

USEFUL TIPS

What you should do if you believe you have experienced housing discrimination:

- Contact the Fair Housing Project and report the discrimination to us.
- Keep a journal of incidents of discrimination.
- Write down what you experienced, including names, dates, addresses, rental terms, and any other details about your interaction.
- Keep any documents related to the discrimination, including all emails and text communications.
- Following the incident, you have one year to file an administrative complaint or two years to file a lawsuit in court.



THE FAIR HOUSING PROJECT

The Fair Housing Project of Legal Aid of North Carolina is available to provide information concerning a person's rights under the federal Fair Housing Act. If you believe you are a victim of housing discrimination, contact us for assistance at **1-855-797-3247**. A project staff person will discuss the situation with you and help you to decide what to do next. Your response to us will be kept confidential.

When necessary, our staff can assist you in filing a complaint with the U.S. Department of Housing and Urban Development (HUD), local human relations commissions, or in court.

Fair Housing Project

LEGAL AID OF NORTH CAROLINA

P.O. Box 26087

Raleigh, NC 27611

(855) 797-FAIR

(855) 797-3247

www.fairhousingnc.org

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Housing Discrimination

Fair Housing Rights for People with Disabilities



LEGAL AID
OF NORTH CAROLINA

Fair Housing Project

P.O. Box 26087

Raleigh, NC 27611



WHAT IS A DISABILITY?

The Fair Housing Act prohibits discrimination against individuals who have disabilities or who are associated with people with disabilities.

A *disability* is a physical or mental impairment that substantially limits one or more major life activities, such as walking, seeing, hearing, speaking, learning, working, caring for oneself. People who are regarded as disabled or have a record of a disability are also protected. Examples of disabilities include:

- ◆ Hearing, mobility, and visual impairments
- ◆ Chronic mental illness
- ◆ Dementia
- ◆ AIDS/HIV+ status
- ◆ Developmental disabilities
- ◆ Alcoholism and past drug addiction

DOES HOUSING HAVE TO BE ACCESSIBLE?

The Fair Housing Act requires multi-family housing built for first occupancy after March 13, 1991, to have certain accessibility features. Some housing may be subject to accessibility requirements of other laws, such as the Americans with Disabilities Act (ADA), and local building codes. In addition, people with disabilities may request reasonable accommodations and modifications. If you have questions about accessibility, contact the Fair Housing Project.

WHAT IS A REASONABLE ACCOMMODATION?

A *reasonable accommodation* is a change in a rule, policy, practice, or service that allows a person with a disability to have an equal opportunity to use and enjoy a dwelling.

Examples include:

- ◆ Allowing a service or assistance animal, despite a no-pet policy
- ◆ Allowing a tenant to have a live-in aide who is not on the lease to assist with daily care
- ◆ Assigning a reserved parking space to a tenant with a mobility impairment, even if parking is typically “first come/first served”

WHAT IS A REASONABLE MODIFICATION?

A *reasonable modification* is a physical change to a unit or common area that allows a person with a disability to fully use and enjoy the premises. In situations involving a private landlord, the person making the request generally must pay the cost of the modifications. Examples include:

- ◆ Installing a ramp
- ◆ Installing grab bars in the bathroom
- ◆ Widening doorways
- ◆ Installing lever door handles



EXAMPLES OF POSSIBLE DISCRIMINATION

“Sorry, but after we spoke on the phone we rented the last unit.”

“You look fine to me. Why are you getting disability payments?”

“We don’t rent to people with AIDS.”

“You must obtain liability insurance because of your service animal.”

“We don’t allow tenants to install accessibility features because we have ‘ADA’ units.”

“Can you live independently?”

“I have to charge you a pet deposit for your assistance animal.”

MAY A LANDLORD ASK ABOUT A PERSON’S DISABILITY?

Inquiries into the nature or existence of someone’s disability are generally prohibited by the Fair Housing Act. Exceptions include:

- ◆ If someone requests a reasonable accommodation or modification and his/her disability is not obvious or otherwise known, the provider may ask for verification.
- ◆ If the housing is designed for people with disabilities and the question is to determine program eligibility.