

ACCESSIBILITY FOR RENTERS

The Fair Housing Amendments Act of 1988 protects persons with disabilities from discrimination in housing. The Act makes it unlawful to discriminate in the sale or rental of housing, or in the terms, conditions, services, *or facilities provided*. The Act requires that landlords and rental agents make reasonable accommodations in rules, policies, practices, and services to afford a person with a disability equal opportunity to occupy and enjoy full use of a housing unit. For instance, in an apartment complex that does not have assigned parking, a tenant with a mobility disability may request an accommodation in the rules to allow the tenant an assigned parking space close to his/her dwelling entrance.

New buildings constructed with 4 or more living units built for occupancy after March 6, 1991 must be built with minimum levels of accessibility. The goal is to ensure that new apartments are designed so they *can be readily adapted* to the needs of tenants. New buildings do not have to meet every disabled person's needs, but they do have to meet *standards of adaptability*. These may include wider doorways and reinforced walls.

Reasonable Accommodations

The Fair Housing Amendments Act also requires that landlords and rental agents *allow tenants with disabilities to make reasonable modifications to their units* or common areas when such modifications are needed to ensure the tenant's ability to fully use and enjoy the housing.

Tenants with disabilities have the right to make certain reasonable modifications to their rental unit *at their own expense*. Landlords may not prohibit tenants with disabilities from making these modifications, although they may require that the modifications be completed in a "professional manner" and in compliance with applicable building codes. If a modification will interfere with the ability of the next tenant to use and enjoy the unit, a landlord may require the tenant to restore the unit to its original condition before leaving (at the tenant's cost), wear and tear excepted.

When a tenant undertakes expensive modifications, landlords may require tenants to pay into an escrow account to ensure that funds are available to restore the unit to its original condition. Restoration may not be required by the landlord in cases where the modification does not interfere with subsequent tenants' use of the unit. Widened doorways, for instance, should not be required to be restored. Wall reinforcement for bathroom grab bars may remain, although the landlord may require that the bars themselves are removed and the wall patched and refinished.

For more information on accessibility modifications to apartments, contact:

The Center for Universal Design 800/343-3442 or 800/877-8339 (TTY-TTD)

North Carolina State University
Box 8613
Raleigh, NC 27695-8613
800/647-6777, <http://www.design.ncsu.edu>

The Fair Housing Information Clearinghouse
PO Box 9146
McLean, VA 22102

Source: Center for Universal Design, "Tenant's Guide to Apartment Modifications," 1997.