

FAIR HOUSING RIGHTS OF PEOPLE WITH DISABILITIES

LONG ISLAND HOUSING SERVICES, INC.

SUFFOLK OFFICE: 631-467-5111

NASSAU OFFICE: 516-292-0400

FAX: 631-467-5131

NOTE: THIS DOCUMENT IS INTENDED TO PROVIDE GENERAL INFORMATION, AND NOT AS A COMPREHENSIVE INSTRUCTION ON FAIR HOUSING LAW, AS PROVISIONS ARE TECHNICAL AND SOME EXCEPTIONS MAY APPLY.

People with disabilities are entitled to the same enjoyment out of where they live as those without disabilities. It is important to note that the fair housing law requires not only equal treatment and opportunity, but also special allowances to provide access and full use/enjoyment of housing. It is unlawful to deny a housing opportunity related to a factor of disability. Landlords may be required to make a "reasonable accommodation" in rules, policies, practices, or services if necessary to use (or have access to) the housing. An example of this is allowing a guide dog even if the building has a "no pets" policy. The landlord also may not refuse to allow reasonable modifications to your dwelling or common use areas, at your expense, if necessary to make the housing accessible. (Where reasonable, the landlord may permit changes only if you agree to restore the property to its original condition when you move.) If you are a person with a disability and need a reasonable accommodation, we recommend a letter to the landlord or housing provider. The following are the suggested procedures and sample request for a reasonable accommodation.

Suggested Procedures/Sample Requests:

- Indicate that you qualify as a person with a disability as defined by civil rights laws. It is not necessary to reveal the nature or severity of your disability (unless you are challenging a discriminatory practice).

"I qualify as an individual with a disability as defined by the Federal Fair Housing Amendments Act of 1988."

- State where you live and who is responsible for the building.

"I live at 805 W. Green Street, Apartment #2A. This building is managed by John Doe and owned by you, Jane Smith."

- Describe the policy, rule, or architectural barrier that is problematic to you.

"There is not any reserved accessible parking in our building's parking lot."

- Describe how this policy or barrier interferes with your needs, rights, or enjoyment of your housing.

"I am unable to park in regular size parking places because I need additional space to transfer from my car into a wheelchair."

- In clear and concise language, describe the change you are seeking in the policy, rule, or barrier.

"I am requesting that you designate a reserved, handicapped parking space for people with disabilities next to the curb cut on the west side of the parking lot."

- Cite the applicable law which protects your rights.

For modifications, quote the law as follows:

"Under the Federal Fair Housing Amendments Act of 1988, Section 804 (42 U.S.C 3604) (f) (3) (A), it is unlawful discrimination for a housing provider to deny a person with a disability "reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises..."

For a reasonable accommodation request:

“Under the Federal Fair Housing Amendments Act of 1988, Section 804 (42 U.S.C 3604) (f) (3) (B), it is unlawful discrimination for a housing provider to deny a person with a disability “to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling”

•Ask for a written response within a certain amount of time.

“Please respond in writing to my request within ten days.”

•Sign and date the request. Remember to keep a copy of your request for your files.

•If the request is denied, contact Long Island Housing Services to help determine if your rights have been violated.