

Note: View the HUD and Department of Justice Joint Statements on these topics from the MVFHC website for important information not contained in this brochure. For example, even though we believe that placing requests in writing is a good practice, upon occasion this might not be possible. The Joint Statement says that residents do not have to use a provider's forms or place requests for reasonable accommodations/modifications in writing. Also, third-party verifications of a disability or need for accommodation are only used when the disability and/or the need are not obvious; e.g. a blind person should not be required to get third-party verification for a Seeing Eye Dog.

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Fair Housing Tips for Welcoming People with Disabilities



Qualified individuals with disabilities may request reasonable accommodations to rules or reasonable modifications of structure which create barriers to their ability to enjoy the unit like a non-disabled person. The following is a brief guide to working with people with disabilities but does not serve as legal advice. For legal advice, consult your attorney or your local, state, or federal fair housing law.

- Disability Defined

- A person who has any physical or mental impairment that substantially limits one or more major life activities.
- A person with a record of such physical or mental impairment.
- A person regarded as having such impairment.

- The Difference between Accommodations and Modifications

- Accommodations are **changes in the rules, services, practices or policies** that allow individuals with disabilities equal enjoyment of housing, but do not fundamentally change the nature of the operation.
- Modifications are **changes to the physical characteristics** of a residence or to the common areas of a building.

- Examples of Accommodations

- Allowing a working/assistive or therapy animal to live in apartments with a “no pets” policy.
- Providing a reminder that rent is due.
- Providing a reserved parking space when reserved parking is not otherwise provided.
- Using oral presentation of material normally presented in written form or providing written material in large print or Braille for the vision impaired.
- Altering chemicals used for pest control or maintenance, or if alternative chemicals are not effective, providing a notice period to a person making such a re-

quest, so they can avoid exposure to the chemical.

- Examples of Reasonable Modifications

- installing a ramp
- installing grab bars
- widening doorways, or
- installing a lift

- Rules for Market Rate Properties

- Housing providers and their staff **can never ask** about the nature or severity of a disability.
- The housing provider should not guess or presume to know that there is a disability, that an accommodation may be required or how the resident may wish to accommodate the situation.
- When the disability or the need for the accommodation are not obvious, a housing provider may request a written verification from a third party that a member of the household meets at least one of the applicable definitions for disabled individuals.

- Hot Topics:

- **Requests for Assistive Animals:** When the resident makes the request for the animal, if the resident’s disability and need for the animal is not obvious, ask for verification of the disability (according to the definition) and the need for the animal. Both elements (disability and need) must be present and verified.
- Pet rules are for use with pets – NOT ASSISTIVE ANIMALS
- Deposits and “pet rents” should not be

assessed on assistive animals. A guide dog would not require a deposit, nor would a therapy animal for a person with disabling depression.

- **Requests for Parking:** Be sure the nature of the accommodation is clear. Parking needs may include wide spaces for wheelchair-accessible vans, signage or simply location and reserved status. Discuss needs with the resident.

- If all residents pay for parking, then the disabled person should pay as well.
- If the accommodation is location, striping or signage, don’t charge the resident for it. Other residents don’t pay for their parking space striping.

- Who pays for modifications? In most cases, the resident:

- is responsible for the cost of modifications made to the property
- is responsible for acquiring proper permits and ensuring work is done properly, and
- may be required to pay for removal of the alteration to the interior of a residence if the change interferes with a future resident’s ability to enjoy the property.

- Reasons for Denying an Accommodation Request

- There is not an identifiable relationship, or nexus, between the requested accommodation and the individual’s disability.
- The accommodation would impose undue financial and administrative burden.
- Accommodation would fundamentally alter the nature of operations.