

HOW TO REQUEST REASONABLE ACCOMMODATIONS

A Fair Housing Guide for Tenants



ANSWERS TO FREQUENTLY ASKED QUESTIONS

SAMPLE LETTER TO LANDLORDS

**HOW TO FILE FAIR HOUSING COMPLAINTS AND
WHERE TO GET HELP**

What are reasonable accommodations?

If you or members of your household are disabled, you can ask your landlord to accommodate your disability by asking for a reasonable accommodation. A reasonable accommodation is asking the landlord to change a policy, practice, or service so that a person with a disability can use and enjoy her housing.

When a landlord denies a reasonable accommodation for a person with a disability, it can be a form of housing discrimination under the Fair Housing Act. Most landlords have to comply with the Fair Housing Act and grant reasonable accommodations.

What are some examples of reasonable accommodations?

- Providing notices in large print for a tenant who has visual impairments.
- Deciding not to enforce a no-pet policy so that a person with a disability can live with her assistance animal.
- Allowing a person who has problems with walking to transfer to a first-floor unit.
- Providing more time for someone with a disability to move out.

How should I ask for a reasonable accommodation?

Request a reasonable accommodation in writing. See the attached sample letter. Keep a copy of the letter so that you have proof you made the request.

Do I need to make my request at a certain time?

No. You can make your request at any time. You can ask for a reasonable accommodation when you are applying for housing, moving in, while you are living in the housing, and even while you are moving out or being evicted.

Can my landlord ask me for proof of my disability?

If your disability or need for the accommodation is not obvious, the landlord can ask for supporting documentation. However, the landlord cannot ask you to reveal your specific diagnosis or how severe your condition is. Your landlord also cannot ask to see your medical records.

If your landlord asks for documentation, we recommend asking a medical professional to write a letter explaining why you need the accommodation. Remember – this letter does not have to include your diagnosis. It can discuss your disability in general terms.



Who pays for a reasonable accommodation?

Your landlord should not charge you any special fees for a reasonable accommodation. For example, a landlord cannot charge you a pet fee or pet security deposit for an assistance animal. A landlord is generally responsible for any costs that will be involved. But if the costs of an accommodation are extremely high, your request might not be considered “reasonable.” A landlord only has to grant reasonable requests.

What if my landlord refuses to provide the accommodation?

Your landlord should grant your request if it is reasonable. The landlord should also respond to your request in a timely way.

If your landlord does not think your request is reasonable, they must still negotiate with you to see if there are other ways of accommodating you. You should keep documentation about this negotiation process.

What if my landlord never responds to my request or denies my request without negotiating? What if I try negotiating with my landlord, but we cannot reach an agreement about an accommodation?

You can file a fair housing complaint. **The deadline for filing a complaint is one year from the most recent date of discrimination.**

- 1) You can contact the Delaware Division of Human Relations (DHR) at 877-544-8626. You should explain that you would like to file a housing discrimination complaint. Or, you can file a complaint online by visiting DHR’s website:
statehumanrelations.delaware.gov/file-discrimination-complaint.
- 2) Another option is to contact the Housing Discrimination Hotline at the U.S. Department of Housing and Urban Development (HUD): 1-800-669-9777 or 1-800-877-8339. Or, you can file a complaint online by visiting HUD’s website:
https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint.

You can also file a lawsuit in state or federal court. The deadline for filing a lawsuit is two years from the most recent date of discrimination. You can file a lawsuit at the same time that you file a complaint.

CONTACT COMMUNITY LEGAL AID SOCIETY, INC. (CLASI) IF YOU NEED HELP.

- New Castle County: 302-575-0660
- Kent County: 302-674-8500
- Sussex County: 302-856-0038



SAMPLE LETTER FOR REQUESTING REASONABLE ACCOMMODATIONS

Date

Landlord's Address

RE: Reasonable Accommodation Request

Dear *Landlord's Name*:

I am writing to request a reasonable accommodation under the Fair Housing Act. Under federal and state fair housing laws, housing providers must provide reasonable accommodations for people with disabilities to allow them equal opportunity to use and enjoy their housing.

I am a person with a disability and am requesting the following accommodation:

Describe what you would like the landlord to do in order to accommodate you. Explain what type of change you are looking for.

I need this accommodation because:

*Explain the connection between your disability and the accommodation you are asking for.
Explain how it would help you.*

Please respond to this letter in writing within 14 days. Thank you for your consideration.

Sincerely,

Name

Apartment #

