



KNOW YOUR RIGHTS:

Reasonable Accommodations in Housing FAQ

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Disability
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Oregon

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Safe, stable housing is something that we all need to thrive. But people with disabilities often face barriers in accessing housing.

One tool for lifting these barriers is requesting a reasonable accommodation. These changes in rules, policies, practices, or services ensure that people with disabilities have the same opportunity to use the dwelling as a person without disabilities.

FREQUENTLY ASKED QUESTIONS

What laws protect people with disabilities from discrimination?

Federal law protects people with disabilities from discrimination in all types of housing, including rental units, condos, and houses. Under the Fair Housing Act, it's discriminatory for a landlord to refuse to make a reasonable accommodation.

The first step in requesting a reasonable accommodation in housing is understanding what one is. Below are the definition and a handful of examples.

What qualifies as a reasonable accommodation in housing?

A reasonable accommodation is a change in rules, policies, practices, or services. The change is necessary to afford you equal opportunity to use and enjoy a dwelling. A person requesting a reasonable accommodation must qualify as a person with a disability.

Reasonable accommodation requests are considered on a case-by-case basis.

Structural changes made to existing premises that do not receive federal financial assistance are reasonable modifications, not reasonable accommodations.

Under the Fair Housing Act, it's discriminatory for a landlord to refuse to permit a reasonable modification, at the expense of the person with a disability.

What if I have a service animal or assistance animal?

Some people with disabilities rely on assistance animals that work or perform tasks for their benefit. That includes animals that provide emotional support or companionship that alleviates symptoms of a disability.

Some landlords prohibit pets entirely or have other pet restrictions. **An assistance animal is not a pet.** Landlords with no pet policies or pet weight restrictions must consider reasonable accommodation requests.

A tenant with a disability may request a reasonable accommodation that permits the tenant to keep a dog, even if it exceeds a weight restriction.

If the dog or other animal alleviates the negative effects of a disability or assists in coping with a disability, the landlord should grant the request.

My assigned parking space is too far away for me to walk to it due to my disability. Can I get a closer space?

Tenants with disabilities may have specific parking needs. Traveling long distances from your rental unit to their car may cause pain or injuries. For those people, not having a parking space close to their rental unit diminishes their use and enjoyment of the dwelling. A landlord's "first come-first served" waiting-list for parking may negatively affect them.

The tenant can ask for a reasonable accommodation to have a parking space close to the rental unit or an exception to the "first come-first served" policy.

The elevator in my building is always breaking and I can't get to my apartment. What can I do?

Apartment elevators commonly fall into disrepair, yet landlords may wait

months to make repairs.

Example: A tenant with quadriplegia may request a reasonable accommodation for a first-story apartment in those circumstances. If the landlord does not offer the tenant a first-floor apartment, the tenant may request that the landlord urgently repair the elevator.

I received an eviction notice for the end of the month, but I need extra time to pack my things and move them.

Eviction may have an especially negative impact on tenants with a disability.

Example: The tenant may have received an eviction notice, but cannot vacate the apartment by the move-out date due to their disability.

Under certain circumstances, the tenant may be able to request a reasonable accommodation to extend the move-out date.

Example: The housing authority issues a notice of eviction while a tenant is in a mental health hospital and unable to understand proceedings.

The tenant may be able to postpone a grievance hearing until the tenant is out of the hospital and able to understand the hearing.

I have a Section 8 voucher for a 1 bedroom, but I need an extra room to store medical equipment because of

my disability.

Federally subsidized housing programs have a number of unique rules, policies, practices, and services. To ensure that people with a disability have equal use of the program, it's sometimes necessary to modify those rules.

Example: In the Section 8 Housing Choice Voucher program, rules dictate the size of the rental unit.

A person with a disability may require an extra room to store equipment related to the disability. The voucher recipient could request a larger unit size as a reasonable accommodation.

Example: The Housing Choice Voucher program also sets the maximum subsidy payment a family can receive. In a tight housing market, having a family member with a disability means the family might have difficulty locating affordable units.

A shortage of affordable units appropriate for the family member may support an increased subsidy payment (or "payment standard") as a reasonable accommodation.

How do I make a reasonable accommodation request?

If you've identified a reasonable accommodation request that you'd like to make, see our Fair Housing Handbook for the next steps in making that request: <https://www.droregon.org/housing>

You can also watch videos about the Fair Housing Act and reasonable accommodations in American Sign Language (ASL) with English captioning. The National Fair Housing Alliance, in collaboration with the U.S. Department of Housing and Urban Development, created these videos: <http://bit.ly/fhvideos>

REMEMBER TO UPDATE YOUR VOTER REGISTRATION WHEN YOU MOVE

You must update your voter registration when you move to continue receiving ballots. If you need help, call 866-ORE-VOTE (866-673-8683) or visit oregonvotes.gov.

This information is available in alternate formats, including large print, Braille, audio format, or electronic text file.

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Disability Rights Oregon upholds the civil rights of people with disabilities to live, work, and engage in the community. The nonprofit works to transform systems, policies, and practices to give more people the opportunity to reach their full potential. For 40 years, the organization has served as Oregon's Protection & Advocacy system.

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