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RIGHTS OF TENANTS WITH DISABILITIES

Federal, state and city laws forbid discrimination in public and private housing if you are a tenant with a physical or psychiatric disability. If you have a disability, you also have the right to ask your landlord to make certain changes, called "reasonable accommodations," in order for you to fully use and enjoy your apartment.

Are you A Person with a Disability?

If you have either a physical or psychiatric disability you have the right not to be discriminated against in private or public housing. Physical disabilities include, but are not limited to: quadriplegia, spinal cord injury, blindness/visual impairment, and deafness/hearing impairment. Psychiatric disabilities include, but are not limited to: depression, post traumatic stress disorder, bipolar disorder, and general anxiety disorder.

What Are Your Rights As A Person With A Disability?

Non-discrimination

You have the right not to be discriminated against by your landlord, real estate broker or managing agent based on your physical or psychiatric disability. A landlord may not refuse to rent you an apartment, treat you differently during the term of your lease, or evict you because of your disability.

Reasonable Accommodations

A reasonable accommodation is a change in the landlord's procedures or a change to the physical space of either your apartment or public areas in your building. As a tenant with a disability, you have the right to ask your landlord for a reasonable accommodation if you need one. The accommodation must relate to your specific

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disability, not impose extremely high costs on your landlord, or not directly harm other tenants.

Common examples of reasonable accommodations include:

- An exception to a no-pet policy for a tenant with a disability who needs a service animal such as a seeing or hearing dog;
- A parking space for a tenant who uses a wheelchair that is either close to the building or at an accessible area in its garage;
- Allowing a tenant with a physical disability to install grab bars in her apartment or installing them on her behalf;
- Sending an extra copy of the monthly rent bill to a social worker for a tenant with a disability; and
- Moving a tenant with a physical disability to an apartment on a lower floor if the building does not have an elevator.

How Do You Ask For A Reasonable Accommodation?

- Write a letter informing your landlord that you are a tenant with a disability who needs a reasonable accommodation,
- Be specific about the reason you need the accommodation,
- Send the letter by certified mail, return receipt requested, and
- Keep a copy for your records.

It is best to support your request for an accommodation with a letter from your healthcare provider describing why you need the accommodation. In the letter, the healthcare provider does not need to reveal your specific diagnosis of disability. This letter should also be sent certified, return receipt requested.

What if Your Landlord Refuses Your Request?

A landlord may refuse your request for a reasonable accommodation if:

- It would cost her/him an extremely large amount of money, or
- Cause harm to the rights of other tenants.

Who Pays For A Reasonable Accommodation?

Who pays for an accommodation depends on several factors, including the financial resources of your landlord. In some cases, **you must pay for the accommodation.**

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For example, you may have to pay for physical changes, like installing **grab bars** in your apartment if the landlord can show it is too expensive for the landlord to do it. If, however, your request is for a change in procedures, such as sending a second rent bill to a social worker, the costs are minimal and the landlord will be required to pay.

If you think your landlord is discriminating against you based on your disability:

- Talk to one of our disability rights advocates or lawyers to find out whether your rights have been violated. You may call our intake line at (212) 244-4664.

For additional information on your rights or to file a discrimination complaint please contact the following government agencies

U.S. Department of Housing and Urban Development
26 Federal Plaza, Room 3532
New York, New York 10278-0068
(212) 542-7519
1-800-496-4294
TDD: (212) 264-0927
Website: http://portal.hud.gov/portal/page/portal/HUD/topics/housing_discrimination

New York State Division of Human Rights
One Fordham Plaza, 4th Floor
Bronx, New York 10458
(718) 741-8400
TDD: (718) 741-8300
Website: <http://www.dhr.state.ny.us>

New York City Commission on Human Rights
40 Rector Street, 10th Floor
New York, NY 10006
(212) 306-7450
TDD: (212) 306-7686
Website: <http://www.nyc.gov/html/cchr>

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