

Fair Housing Act and People with Disabilities: Know Your Rights

People with disabilities are protected under the Fair Housing Act (the Act). The Act applies to landlords, co-ops and condos, and all multi-family housing, and requires reasonable accommodation and reasonable modifications.

Reasonable Accommodations...

are changes in rules, policies, procedures, or services provided in order for a person with a disability to have access to their dwelling place. Examples of reasonable accommodation include allowing overnight caregivers, even though the lease prohibits overnight guests, or allowing a service animal, even though there is a no pets policy.

Reasonable Modifications...

are the alterations to an apartment or home that make the unit accessible to a person with a disability. People with disabilities must be permitted to make these modifications—at their own expense—either to their dwelling unit or to a common use area.

“Reasonable” is determined on a case-by-case basis and cannot require undue financial or administrative burdens on the housing provider.

The Fair Housing Act protects people with disabilities who encounter the following:

- Refusal to rent or sell to you because of your disability or your association with a person with a disability—which even entails discrimination against frequent visitors or close friends who are regularly around your house (“association discrimination”).
- Being charged fire fees, extra security, or higher rent because of a disability.
- Refusal to allow assistance animals—even if there’s a “no pets allowed” policy
- Refusal to permit reasonable modifications, including wheelchair ramps and grab bars.
- Being told you won’t be safe, the neighborhood’s not right for you, or you won’t be comfortable here.
- Terms and conditions change once landlord discovers your disability.
- Waiting an unreasonable length of time for a decision on a housing application.
- Being told the unit you want just rented, even though the space is still advertised.

If you think that you have been the victim of housing discrimination based on disability, you may file a complaint with the U. S. Department of Housing and Urban Development at https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint or the Colorado Civil Rights Division at <https://ccrd.colorado.gov/>.

