

DISABILITY BENEFITS & FAIR HOUSING RIGHTS

IS YOUR DISABILITY BENEFIT PROGRAM COSTING YOU LATE FEES ON RENT?

THE FAIR HOUSING ACT PROTECTS YOUR RIGHT TO REQUEST A REASONABLE ACCOMMODATION.

- ▶ Most landlords set their rent due date for the first of the month — but for tenants with disabilities who receive disability benefits such as **Supplemental Security Income (SSI)** or **Social Security Disability Insurance (SSDI)**, it may be challenging to pay rent on time without racking up costly late fees, since SSI and SSDI benefits often arrive after the first of the month. To avoid continuously being charged more on rent, fair housing laws give people with disabilities the right to request a reasonable accommodation when necessary to allow their rent due date to be altered, making it possible to pay rent on time and avoiding late fees.

SSI VS. SSDI | UNDERSTANDING DISABILITY BENEFITS

Supplemental Security Income (SSI) provides minimum basic financial assistance to older adults and persons with disabilities (regardless of age) with very limited income and resources. Federal SSI benefits from the Social Security Administration are often supplemented by state programs.

Social Security Disability Insurance (SSDI) supports individuals with disabilities who have a qualifying work history, either through their own employment or a family member (spouse/parent).

Source: <https://www.ncoa.org/blog/ssi-vs-ssdi-what-are-these-benefits-how-they-differ>

RIGHT TO A REASONABLE ACCOMMODATION | WHAT IS AN RA?

- ▶ A reasonable accommodation (RA) is a change, exception, or adjustment to a housing provider's rule, policy, practice, or service that may be necessary for a person with a disability to have equal opportunity to use and enjoy a dwelling, including public and common use spaces. Accommodations must be necessary in connection with a person's disability. Housing providers must generally grant requests for accommodation if they meet these criteria. The Fair Housing Act allows persons with disabilities who receive disability benefits to request RAs for a change in their rent due date to correspond with the receipt of their SSI or SSDI benefits.

REQUESTING AN RA | WHAT TO KNOW

- ▶ A reasonable accommodation can be requested verbally or in writing. While a housing provider may provide a form for such request, they cannot require a person to use their form to present or verify their request.
- ▶ A request for a reasonable accommodation can be made at any time.
- ▶ Housing providers may not require persons with disabilities to pay extra fees or deposits as a condition of receiving a reasonable accommodation.
- ▶ If your housing provider denies your accommodation request for an adjusted rent due date, contact The Fair Housing Center for help.

For more detailed information on requesting a reasonable accommodation in housing, please visit <https://www.justice.gov/crt/us-department-housing-and-urban-development>.



**Fair Housing Center
for Rights & Research**

QUESTIONS? CONTACT US.

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