



# How to Request a Housing Reasonable Accommodation

People with disabilities have the right to receive reasonable accommodations that give them an equal opportunity to use and enjoy their housing. This fact sheet has basic information about the Fair Housing Act, housing discrimination, and how to get a reasonable accommodation or modification.

## What is the Fair Housing Act?

The Fair Housing Act (FHA) is a federal law that protects people from discrimination when they are renting or buying a home, getting a mortgage, seeking housing assistance, or engaging in other housing-related activities.

The FHA bans discrimination based on a person's disability, race, color, national origin, religion, sex (including sexual orientation and gender identity), and familial status. Each of these characteristics is considered a "protected status." It is illegal to refuse to sell or rent housing, provide different housing or housing on different terms or conditions, provide different services, harass, or evict a person because of their protected status.

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### Equity Through Advocacy

The Protection and Advocacy System for the State of Indiana



Importantly, the FHA also requires housing providers to make reasonable accommodations and allow reasonable modifications for people with disabilities.

## **What is the difference between reasonable accommodations and reasonable modifications?**

Reasonable accommodations are changes to policies, practices, and services that a resident needs due to their disability. They must be provided at the housing provider's expense, and the housing provider cannot charge the requester additional fees. Examples of reasonable accommodations include:

- Waving a “no pets” policy to allow a tenant to live with their service or emotional support animal
- Allowing a tenant to live with their service or emotional support animal without charging a pet deposit or monthly pet fee
- Providing a tenant with an assigned accessible parking space near the entrance to their unit despite a “first come, first served” parking policy
- Providing application documents in large print or electronically



Reasonable modifications are structural changes that allow a tenant with a disability to fully enjoy the premises. Usually the tenant must pay for reasonable modifications. The housing provider can also require the tenant to restore the unit to its original condition when their lease ends. Examples of reasonable modifications include:

- Constructing a ramp because the tenant cannot climb stairs
- Widening interior doorways so a tenant's wheelchair can pass through
- Installing grab bars in the bathroom so an unsteady tenant does not slip

A housing provider may only deny a reasonable accommodation or modification if it would be too burdensome or change the nature of the services.

### **How do I request a reasonable accommodation?**

A housing provider does not have to provide a reasonable accommodation unless one is requested for the benefit of a person with a disability. To do so:

- Tell the housing provider that you need an exception or change to a practice or policy because of your disability;
  - Identify the accommodation you need; and
  - Explain how the accommodation will meet your disability-related needs.
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## **Do I need to use a specific format when requesting a reasonable accommodation or modification?**

Use a housing provider's accommodation request form if it has one. Your request may be reviewed more quickly if submitted in a recognized form. However, a housing provider must consider requests in any format.

Although accommodation requests can be made in any format, IDR recommends that requests be made in writing. By emailing or texting your housing provider, you can keep a record of the communications regarding your request.

IDR has [template reasonable accommodation request letters](#) on its website. You may find these useful in writing your request.

## **What should I expect after I request a reasonable accommodation?**

The FHA does not set any specific time limits for a housing provider to answer a request for a reasonable accommodation; a housing provider must respond within a reasonable period of time. If a housing provider does not act on a request in a reasonable time, it may be considered a failure to provide a reasonable accommodation.

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If a housing provider believes that a requested accommodation is not reasonable, it should talk with you about whether an alternative accommodation could meet your needs. If there is a reasonable and effective alternative, the housing provider must provide it. This process of discussing accommodations is sometimes called the “interactive process.”

### **What if my housing provider asks for medical records or wants to talk to my doctor?**

If your need for the accommodation and its connection to your disability is obvious, your housing provider should need no additional information. For example, if a tenant who has an obvious vision impairment and uses a guide dog requests waiver of a pet deposit, his request should be granted without further information.

However, if your disability or need for a requested accommodation is not obvious, your housing provider can request additional information. The information the housing provider may ask for includes:

- Whether the individual has a condition that meets the FHA’s definition of disability;
  - A description of the needed accommodation; and
  - An explanation of the relationship between the disability and the need for the requested accommodation.
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A housing provider may not ask a medical provider for any further information beyond the three bullet points above.

## **Where can I get help if my request for a reasonable accommodation or modification is denied?**

If you believe a housing provider has wrongfully denied your request for a reasonable accommodation or modification, requested unnecessary information, or otherwise discriminated against you, you may contact Indiana Disability Rights. To ask for help, please call 317-722-5555 or 800-622-4845. You may also contact us at: <https://in.accessgov.com/idr/Forms/Page/idr/for-help-fill-this-out/0>.

## **Additional Resources**

- [Joint Statement of the Department of Housing and Urban Development and the Department of Justice, \*Reasonable Accommodations Under the Fair Housing Act\*](#)
  - [Joint Statement of the Department of Housing and Urban Development and the Department of Justice, \*Reasonable Modifications Under the Fair Housing Act\*](#)
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- [Department of Housing and Urban Development, Notice FHEO-2020-01: \*Assessing a Person's Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act\*](#)
- [Department of Housing and Urban Development, \*Reasonable Accommodations and Modifications\*](#)

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