

REASONABLE ACCOMMODATION & REASONABLE MODIFICATION POLICY: GUIDELINES FOR TENANTS

MAKING A REQUEST

If you or a member of your household needs a reasonable accommodation or modification, submit a request to the housing manager. You are not required to disclose the nature of the disability. Although you can make verbal requests, it is recommended that you make requests in writing, so you both have a record of the request.

If you are making a reasonable accommodation request to management, fully describe the required accommodation. If you know of resources that will make it easier or quicker for management to grant your request, include this information along with your request (for example, you may know of an inexpensive place to get written material put into Braille, or a good source for access signs).

If you are requesting permission to make a modification to the premises at your expense, be sure to provide the following with your request:

- fully describe the intended modification(s),
- provide assurance that required building permits will be obtained,
- provide assurance that the modifications will be done in a professional manner,
- agree to return the premises to their original state, unless the modification will not interfere with the next tenant's use and enjoyment of the premises,
- (in some cases) agree to pay into an interest-bearing escrow account, over a reasonable period, an amount of money not to exceed the cost of the restorations.

(See sample letters below or use FHD suggested form from Disability Pack 2-RA RM Request on the FHD web site or available upon request)

VERIFICATION AND DOCUMENTATION:

The housing manager may require that you provide written verification that the requesting tenant has a disability and that the accommodation/modification is necessary to give that tenant equal opportunity to use and enjoy the housing community. You should ask your healthcare or mental health provider to send a signed letter on professional letterhead to the housing manager answering the following questions:

- Is the tenant disabled as defined by the fair housing laws?
- In their professional opinion, does the tenant need the requested accommodation or modification in order to have the same opportunity as a non-disabled person to use and enjoy the housing community?

(See sample letters below or use FHD suggested form from Disability Pack 3-Verification on the FHD web site or available upon request)

PROVISION OF ACCOMMODATIONS

The housing manager should discuss your request for a reasonable accommodation with you. In most cases, housing management will provide reasonable accommodations promptly, at management's expense. The manager will provide a letter outlining how and when the accommodation will be provided.

Sometimes, the specific accommodation you request may be difficult, time-consuming or expensive to provide, and the housing manager may suggest alternate accommodations that may work just as well. If you believe the accommodation you have requested is the only one that will work, be prepared to explain why. Have a back-up plan in mind and be willing to discuss alternatives.

If you and the housing manager disagree about whether the request is reasonable, the housing provider should be prepared to explain why. You may contact the Fair Housing of the Dakotas for technical assistance.

If the housing manager determines that they cannot fulfill the request because it poses an undue financial and administrative burden or because it would cause a fundamental alteration in the housing program, they should advise you in writing, and offer an opportunity for you to make a modified request.

RESOURCES/QUESTIONS

This information does not constitute legal advice. The fair housing laws are subject to change. If you have questions about this topic or other fair housing issues, feel free to contact the:

Fair Housing of the Dakotas
909 Basin Avenue, Suite 2
Bismarck, ND 58504
Phone: 701-221-2530 or 1-888-265-0907
Web: www.fhdakotas.org Email: info@fhdakotas.org

This document was adapted from information provided by the King County Office of Civil Rights.

SAMPLE LETTERS

This is a sample letter for tenants or prospective tenants to use when requesting a reasonable accommodation or modification.

REASONABLE ACCOMMODATION REQUEST # 1

April 17, 2003

Danny Thomas, Building Manager
123 N. Main Street
Seattle, WA 98123

Dear Mr. Thomas:

I live at the Evergreen Apartments at 123 N. Main in unit #205. I (or a member of my household) am a person with a disability.

Our building's rules state a "no pets" policy. Because of my disability, a doctor has prescribed a service animal to assist with my daily living.

I am requesting that you make a reasonable accommodation in the building's rules to permit me to have a service animal in my apartment. My service animal is a golden Labrador retriever.

Please respond in writing to my request for a reasonable accommodation within a week. I look forward to your response and appreciate your attention to this matter.

Sincerely,
Jim Smith

(NOTE: You are not required to disclose the exact nature of your disability to the housing provider. However, you may share that information if you wish and if you believe it will assist them in providing you with reasonable accommodations.)

REASONABLE ACCOMMODATION REQUEST # 2

Dear Mr. Thomas:

I live at the Evergreen Apartments at 123 N. Main in unit #678. I (or a member of my household) have low vision and need written materials in large print form (at least 20 point type).

As an accommodation for my disability, I request that you provide me with a large print copy of the lease, tenancy rules, safety rules, tenant notices, and other printed materials given to tenants or posted on the grounds.

Please respond in writing to my request for a reasonable accommodation within a week. I look forward to your response and appreciate your attention to this matter.

Sincerely,
Annette Jones

REASONABLE ACCOMMODATION REQUEST # 2

Dear Mr. Thomas:

I live at the Evergreen Apartments at 123 N. Main in unit #391. I (or a member of my household) have a mobility disability and use a Washington state disabled parking permit. I have enclosed a photocopy of my state parking permit.

As an accommodation for my disability, I request that you provide me with a reserved accessible parking space nearest to the front door of my unit. I need a regular size parking space with no extra access aisle. I believe that the parking space at the end of the row nearest the mailboxes on the north side of Building 3 would be the best spot for me to access my apartment unit.

Please respond in writing to my request for a reasonable accommodation within a week. I look forward to your response and appreciate your attention to this matter.

Sincerely,
Nadia Green

REASONABLE MODIFICATION REQUEST

April 17, 2003

Danny Thomas, Building Manager
123 N. Main Street
Seattle, WA 98123

Dear Mr. Thomas:

I live at the Evergreen Apartments at 123 N. Main in unit #663. I (or a member of my household) use a wheelchair.

As an accommodation for my disability, I request your permission to install grab bars in the bathroom of my unit, near the toilet and inside the bath stall, at my expense. I intend to hire Able Carpenters Company to do the installation, which will include wall reinforcement to current state building codes. Joe Johnson at ACC is willing to discuss this project with you, show you the blueprints and discuss any concerns you may have. If you wish, I will have the grab bars removed when I vacate my unit.

Please respond in writing to my request for a reasonable modification within ten days. I look forward to your response and appreciate your attention to this matter.

Sincerely,
Song Nguyen

SAMPLE REASONABLE ACCOMMODATION LETTER FROM SERVICE PROVIDER (ON LETTERHEAD)

April 23, 2003

Danny Thomas, Building Manager
123 N. Main Street
Seattle, WA 98123

Dear Mr. Thomas:

(Name of tenant) is my client/patient, and has been under my care since (date). I am familiar with his/her history and disability-related functional limitations. S/he meets the definition of disability under the fair housing laws.

To enhance his/her ability to live independently and to full use and enjoyment of his/her dwelling, I am prescribing _____ that will assist (name of tenant) with the functional limitations relating to his/her disability.

-or-

To enhance his/her ability to live independently and to full use and enjoyment of his/her dwelling, I hereby verify that (name of tenant) requires the accommodation(s) listed here:

I am available to answer any questions you may have concerning my recommendation that (name of tenant) have this accommodation.

Sincerely,
Name of Professional

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