

What Are Reasonable Accommodation Requests in Housing Discrimination?

If you are a person with a disability, you have the right to request that the rules or policies of the building where you live be altered to allow you full use and enjoyment of your home. Housing providers are legally required to provide reasonable accommodations for tenants, home seekers, and others with disabilities.

Who can request a reasonable accommodation?

Requests can be made by you or another person acting on your behalf, such as a family member. New York State law defines a disability as a physical or mental impairment that is diagnosable and/or prevents the exercise of a normal bodily function. Federal and local definitions of disability are different, so it may be important to consider all applicable laws. People who currently have a disability, used to have a disability, or are perceived to have a disability are all protected. Any form of communication can be used, but it is recommended that the request be in writing.

Who decides what is “reasonable?”

Requesting a reasonable accommodation is meant to initiate a dialogue between you and your housing provider to discuss how the accommodation can be made. If granting your request would impose an undue burden on the housing provider, or fundamentally alter its operations, your request may need to be modified. The FHJC may assist you in drafting written communications to your housing provider seeking to enforce your rights.

What are some examples of reasonable accommodations?

- Allowing a transfer to a first floor or a more accessible unit or community
- Supplying a lease application in large print
- Providing an ASL interpreter at a tenant association meeting
- Assigning a person with a disability a reserved parking spot near their unit even though tenant parking is generally on a first come, first served basis
- Making exceptions to residency requirements to allow a home health aide to move into the apartment
- Allowing a person with a disability to keep an assistance animal despite a “no pets” policy
- Adjusting the rent payment schedule for a person receiving disability checks later in the month

Do I have to provide documentation or verification of my disability?

If your disability is not apparent, letters from a medical professional, social worker, or other professional may be requested by your housing provider. These letters can help to explain how the accommodations are necessary based on your disability. See our fact sheet *Letters from Medical Providers to Support Reasonable Modifications/Accommodations Requests* for more information.

Can I be charged an extra fee for providing my accommodation?

No. Housing providers are not permitted to charge a fee for providing a reasonable accommodation. For example, pet deposits or pet fees for assistance animals may not be collected.

Where can I learn more?

To learn more about reasonable accommodations requests, or if you think you are experiencing any form of housing discrimination, contact the FHJC. We will help sort out the facts and provide information about your rights and options under fair housing laws. Our counseling and investigative services are provided for free, regardless of income.