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REASONABLE ACCOMMODATION/ MODIFICATION TOOL KIT

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ABOUT US



The Fair Housing Resource Center, Inc. is a non-profit 501 (c) 3 organization offering several housing programs to benefit residents of Lake, Geauga and Ashtabula County, Ohio. The mission of the Fair Housing Resource Center is to promote equal housing opportunities for all persons and to advocate for fair housing and diversity in Lake and surrounding counties through the education and involvement of the public, governments, and the business community.

FHRC operates a Landlord/Tenant hot-line service for county residents to assist them in protecting their housing rights. FHRC also operates a fair housing intake 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 homeowner counseling such as foreclosure prevention, predatory lending, home financing and repairs.



Fair Housing Resource Center, Inc. provides the following types of services to its clients:

- Foreclosure Prevention
- Housing Counseling
- Senior/Tenant Relocation Program (STAR)
- Reasonable Accommodation/ Modification Requests
- Discrimination Complain Services
- Systemic/Complaint-based Testing Program
- Fair Housing Impediment Analysis
- Consulting Services
- Seminars/ Trainings
- Education and Outreach

WHAT IS FAIR HOUSING

Fair Housing is the opportunity to choose where one lives, free from unlawful discrimination. It is essential to allow individuals and families the opportunity to have a choice in the selection of schools, access to job opportunities, and an ability to engage as equal members of their community. Federal, state, and local laws protect individuals from being discriminated against in housing matters including rental, sale, lending, and insurance transactions. Fair housing laws guarantee the right for individuals and families to choose housing options that will be best for their individual situations. Fair housing allows for increased economic development as well. When people feel welcome in their homes, they are more likely to participate actively within their communities and this allows for more diverse opportunities to take place within the community.



WHO IS PROTECTED BY FAIR HOUSING LAWS?

Fair housing laws safeguard any person pursuing housing options, including those looking to rent, homebuyers, those planning to acquire homeowners' insurance, and others housing-related service. The federal Fair Housing Act prohibits discrimination in housing for those who fall into one of the following protected classes:

- Race
- Color
- Religion
- National origin
- Sex (including sexual orientation and gender identity)
- Disability
- Familial status (presence of children under the age of 18 and pregnancy).

The state of Ohio also protects, military status, such as veterans and active-duty members of the armed forces, and those persons enrolled in the Reserves.



What is a Reasonable Accommodation?

A “reasonable accommodation” is a change in rules, policies, practices, or services so that a person with a disability will have an equal opportunity to use and enjoy a dwelling, unit, or common space. Reasonable accommodations help eliminate barriers that prevent persons with disabilities from fully participating in a housing opportunity.

Reasonable Accommodation examples:

- Allowing a service or assistance animal even with a “no pet” policy
- Reserved parking for mobility impaired individual
- Allowing tenant to move from unit due to needing a higher level of care such as; nursing home, hospice, moving in with family, needing a ground floor unit due to mobility
- Extended hospital stay which results in late rent



What is a Reasonable Modification?

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 a bathroom. Reasonable modifications are usually made at the resident’s expense.

Reasonable Modification examples:

- Widening doorways
- Installing grab bars or ramps
- Lowering the height of cabinets
- Installing automatic faucet shutoff

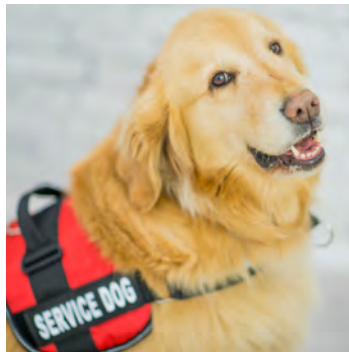
DEFINING DISABILITY

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, or 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
- Intellectual disability 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 oneself.



Rights for Disabled Individuals:

- It is unlawful 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.

MAKING A REQUEST

While it is not necessary to submit a written request or to use the words "reasonable accommodation," or "reasonable modification" or any other special words under the Fair Housing Act, individuals making a request are encouraged to do so in order to avoid miscommunication. Individuals with disabilities may also want to keep a copy of their written requests and supporting documentation in case there is a later dispute about when or whether a reasonable accommodation request was made.

If you would like assistance with making a reasonable accommodation/modification request please contact our office or call 440-392-0147. Our trained staff will provide you assistance with making requests. If you wish to make your own request, please use our tool kit below!

STEP-BY-STEP GUIDE

Step One

Gather your documents. To ensure an accommodation or modification is approved, individuals may be required to submit supporting documents from a licensed health care professional. Examples include; physician, optometrist, psychiatrist, psychologist, physician's assistant, nurse practitioner, or nurse. The documentation does not need to outline your condition but must show that you have a disability and require an accommodation or modification.

Step Two

Put your request in writing. While it is not always necessary, it is greatly recommended to write your housing provider a letter outlining your accommodation/modification need. Below you will find a template letters to help you while making your request.

Step Three

Make a copy of your letter and supporting documentation for your records. It is very important to make copies and keep records of the request you submit to the housing provider. This will ensure you have accurate records of the request being made in case issues arise in the future or the request is denied.



STEP-BY-STEP GUIDE

Step Four

Submit a copy of your request and supporting documentation to your housing provider. We encourage you to submit the request in person, via email or send the request via certified mail. This is to make sure that you can guarantee the request was received. Also document how you submitted the request, who the request was submitted to and the date and time.

Step Five

Allow your housing provider approximately 7-10 days to make a decision regarding a reasonable accommodation/modification request.

Step Six

The housing provider may contact you to discuss options, or deliver a final decision to approve or deny the request. When the final decision is made, request that the housing provider put the decision in writing. If your housing provider has denied the request contact our office for further assistance. FHRC can be reached at 440-392-0147 or send an online message.



APPROVING A REASONABLE ACCOMMODATION/MODIFICATION REQUEST

In order for a housing provider to approve an accommodation/modification request a housing provider has to assess the following;

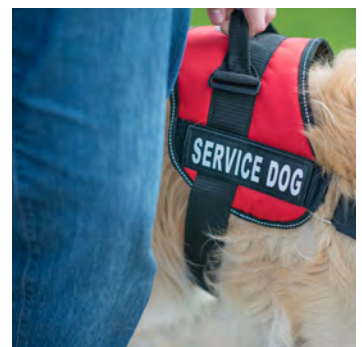
- Does the person have an observable disability or does the housing provider already have information giving them reason to believe that the person has a disability?
- Has the person requesting the accommodation provided information that reasonably supports that the person seeking the accommodation has a disability?
- Does the request create an undue financial burden?
- Does the request fundamentally alter the nature of the providers operations?
-

A housing provider may also contact you to discuss alternative options.

For example, you provide an accommodation request asking for the handicap parking spot to be labeled yours at the front of the building so you may park due to your disability. Your housing provider calls and states that they cannot convert the current handicap parking spots to assigned spots as they require a certain amount due to the parking lot size. However, they can provide you with an assigned parking spot next to the handicap parking that still meets your needs.

It is not the exact accommodation your requested, but it is a compromise that does not interfere with the business requirements and still provides you with an accommodation.

In most cases if you gathered supporting documentation from a medical professional and wrote a letter using the templates below, if the request is reasonable, the housing provider should be able to make a reasonable determination.



DENYING A REASONABLE ACCOMMODATION/ MODIFICATION REQUEST

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

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

Examples:

You have a mobility disability and you request that management has a staff member come to your unit every day to take out your trash. However, management does not have a staff member available to come to the unit everyday and granting the request would create an undue financial burden.

You have a disabled tenant who puts in a request that a housing provider visit her home every day to make sure that the tenant has bathed, taken all of their medications and that their clothes are clean. The housing provider can deny this request as it would fundamentally alter the nature of the provider's operations. The housing provider's responsibility is to provide housing, not daily care.

If the housing provider does deny your request, you may want to contact FHRC for further assistance.



WHAT IF MY REQUEST IS DENIED?

When a person with a disability believes that she has been subjected to a discriminatory housing practice, including a provider's wrongful denial of a request for reasonable accommodation or modification, the individual may call Fair Housing Resource Center, Inc at 440-392-0147 or contact us.

An individual may also file a complaint with HUD within one year after the alleged denial or may file a lawsuit in federal district court within two years of the alleged denial. If a complaint is filed with HUD, HUD will investigate the complaint at no cost to the person with a disability.

There are several ways that a person may file a complaint with HUD:

- By placing a toll-free call to 1-800-669-9777 or TTY 1-800-927-9275;
- By completing the "on-line" complaint form available on the HUD internet site: www.hud.gov; or
- By mailing a completed complaint form or letter to:

Office of Fair Housing and Equal Opportunity
Department of Housing & Urban Development
451 Seventh Street, S.W., Room 5204
Washington, DC 20410-2000

LETTER TOOLKIT

Writing a letter to your landlord can be difficult. Fair Housing Resource Center, Inc. has created a template with guidance to help you formatting a letter to your housing provider. Use the template letter provided with the examples to format your letter. Once your letter is complete:

- Print the letter
- Sign the letter
- Make a copy
- Keep a copy for your records
- Give a copy to your landlord

Below is an example of a reasonable accommodation request letter. The sections have been highlighted to show the text that needs to be changed to fit your needs. If you have difficulties completing the letter or would like assistance, please contact Fair Housing Resource Center, Inc. at 440-392-0147 or contact us [here](#).

[First and Last Name or Company of Housing Provider]
[Housing Provider or Company Address]
[City] [State], [Zip Code]

[Date the letter is being written]

Re: [Your first and last name] request for a [reasonable accommodation or modification]

Dear [Housing Provider or Company Name]:

My name is [Your first and last name] and I am a tenant at [Your address or Complex Name]. I am an individual with a disability. My disability limits my [List Limitation here]. At this time, I am requesting the accommodation described below. This accommodation is necessary to afford me full and equal use and enjoyment of my home.

I request a change, exception or adjustment in the following rules, policies, practices, or services [List the current rule, policy, practice or service here]. [List the accommodation request here].

Please respond in writing by [7-10 Days after the date of the letter] to inform me whether you will grant my request for a reasonable accommodation. I can be reached by phone at [Your Phone Number] or by email at [Your Email].

Sincerely,

[Your Name]

EXAMPLES

Letter Example:

Bobby Smith
1234 Smooth Avenue
Kentucky, Ohio 54321

February 2, 2022

Re: Jane Doe's request for a reasonable accommodation

Dear Bobby Smith:

My name is Jane Doe. I reside at 4321 Easy St, Kentucky, Ohio 54321. I am an individual with a disability. My disability limits my ability to see. Accordingly, I am requesting the accommodation described below. This accommodation is necessary to afford me full and equal use and enjoyment of my home.

I request a change, exception or adjustment in the following rules, policies, practices, or services documentation given regarding my unit. Due to my disability, I am requesting that any time a notice is issued, that I be given a phone call informing me of what is in the notice.

Please respond in writing by February 11, 2022, to inform me whether you will grant my request for a reasonable accommodation. I can be reached by phone at 555-555-5555 or by email at janedoe@gmail.com.

Sincerely,
Jane Doe

Examples:

Limitation: Mobility Current Rule, Policy or Practice: Current Assigned Parking spots.

Accommodation request: Due to my mobility limitations, I require a parking spot near the front of my unit.

"I request a change, exception or adjustment in the following rules, policies, practices, or services to my current assigned parking spot. Due to my mobility limitations, I require a parking spot near the front of my unit."

Limitation: when my income is received Current Rule, Policy or Practice: Rent is due on the 1st of the month.

Accommodation request: Due to being on Social Security Disability, I do not receive my monthly income until the 10th of the month. I am requesting that my rent due date be changed to the 11th, and I am not charged late fees for payment made on the 11th.

"I request a change, exception or adjustment in the following rules, policies, practices, or services to my rent being due on the 1st of the month. Due to my being on social security disability, I do not receive my monthly income until the 10th of the month. I am requesting that my rent due date be changed to the 11th, and I am not charged late fees for payment made on the 11th."

“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 c 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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www.FHRC.org

**U.S. Department of Housing and
Urban Development (HUD)**

(800) 669-9777 • (800) 927-9275 TTD/TTY
www.hud.gov

Ohio Civil Rights Commission

615 West Superior
Cleveland, Ohio 44113
(216) 787-3150
crc.ohio.gov

This booklet 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.



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