



Department of Medicaid

John R. Kasich, Governor

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Fair Housing Know Their Rights!

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Helpful Fair Housing Info for Transitioning

1. Fair Housing Definitions

- FH Definition
- Protected Classes
- Disability definition

2. Reasonable Accommodations & Reasonable Modifications (RA/RM)

- Difference between a RA and RM?
- Making the Most of Modifications
- Asking for an Accommodation or Modification





Fair Housing is:

Prohibits **discrimination** in the **sale, rental, and financing** of dwellings, and in other **housing-related transactions** based on membership in **protected classes**.

- Different from Ohio's Landlord Tenant Law
- Complaint driven law

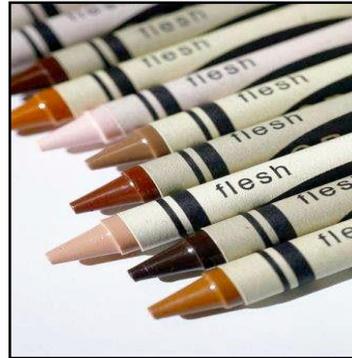


Protected Classes:

Race



(Skin) Color



Familial Status



Religion



Sex/Gender



National Origin





7th Protected Class:

Disability

- Fair Housing Act amended in 1988 to include disability and familial status
- Section 504 of the Rehabilitation Act of 1973
- Americans with Disabilities Act of 1990
- 1999 Olmstead Decision





FH & Context of Your Work

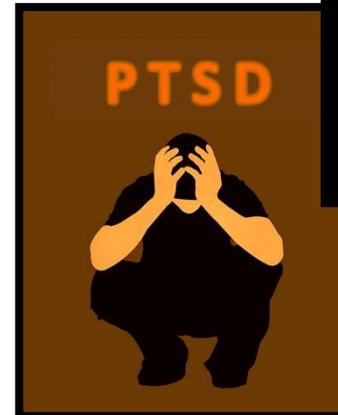
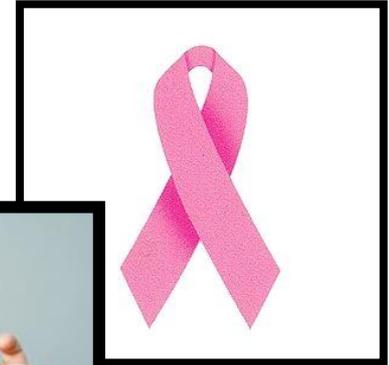
- Newer Laws & Ideas about Civil Rights
- Individuals with disabilities who weren't allowed to live in the community before Olmstead, are now looking for housing
- You are on the “front lines”
- While you're assisting individuals, you're helping advance the movement

Fair Housing Disability Definition

- **Individual with a physical or mental impairment that substantially limits one or more major life activities**
 - Individuals who are regarded as having such an impairment
 - Individuals with a record of such an impairment
- Significant; Limits to a Large Degree, Long Term, Permanent
- Seeing, Walking, Breathing, Caring for One's Self, Manual Tasks, Learning, Speaking, Hearing, Communicating

Examples of disability under FHA

- Orthopedic, visual, speech & hearing impairments
- Cerebral Palsy, Muscular Dystrophy, Multiple Sclerosis, Epilepsy
- Cancer, heart disease, diabetes, HIV/AIDS, asthma, COPD
- Intellectual Disability, Mental Illness, Emotional Illness, Autism, traumatic brain injury
- Alcoholism, Recovering substance abuse



Disability & Fair Housing

- Protection from discrimination when an individual is searching for, or living in a dwelling
- Examples:
 - Denied the opportunity to rent
 - Extra fees or deposit
 - Differential treatment from other tenants or neighbors
 - Refusing a Reasonable Accommodation or Modification

Reasonable Accommodation (for rental housing)

Reasonable Accommodation

- Change in rules, policy, or procedure
- Example: No Pets permitted, but have to accommodate a service/support animal
- Example: Breaking a Lease because of a disability



Reasonable Modifications

(for rental housing)



Reasonable Modification

- Physical change to interior or exterior of dwelling
- Example: Install grab bars, ramp or lift, widen doorways
- Tenant has to cover costs unless property covered by “Section 504”



“Reasonable”

1. Economically and architecturally feasible
2. Does not alter the fundamental nature of the program





Section 504

(of the 1973 Rehabilitation Act)

Section 504 Includes:

- Project-Based Section 8
- Public Housing
- Section 202/811
- Section 236
- HOME/CDBG funds
- USDA RD 515, 521, and 538 with interest credit

- Ohio Preservation Compact affordable housing database
 - www.ohiopreservationcompact.org
- Ask Leah or Emily for help if unsure



How to Ask for a RA or RM

- **Get the details together:**
 - Disability and Major Life Activity
 - RA/RM request
 - Does the request make sense given the individual's needs based on their disability
- **Give written notice to landlord or property manager**
 - Keep extra copies!
- **Wait a reasonable amount of time**





After asking for a RA or RM



1. Accepted
2. “Interactive Process”
 - Landlord Needs More Info
3. Ignored
4. Denied

Review & Questions

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2. Reasonable Accommodations & Modifications

- Differences between RA/RM
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