

## Workmanship and Restoration

The housing provider may ask that you provide a reasonable description of the proposed modifications, reasonable assurance that work will be done in a professional manner, required permits for the work timely obtained, and work payments be timely made.

## Contact Us

### The Fair Housing Project:

If you believe you have been a victim of housing discrimination, please call Legal Aid's fair housing helpline at **1-870-338-9834**. **The Fair Housing Project serves all of Arkansas regardless of income.**

Our staff will discuss the situation with you and help you decide what to do next. When necessary, our staff may assist you in filing a complaint with the Arkansas Fair Housing Commission, the U.S. Department of Housing and Urban Development (HUD), or other administrative or judicial bodies.

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 **Legal Aid of Arkansas**  
**1200 Henryetta Street, Springdale, AR 72762**

 **870.338.9834**  **arlegalaid.org**

## A Fair Housing Guide for Persons with Disabilities

Legal Aid of Arkansas  
Fair Housing Project



**Fair Housing Project**  
Legal Aid of Arkansas



## The Fair Housing Act

Fair Housing Act prohibits discrimination against individuals who are disabled or who are associated with persons with disabilities.

A disability is defined as a physical or mental impairment that substantially limits one or more of a person's major life activities.

### Reasonable Accommodation

A reasonable accommodation is a change or an exception to a rule or policy so that a person with a disability has the same opportunity to use and enjoy a dwelling as anyone else.

#### Examples

- Allowing an assistance animal despite a no pets policy
- Allowing a tenant to have a live-in aide who is not on the lease to assist the tenant with daily care
- Assigning a reserved parking space to a tenant with a mobility impairment even if parking is typically first come/first serve

### Commonly Asked Questions

May my landlord charge an extra fee or require an additional deposit as a condition of granting a reasonable accommodation?

- No. Your landlord may not require persons with disabilities to pay extra fees or deposits as a condition of receiving a reasonable accommodation.

Can a reasonable accommodation request be denied?

- Yes. A request for reasonable accommodation may be denied if it would impose an undue financial and administrative burden on the provider or it would fundamentally alter the nature provider's operation.

## Commonly Asked Questions

A housing provider can deny a request for a reasonable accommodation if the individual does not have a disability or if there is no disability related need for the accommodation.

The Act does not protect an individual with a disability who would constitute a 'direct threat' to the health or safety of other individuals or result in substantial physical damage to the property unless the threat can be eliminated by a reasonable accommodation.

### Reasonable Modification

A reasonable accommodation is a change or an exception to a rule or policy so that a person with a disability has the same opportunity to use and enjoy a dwelling as anyone else.

#### Examples

- Widening doorways
- Installing grab bars in the bathroom
- Lowering kitchen cabinets to a height suitable for persons in a wheelchair
- Adding a ramp

### Commonly Asked Questions

Who is responsible for the expense of making a reasonable modification?

- In private, unsubsidized housing, the tenant is responsible for paying the cost of the modification. In subsidized housing programs, the housing provider may be responsible for paying for the cost of the modification.

Do I have to get the landlord's approval before making a reasonable modification?

- Yes. The tenant must get approval before making the modification. However, the landlord cannot deny your request for a modification if you meet the requirements under the Act.

## Commonly Asked Questions

Can my landlord require that I use a particular contractor?

- No. Your landlord cannot insist that you use a particular contractor but can require that you use a certified contractor to do the work.

Can the landlord require that I restore the premises to its original condition?

- Yes. If you move, the landlord can require that you restore the premises to its original condition if it is reasonable to do so and the modification will interfere with the next tenant's use of the premises.

### Requesting a Reasonable Accommodation or Modification

Although it is not required, requests for accommodation or modification should be made in writing.

- Indicate that you qualify as a person with a disability. It is not necessary to reveal the nature or severity of your disability unless you feel comfortable in doing so.
- State where you live and who is responsible for the building.
- Describe how this policy or barrier interferes with your needs, rights, or enjoyment of your housing.
- In clear and concise language, describe the change you are seeking in the policy, rule, or barrier.
- Ask for a written response by a date certain.
- Sign and date the request. Remember to keep a copy of your request for your files. If the request is denied, contact an advocate to determine if your rights have been violated.