

REASONABLE ACCOMMODATIONS & REASONABLE MODIFICATIONS



Legal Definitions

What is a disability?

A disability is a physical, psychological or cognitive condition that makes it hard for you to do one or more major life activities.

What is a Reasonable Accommodation?

If you cannot use and enjoy your home due to a disability, you can ask your landlord to change a policy (or rule) or practice (what your landlord usually does). For example, if you have a condition that makes it harder for you to keep your apartment clean and your landlord tells you to clean your unit, you could ask your landlord for more time.

Another example would be asking to be moved to the first available apartment on the first floor if you cannot use the stairs in your building due to your disability.

What is a Reasonable Modification?

You may need a physical change to your home that will allow you to use and enjoy your home. This is called a reasonable modification. For example, if you use a wheelchair, you might need a ramp installed to enter your home. You may have to pay for a reasonable modification, but you might be able to get help with these costs.

Landlord Requirements

Your landlord cannot discriminate against you or treat you unfairly because you have a disability. That means your landlord can't:

- Refuse to rent to you or sell you a home because you have a disability
- Refuse when you ask for a reasonable accommodation or change to your landlord's rules
- Refuse when you ask for a reasonable modification or change to your rental home

When is an Accommodation or Modification Reasonable?

The request must be directly linked to a disability. It cannot be too hard or too expensive for the landlord to do. It cannot require the landlord to fundamentally change their business, and it cannot threaten the health or safety of others.

A request might be reasonable if:

- You request to bring your service animal into a building with a "no-pets" policy.
- You request to add a live-in aid to your lease.
- You request to install a bar next to your bathtub because you have a physical disability and you are afraid of slipping.

A request might NOT be reasonable if:

- You request to bring a dog into the building, but the dog is dangerous to other tenants.
- You request bigger windows so that more light can enter the unit.

How to Request

How do I ask for a Reasonable Accommodation or Modification?

1. Ask for a reasonable accommodation in writing and keep a copy. Your request must be connected to your disability. If you ask for a reasonable accommodation in-person or by phone, send your landlord a letter or email afterward.
2. Get a letter from your doctor, therapist, or social worker that explains that you have a disability and why your request is necessary. The letter does not need to say what your disability is. For example, your doctor could explain that, due to a disability, you have trouble remembering things so you are requesting that your landlord send letters about your tenancy to you and your sister.

Please read the sample letter.

Can I ask for a reasonable accommodation if I am being evicted?

You can ask for a reasonable accommodation at any time. You can still ask for a reasonable accommodation even if your landlord is trying to evict you. If you think you may be being evicted due to your disability, you should call legal aid.

Help with your reasonable accommodation request:

Call Neighborhood Legal Services of Los Angeles County at (800) 433-6251, Housing Rights Center at (800) 477-5977, or contact another free legal services near your home.

You can also file a complaint with the California Department of Fair Employment and Housing (DFEH). If you request an accommodation or modification and your landlord doesn't give you an answer or says no, you can file a DFEH complaint online or by calling (800) 884-1684.

Request for Reasonable Accommodation

Date

Name of landlord or manager

Landlord or manager's address

City, state, and zip code

Dear _____

This is a request for a reasonable accommodation.

The federal Fair Housing Act, the California Fair Employment and Housing Act, and the Unruh Civil Rights Act require a landlord to make a reasonable accommodation when the accommodation provides a person with a disability an equal opportunity for housing.

The duty to accommodate requires an "interactive process" so if you do not agree to my request, I would like to speak with you about it so that we can agree on what is reasonable together.

I am a "qualified individual with disabilities," because my disability substantially limits one or more of my major life activities. I am requesting that you accommodate my disability by:

My requested accommodation is reasonable and will allow me equal use and enjoyment of my unit.

Please consider this request. I am asking you to respond no later than two weeks from today's date.

Sincerely,

Sign your name: _____

Print your name: _____

Your address: _____

I have made a copy of this letter for my records.