



westchester residential opportunities

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Understanding Reasonable Accommodations and Modifications under the Fair Housing Act

What's a reasonable accommodation?

The Fair Housing Act (FHA) is a federal law that prohibits discrimination in housing. One of the many protections under the FHA is the right of individuals with disabilities to request a reasonable accommodation in the rules, policies, practices, or services of a housing provider to afford a person with a disability the equal opportunity to use and enjoy a dwelling.

What if I do not need an exception to a rule, policy, etc., but instead I need a physical change (modification) to the property because of my disability?

The FHA also makes it unlawful to refuse to permit a person with a disability to make reasonable modifications to a housing structure if they have a disability and if the modifications are necessary for the full enjoyment and use of the unit.

Examples of reasonable accommodation and modification requests:



- **Therapy Dogs**
- **Assigned Parking Spaces**
- **Ramps**
- **Handrails & Grab Bars**
- **Sidewalk Maintenance**
- **Unit Transfers**



Who can request a reasonable accommodation or modification in housing?

Individuals who are disabled may request a reasonable accommodation or modification in housing. A person is considered disabled if they have a physical or mental impairment which substantially limits one or more of their major life activities.

How do I request a reasonable accommodation or modification in housing?

A reasonable accommodation or modification may be requested either orally or in writing, but it's always recommended to put the request in writing and send it by e-mail or trackable mail. Medical documentation can be requested as proof of the need for the requested accommodation/modification unless the disability is apparent (e.g. visually impaired, uses a wheelchair, walks with a limp/gate, etc.).



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Who pays for a reasonable accommodation or modification?

In private housing, a housing provider may require the tenant/resident to pay for the cost of a modification and request that funds be held in escrow to restore the unit to its original condition before the modification. New York State law makes the housing provider financially responsible for the cost of modifications to common use areas (like a common entrance or lobby, for example). In government-subsidized housing, typically the housing provider pays for the modification, unless it poses an undue administrative and financial burden on the provider. A housing provider may not require different rent, impose a higher security deposit, or charge any other fee (including a pet deposit) because of an individual's disability and request for a reasonable accommodation.



If you see something (discriminatory), say something!

Call us at (914) 428-4507 (ext. 341), visit wroinc.org or shoot us an email at dsullivan@wroinc.org.