of hearing or blind or have low vision include:

- Providing an interpreter to enable residents who are deaf or hard of hearing to participate in homeowner or condominium association meetings or meetings or conversations with a housing provider involving long, complex or important matters.
- Providing assistance in filling out forms or providing leases, rules or other documents in large print.
- Where a lease permits only those adults named on the lease to reside in a unit, allowing a live-in aid if the tenant needs such assistance.

## LENDERS AND INSURERS

Lenders and insurance companies may not refuse to provide mortgages or homeowners or renters insurance respectively because the applicant is a person with a disability. Nor may they provide mortgages or insurance on different terms.

Under the Fair Housing Act, lenders and insurers need to make sure that a person with a disability receives the same information about a loan or insurance policy as any other applicant without a disability. Lenders and insurers also need to make reasonable

- Allowing an assistance animal in a building with a "no pets" policy.

### What is a reasonable modification?

A "reasonable modification" is a structural change made to existing premises, occupied or to be occupied by a person with a disability, so that he or she can fully use and enjoy the premises. Reasonable modifications can include structural changes to interiors and exteriors of dwellings, and to the common and public use areas. Examples of reasonable modifications include allowing a tenant to:

- Install a communication device, such as strobe lights, to alert a tenant who is deaf or hard of hearing that a smoke alarm or door bell has sounded.
- Modify kitchen appliances for use by a person who is blind.
- Install grab bars or ramps; widen doorways to enable wheelchair access.
- Remove a built-in bookshelf that protrudes into a pathway.

The resident is responsible for paying the cost of the modification. Tenants are obligated to restore the interior of the dwelling to its previous state only where it is reasonable to do so and the housing provider has requested the restoration. Reasonable modifications to the exterior of a dwelling are not required to be restored. Section 504 of the Rehabilitation Act of 1973 may require landlords that receive federal funds to pay for reasonable modifications.

accommodations to persons with disabilities, which may include providing an interpreter. Under another law, the Americans with Disabilities Act, a lender or insurance company is generally required to provide appropriate auxiliary aids and services to persons with disabilities when necessary to ensure effective communication when discussing a complex issue such as a mortgage or insurance policy. Appropriate auxiliary aids and services may include qualified sign language or oral interpreters, computer-assisted real-time transcription, qualified readers, and documents in alternate formats (Braille, large print, audio format, accessible electronic format).