WHO DOES THIS LAW APPLY TO?

The Federal Fair Housing Law applies to a wide range of persons. The federal regulations define a "disability" as "a physical or mental disability which substantially limits one or more major life activities; a record of such impairment; or being regarded as having such an impairment".

THE LAW COVERS THOSE PERSONS WITH:

- Mental retardation
- Mental Illness
- Mobility impairment
- Sensory deprivation
- AIDS and/or HIV +
- Recovering addicts/alcoholics
- Conditions such as autism, epilepsy, muscular dystrophy, and cerebral palsy.

Of course, the Federal Fair Housing Law provides protection from discrimination on the following bases as well:

- Race/Color
- National origin
- Ancestry
- Religion
- Sex
- Family status *(presence of children under the age of 18)*

WHAT CAN I DO?

If you feel that you have been discriminated against, our office can assist you in filing complaints on both the state and federal levels.

If you need assistance, please contact:

MEDINA COUNTY
FAIR HOUSING OFFICE
124 W. Washington St., Suite B-4
Medina, Ohio 44256
330-722-9219
330-225-7100, ext 9219
330-336-6657, ext. 9219

OHIO CIVIL RIGHTS COMMISSION
AKRON REGIONAL OFFICE
Akron Government Center
161 S. High St., Suite 205
Akron, Ohio
330-634-3100

HUD - FAIR HOUSING
AND EQUAL OPPORTUNITY (FHEO)
626 West Jackson Boulevard
Chicago, IL 60606-5760
1-800-669-9777 - Complaint Hotline

HOUSING AND DISABILITIES

MEDINA COUNTY FAIR HOUSING
Professional Building
124 W. Washington St., Suite B-4
Medina, Ohio 44256

330-722-9219 or
330-225-7100, ext. 9219
330-336-6657, ext. 9219
TTY/TTD: 330-725-9123

THE LAW

The Federal Fair Housing Law, as instituted in 1968, and as amended in 1974 and 1988, includes individuals with disabilities as a class of persons protected from housing discrimination. Discrimination is a broadbased concept, including not only the refusal to rent to or sell to persons with disabilities, but also the refusal to accommodate the needs of persons with disabilities so that they may live in the housing of their choice.

The Federal Law requires two things of landlords when dealing with tenants with disabilities. First, the law requires that landlords allow ***reasonable modification*** of a dwelling unit to make it accessible to those with disabilities. Second, the law requires that a landlord make ***reasonable accommodation*** in their rental practices to enable tenants with disabilities to continue in their customary way of life.

MODIFICATION

When the tenant needs modifications to the structure of a unit to make it accessible to him or her, it is not the landlord's responsibility to pay for the modifications. A landlord may require the tenant to set up an escrow account to ensure that the modifications can be removed when the tenant moves out. However, a landlord may not refuse any request for reasonable modifications.

COMMON MODIFICATIONS INCLUDE:

- Building of ramps over or next to staircases;
- Removal of doors on kitchen cabinets;
- Installing slide-out shelves for cabinet access
- Putting grab bars in shower and bathrooms
- Installing a tub/shower chair
- Putting flashing lights in for doorbells and smoke alarms for the hearing impaired;
- Adjusting toilet seat heights;
- Installation of electrical fixtures to allow for lifesaving equipment.

AFFIRMATIVE MARKETING, that is, advertising a unit as *"accessible"*, expands the market for a dwelling unit. The more people who would be able to live in the unit, the more likely the unit is to be rented.

It is often beneficial for the landlord to make such improvements and modifications, especially if the landlord plan to keep the improvements long term. In this way, the landlord can be assured of the quality of the workmanship.

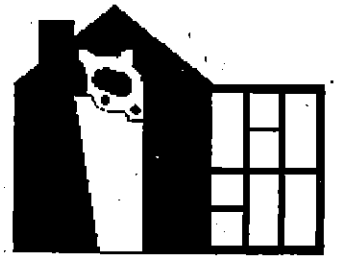
An innovative idea that is becoming more common recently is the concept of convertible units. Many of these convertible units have fixtures, such as kitchen cabinets, on tracks that adjust to the height and reach of the user.

ACCOMMODATION

There are times when the policies of a particular landlord or apartment complex prevent people with disabilities from utilizing the services that they need. A landlord must make reasonable accommodation in their policies if their policies would have the effect of discouraging persons with disabilities from living in the dwelling unit.

COMMON ACCOMMODATIONS INCLUDE:

- Providing leases and other materials in Braille or large print;
- Issuing keys to visiting nurses or personal as assistants;
- Waiving parking costs for visiting nurses, personal assistants, and for Mobile Meals;
- Picking up rent payments or allowing the payments to be mailed, rather than requiring the tenant to make delivery;
- Adjusting due date of rent to accommodate alternate forms of income;
- Contacting a caseworker or other third party in case of behavior problems, rather than moving straight to eviction.

While the law requires landlords to accommodate tenants with behavior problems, it does not remove the ability of the landlord to evict tenants who exhibit violent or dangerous behavior.

SERVICE ANIMALS, such as guide dogs and helper dogs are not pets, and therefore should not be regulated by *"no pets"* policies. To ban such animals is a clear act of discrimination.