

What are the protections for persons with disabilities under the Fair Housing Act?

Presented by
Long Island Housing Services, Inc.

LIHS gratefully acknowledges the support of the U.S. Dept. of Housing and Urban Development Fair Housing Initiatives Program.

Long Island Housing Services' Mission:

Elimination of unlawful housing discrimination and promotion of decent and affordable housing through advocacy and education.

Long Island
celebrates the

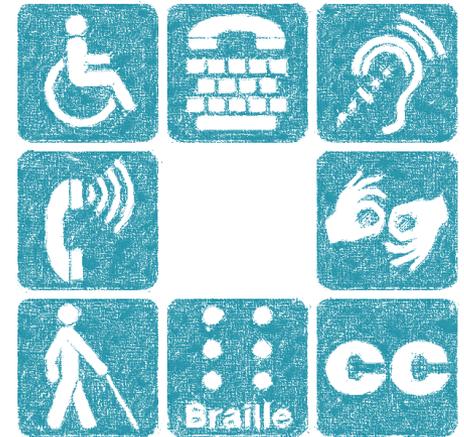


50th Anniversary
of the
Fair Housing Act



Who is Disabled?

“Disability” means a person who has a physical or mental impairment that substantially *limits* one or more *major life activities*.



One can have either a history of the impairment or can be viewed by others as having an impairment.



Disability

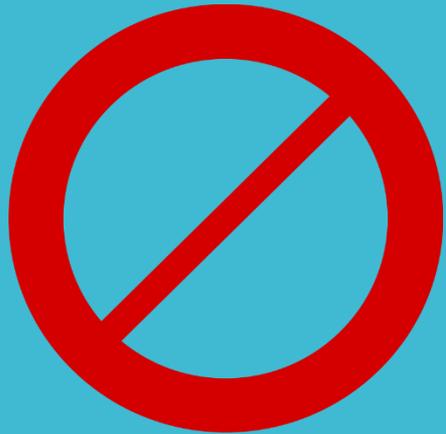
Major Life Activities include:

- Walking
- Seeing
- Hearing
- Speaking
- Breathing
- Learning
- Working
- Caring for your daily needs



Examples of Disability Discrimination

“Do you have a disability?”



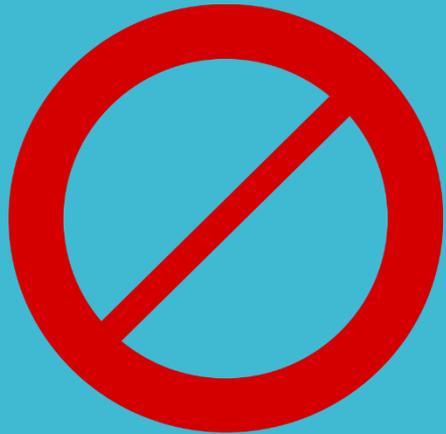
Generally, a landlord may **NOT** ask:

- “How severe is your disability?”
- “May I have permission to see your medical records?”
- “Do you take medications?”
- “Why do you receive SSI?”



Examples of Disability Discrimination

“Wouldn’t you be more comfortable somewhere else?”



“I don’t think it’s safe for you to live here because of your disability.”

“We have a no-pets policy, so your service dog is not allowed.”

Harassment by the owner, employees of the owner, the management company, employees of the management company, or other tenants.



Prohibited practices

Refusal to make reasonable accommodations

...in rules, policies, practices, or services when such accommodations may be necessary for **persons with a disability** to have equal opportunity, full use and enjoyment of a dwelling



Refusal to make reasonable accommodations

Prohibited practices

Example: Because of a vision impairment, a tenant requests permission to have a guide dog with her in her apartment. The housing provider has a no-pets policy. This is a request for a reasonable accommodation, and the housing provider must grant the accommodation.



Prohibited practices



Refusing to allow for reasonable modifications

...to properties when such modifications to structures are required by a person with a disability to allow them full use and access to a rental unit or common area, at the expense of the person with a disability

*Note- In 2010, New York State Human Rights Law was modified to recognize that modifications are accommodations. It also placed the expense on providers for modifications to common and public use space



Prohibited practices

Refusing to allow for reasonable modifications

Example: Because of a mobility disability, a tenant wants to install grab bars in the bathroom. This is a reasonable modification and must be permitted at the tenant's expense.



Providing Documentation of a Disability

If your disability is obvious to others, you should **NOT** be required to provide documentation to request a reasonable accommodation or modification .

Otherwise you can:

- Show a copy of your current handicapped parking tag
- Provide a statement from a doctor, therapist, case manager, peer support group, etc.
- You should not need to provide copies of your medical records

Request



How Do You Protect Your Fair Housing Rights?

Anyone who believes he or she has been discriminated against can file a complaint.

If you want to discuss options,
or obtain help from a professional Fair Housing advocate...

Contact ***Long Island Housing Services, Inc.***

(631) 567-5111 ext. 375

info@LIFairHousing.org

Si usted cree que ha sido discriminado al buscar vivienda, llame a Long Island Housing Services al 631-567-5111 ext. 378 para hablar con un investigador o defensor de vivienda justa capacitado. También puede enviar un correo electrónico a info@LIFairHousing.org.



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Federal

U.S. Department of
Housing and Urban Development
New York FHEO Office
26 Federal Plaza, Room 3532
New York, NY 10278-0068
800-669-9777

Nassau County

Nassau County Commission
on Human Rights
240 Old County Road
Mineola, NY 11501
(516) 571-3662

New York State

N.Y. State Division of Human Rights
One Fordham Plaza, 4th Floor
Bronx, NY 10458
1-888-392-3644

Suffolk County

Suffolk County
Human Rights Commission
100 Veterans Memorial Highway Suite #1
Hauppauge, NY 11788
(631) 853-5480

