

# 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.

