

Reasonable Accommodations and Modifications under the Fair Housing Act

One way a housing provider may discriminate against a person with a disability is to refuse a request for a Reasonable Accommodation or Modification that the tenant needs to use and enjoy his home, including public and common use spaces.

Reasonable Accommodation: a change or exception to a rule, policy, practice, or service

Examples: assigning a parking place to a person with a disability when the general rule is first-come-first-served; allowing assistance animals in no-pet buildings; changing rent due date to coincide with receipt of disability income.

Reasonable Modification: structural modifications to make a home or common areas accessible or useable for a person with a disability

Examples: widening doorways; installing grab bars in bathrooms; lowering kitchen cabinets to a height suitable for persons in wheelchairs; adding a ramp; installing visual alerts for alarms such as doorbells and smoke detectors

Requirements for Accommodations and Modifications

- the tenant has a disability
- there is a direct relationship, or nexus, between the request and the individual's disability

How to "Prove" a Disability and Need for an Accommodation or Modification

- if the tenant's disability and need for the change is obvious or the housing provider is aware of it, the tenant does not need to provide any sort of "proof"
- if the disability or need for a change is not obvious or known, the housing provider may ask for medical documentation, but the tenant only needs to provide enough information to show they have a disability and they need the change because of that disability—the tenant never has to share their medical records or even their actual diagnosis
- dLCV has sample letters for common accommodation/modification requests including doctor's letters (<https://www.dlc.org/housing>)

Where to File a Fair Housing Complaint

If the housing provider refuses the request for a reasonable accommodation/modification, the tenant can file a Fair Housing complaint.

Virginia Fair Housing Office

(804) 367-8530 or (888) 551-3247

<http://www.dpor.virginia.gov/FairHousing/>

U.S. Department of Housing and Urban Development (HUD)

1-800-669-9777 or 1-800-877-8339

<https://portalapps.hud.gov/FHEO903/Form903/Form903Start.action>