FAIR HOUSING EXPLAINED:

MENTAL HEALTH & YOUR FAIR HOUSING RIGHTS

Nearly one in five adults in the U.S. will have a diagnosable mental health condition during any given year. The Fair Housing Act prohibits discrimination on the basis of disability in all types of housing transactions. The Act defines persons with a disability to mean those individuals with mental or physical impairments that substantially limit one or more major life activities.

KNOW YOUR RIGHTS

REASONABLE ACCOMMODATIONS

- 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. If you are living with a mental health condition, you may consider requesting a reasonable accommodation from your landlord, which can come in the form of a letter from a health care provider, therapist, or someone with close knowledge of your disability.

Examples:
- Allowing an assistance animal despite “no pet” policy.
- Reserving a parking space.
- Allowing a live-in aide.
- Allowing a tenant with PTSD to add a lock to their unit door.
- Moving from one unit to another without a fee.
- Changing the rent due date to align with the date disability income is received.
- Informing others (family, social worker, etc.) of new policies.
- Landlord accepting a reference from an applicant’s employer or social worker if an applicant has no recent rental history.

SERVICE AND ASSISTANCE ANIMALS

- People with mental health disabilities may request permission to have an assistance animal as a reasonable accommodation of their disability when needed to support their mental health and wellness.

- Breed, size, or weight limitations do not apply to service or assistance animals. Housing providers cannot collect pet rent or pet deposits from tenants who need their animals as an accommodation.

SOURCE OF INCOME

- When you pay rent, your housing provider should accept all your sources of income, including any disability income you receive. Housing providers should also allow for third-party rent payments (such as a payee service or funds held in a trust for someone with a disability). If a landlord refuses to accept your disability income, you may have a valid fair housing complaint. Contact the Fair Housing Center for Rights & Research for assistance in understanding your fair housing rights.

QUESTIONS? CONTACT US.

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