



The Fair Housing Resource Center, Inc. is a non-profit 501 (c)(3) organization that offers several housing programs that benefit residents of Lake County, Ohio, and surrounding communities. The mission of Fair Housing Resource Center (FHRC) is to promote equal housing opportunities for all persons and to advocate for fair housing and diversity in Lake County and surrounding communities.

FHRC operates a Landlord/Tenant hotline service to Lake County residents to assist them with their housing rights. FHRC also operates a fair housing intake and investigation complaint service for victims of housing discrimination.

FHRC is a Housing Counseling Agency certified by the U.S. Department of Housing and Urban Development and provides homeownership counseling, such as: prepurchase home buying, educational and group workshops, resolving and preventing mortgage delinquency, home maintenance and financial management for homeowners, rental counseling, and homelessness counseling.

YOU HAVE A RIGHT TO HOUSING FREE FROM DISCRIMINATION

*Sex • Disability • Familial Status
Race • Color • Religion
National Origin or Ancestry • Military Status*

If you feel you've been discriminated against in housing, make sure you take these steps:

- *Keep a record of the names, dates, addresses, phone numbers and other important information which can assist in the investigation of your complaint.*
- *Don't forget to be as specific as possible about the incident. Get the names and addresses of any witnesses to the incident whenever possible.*
- *Following the incident, you have one year to file an administrative complaint or two years to file a lawsuit.*



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This brochure is intended for general information purposes only and does not constitute legal advice. If you need legal advice please contact your local Bar Association, Legal Aid Society or a private attorney.



Fair Housing and Persons with Disabilities



Disability Rights in Housing



Regardless of whether you live in private or public housing, Federal and state laws provide rights to persons with disabilities. Three federal laws prohibit housing discrimination against people with disabilities:

- The Federal Housing Act (FHA),
- Section 504 of the Rehabilitation Act of 1973, and
- Title II of the Americans With Disabilities Act (ADA).

These laws overlap in their coverage. Some types of housing may be covered by only one of the laws, while some housing may be subject to two or all three of them. Housing applicants, tenants, and buyers with any kind of disability (mental or physical) are covered by the FHA, Section 504 and the ADA.

Defining Disability

Disability is defined, per Federal laws, as any person who:

- Has a physical or mental impairment that substantially limits one or more major life activities;
- Has a record of such impairment; and
- A person who is regarded as having such an impairment.

A physical or mental impairment could include any of the following:

- Hearing, mobility or visual impairment;
- Chronic alcoholism or drug abuse;
- Chronic mental illness;
- AIDS and AIDS Related Complex; and/or
- Mental handicap that substantially limits one or more major life activities.

Major life activities include walking, talking, hearing, seeing, breathing, learning, performing manual tasks and caring for ones self.

Rights for Disabled Individuals

It is unlawful for a housing provider to refuse to rent or sell to an individual due to a disability. A housing provider may not impose different application or qualification criteria, rental fees or sales prices and rental or sales terms or conditions than those required of or provided to persons who are not disabled.

Even if a landlord does not refuse to rent to you, he may still violate the FHA by asking illegal questions about your disability. Generally, a landlord may not ask if you have a disability. Also, you may not be asked for certain kinds of general information about yourself that relates to disability. For example, it is illegal for a landlord to ask if you are “capable of independent living.”

A landlord may ask questions related to a disability under only two circumstances: (1) If you are applying for housing designed or designated for people with a disability, and (2) If the housing is designated for people with a particular disability, such as mental retardation or HIV/AIDS. In these cases, it is permissible to ask if you qualify for such a unit.

Reasonable Accommodations and Modifications

A “reasonable accommodation” is a change in rules, policies, practices or services so that a person with a disability will have equal opportunity to use and enjoy a dwelling unit or common space. A housing provider may not refuse to rent to an otherwise qualified individual with a mental disability because he or she is uncomfortable with the individual's disability. This is in direct violation of the Fair Housing Act because it denies a person housing solely on the basis of their disability.

A “reasonable modification” is a structural modification that is made to allow persons with disabilities the full enjoyment of the housing and related facilities. Examples of this would be the installation of a ramp into a building or grab bars in the bathroom. Reasonable Modifications are usually made at the residents expense.

Making a Request

The tenant is responsible for making requests in writing to the housing provider. You may need to supply supporting documentation as proof of a covered disability. A request must be related to your disability and can be made at any time. Even if you have a disability, you are never required to accept any accommodation not requested or needed.

Accessibility Requirements

In covered multifamily housing consisting of 4 or more units built for first occupancy after March 13, 1991, all units must comply with all construction requirements as defined by the Fair Housing Amendments Act, the Americans with Disabilities Act and local building codes. Requirements under the FHA are (1) Accessible entrance on an accessible route, (2) Accessible public and common-use areas, (3) Usable doors, (4) Accessible route into and through the dwelling unit, (5) Accessible light switches, electrical outlets, thermostats, and environmental controls, (6) Reinforced walls in bathrooms and (7) Usable kitchens and bathrooms. For more information on this, please contact our agency for assistance.

Accommodation and Modification Request Examples:

- Allowing a service animal even with a “no pet” policy;
- Reserved parking for disabled tenant;
- Allowing tenant to move from one unit to another without charging a fee;
- Widening doorways;
- Installing grab bars or ramps;
- Lowering the height of cabinets; and
- Installing automatic faucet shutoff.

What to do if a request is denied?

There are only two reasons a housing provider may deny a request for a reasonable accommodation:

- The request creates an undue financial and administrative burden; and/or
- The request would fundamentally alter the nature of the provider's operations.

If this happens, you may want to contact an attorney or housing advocate to determine if your request is unreasonable.