

HOW TO REQUEST A REASONABLE MODIFICATION OF YOUR UNIT UNDER THE FAIR HOUSING ACT

Q: WHAT IS THE FAIR HOUSING ACT?

A: This law was passed by Congress in 1968 and prohibits discrimination based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents of legal custodians, pregnant women, and people securing custody of children under the age of 18), and disability. Additionally, Palm Beach County prohibits discrimination in housing based on sexual orientation, age, and marital status.

Q: What is the definition of disability under the Fair Housing Act?

A: An individual is considered disabled if they meet the following definition:

- Individual with a physical or mental impairment that substantially affects one or more life activities, or
- Individual who has a record of having a physical or mental impairment, or
- Individual regarded as having a physical or mental impairment.

**However, the Fair Housing Act does not provide coverage for individuals who are current drug users, pose a direct threat to health and safety of other residents, or if the tenancy may result in substantial damage to the property.*

Q: How do I exercise my rights under the Fair Housing Act?

A: Under the Fair Housing Act, a disabled person may request certain physical modifications or changes to their rental unit, mobile home, or condo so that they may fully use and enjoy their home.

Q: What is a Request for Reasonable Modification?

A: A modification is a physical change to an existing structure which is necessary in order for someone with a disability to have enjoyment of the premises. Your written request for a reasonable modification should include the following information:

1. You have a physical or mental disability
2. Your disability affects your activities of daily living such as walking, sitting, lifting, etc.
3. You need a physical change to your rental unit, condo, or mobile home (for example, you may state that you need to build a ramp at the entrance of your condominium unit so that you may safely enter your home using your wheelchair).
4. A statement that the change that you are requesting is necessary for the use and enjoyment of your rental unit, condo, or mobile home.

Q: Who is responsible for paying for the changes that I request?

A: If you are renting from a private landlord or reside in a condo, you may be responsible for paying the entire cost to modify your rental unit or condo. However, if your housing provider receives federal funds, you may not be required to pay the entire cost of the modification of your rental unit.

Q: What do I do if my housing provider refuses or ignores my written request?

A: Under most circumstances, a Landlord or housing provider may not refuse a disabled person's reasonable request for modification to be completed at the disabled person's expense. *Your request can only be denied if it is unreasonable or will cause an undue burden or fundamental alteration of the premises.* **If your request has been denied or ignored by your housing provider, you can contact the Legal Aid Society of Palm Beach County Fair Housing Project for assistance at 561-655-8944.**