

Frequently Asked Questions on Reasonable Accommodations & Modifications



Q: Who can ask for a reasonable accommodation or modification?

A: A person living with a disability. Disability is defined as any physical or mental impairment that substantially limits one or more major life activities. These activities could include: walking, speaking, hearing, seeing, breathing, working, learning, performing manual tasks, and caring for oneself. This also includes ongoing chronic medical conditions, addiction (not current users of illegal substances), and history of a disability.

Q: Who pays for the reasonable modification (physical change to a unit)?

A: If the housing provider receives federal funds, such as housing owned by a housing authority, then the provider must pay for the modification. If the housing is privately owned then the person making the request will pay for the modification.

Q: Does the person providing verification for my reasonable accommodation/modification have to be a doctor?

A: No, but they do have to be a qualified individual who knows is able to verify that the disability qualifies under the FHA definition. Verifiers can include doctors, nurses, a drug and alcohol sponsor from a twelve step program, counselor, or religious leaders.

Q: Does the request or verification have to give details about my disability?

A: No. Your request for a reasonable accommodation/modification and the verification from the qualified individual must state that you have a disability, your request is related to the disability and that it's needed for equal access or enjoyment of housing. If the request is being made because of a lease violation related to disability you must explain how the request will remedy the violation.

Q: May a housing provider require me to pay extra rent, a deposit or a fee as a condition for having an assistance animal?

A: A housing provider may not require different rent or impose a security deposit or other lease terms because of an individual's disability. A housing provider may not require an individual with a disability to pay an extra fee or deposit as a condition of receiving a reasonable accommodation. A landlord cannot increase a rent/deposit once they learn there is an assistance animal.

Q: Can my landlord deny my request for two or more assistance animals?

A: A landlord must address each request individually, and each assistance animal must be related to a unique aspect of a person's disability.

Q: When is a reasonable accommodation request considered "unreasonable" and therefore, may not be granted by a housing provider?

A: The request would have to be an undue burden and too costly, not part of the housing provider's job description or a direct threat to other residents.

Q: What can I do if my housing provider did not acknowledge my request or denied my request, or we could not reach an agreement regarding my request for a reasonable accommodation or reasonable modification?

A provider has an obligation to provide prompt responses to reasonable accommodation requests. An undue delay in responding to a reasonable accommodation request may be deemed to be a failure to provide a reasonable accommodation.

Q: Can a housing provider require my assistance animal to have specific training or certification?

A: No, under the Fair Housing Act an assistance animal is not required to have formal training or certification and a housing provider is not allowed to require proof that the animal has been certified, trained, or licensed as a service animal.

Q: My housing provider has insurance that requires breed restrictions under their policy. Do breed restrictions apply to assistance animals?

A: If a housing provider's insurance policy would terminate or substantially increase in cost, this could pose an undue financial or administrative burden on the housing provider. However, the housing provider may need to show that comparable insurance without the breed restriction is unavailable. If an insurance provider has a policy of refusing to insure any housing that has animals without an exception for assistance animals, that insurance provider may be held liable for discriminating against individuals with disabilities.

Q: What if a housing provider states I can only submit a request using a form provided by the housing provider?

A: A housing provider cannot require a specific form be used for submitting reasonable accommodation or modification requests. A housing provider also cannot require a tenant to go to a specific doctor or medical professional for disability evaluation.