

REASONABLE ACCOMMODATION VERIFICATIONS: A FACT SHEET FOR MEDICAL PROFESSIONALS

What is a Reasonable Accommodation in Housing?

Both Federal and Pennsylvania State Fair Housing Laws require housing providers to make *reasonable accommodations* for persons with disabilities. A reasonable accommodation is a change or exception to any rule, policy, or practice that enables a resident with a disability equal opportunity to use and enjoy a dwelling. A person with a disability must notify the housing provider if they need a reasonable accommodation, and the housing provider must grant the request if it is reasonable. There must be a connection between the disability and the need for the accommodation.

A common reasonable accommodation request is for an assistance animal when a housing provider has a 'no pets' policy. In the case of assistance animals (which are NOT considered pets), any pet fees or pet security deposits must also be waived. Another common example is a person with a mobility or respiratory issue which prevents them from walking long distances requesting a reserved parking space near their unit.

How is Disability Defined by the Fair Housing Act?

Disability is defined broadly by the Fair Housing Act as a "physical or mental impairment that substantially limits one or more major life activities". This includes, but is not limited to, wheelchair users, those who are visually impaired, those limited by emotional problems, mental illness, major depression, difficulties associated with aging, or those suffering from HIV/AIDS. Individuals who are currently in or have successfully completed an addiction recovery program are covered by the definition of disability under the Fair Housing Act, however current users of illegal drugs are not.

What is an Assistance Animal?

An assistance animal is not a pet. An assistance animal is any animal that provides a service to a person with a disability. Assistance animals do not need to be specially trained, certified, or licensed and can be any type of therapeutically necessary animal. Guide dogs, seizure alert dogs, and PTSD dogs are commonly recognized, but many types of animals provide emotional support for individuals with mental and emotional health disorders.

Note: The Fair Housing Act requirements concerning assistance animals differ from the standards required under the Americans with Disabilities Act (ADA), which covers public accommodations. Under the Fair Housing Act, it doesn't matter whether an animal is a service animal, a therapy animal, or an emotional support animal. The important factor is that the assistance animal serves a disability related need and allows a person with a disability equal opportunity to use and enjoy a dwelling.

When does a Medical Professional Need to Provide a Verification Letter for a Reasonable Accommodation?

If a person's disability is not obvious or the need for the reasonable accommodation is not clear, a housing provider may request verification from a medical professional (physician, mental or behavioral health professional, etc.). The medical professional does not need to be a physician but does need to be qualified to assess the disability and familiar with the person requesting the accommodation. The letter should:

1. Verify that the individual has a disability as defined by the Fair Housing Act. The actual diagnosis or the severity of the disability does not need to be disclosed.
2. Demonstrate a relationship between the person's disability and the need the requested accommodation.

Sample Verification Letter

(on professional letterhead)

Date

Dear (Housing Provider),

(Name of client) is my patient/client and has been under my care since (date). I am familiar with his/her medical history and disability related functional limitations. He/she meets the definition of disability under the Fair Housing Act.

An (emotional support animal, reserved parking space, permission for an aide to move in, large print lease, etc.) is necessary for my patient/client to (choose one or more of the following):

- alleviate disability related symptoms
- allow for continued health and stability
- improve physical, emotional, or psychological function
- provide mobility support
- provide essential services
- enable (name of client) to live more independently, etc.

I am available to answer questions you may have concerning (name of patient/client)'s request.

Sincerely,

Signature and Name of Professional

The work that provided the basis for this publication was supported by funding under a grant with the U.S. Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. The author and publisher are solely responsible for the accuracy of the statements and interpretations contained in this publication. Such interpretations do not necessarily reflect the views of the Federal Government.



The Housing Equality Center is a nonprofit organization leading the effort to eliminate housing discrimination in Pennsylvania through education, advocacy and enforcement of fair housing laws. We provide victims of discrimination with legal help, perform testing to determine the existence of discrimination, educate the public, consult with and train housing providers, and work with housing and related service providers to ensure compliance with anti-discrimination laws. We assist housing discrimination victims and conduct testing investigations in Bucks, Chester, Delaware, Lehigh, and Philadelphia Counties.



Visit online:
equalhousing.org

For information and assistance, contact:
info@equalhousing.org
(267) 419-8918
(866) 540-FAIR

(267) 419-8918
equalhousing.org