



# FAIR HOUSING FOR MEDICAL AND MENTAL HEALTH PROFESSIONALS

+ LETTERS OF REASONABLE ACCOMMODATION

**The Fair Housing Center of  
Southeast & Mid Michigan**



# FAIR HOUSING

## About the FHC

We are a civil rights nonprofit organization providing investigative services (testing), advice, advocacy, conciliation, attorney referrals, and community education for Clinton, Eaton, Hillsdale, Ingham, Jackson, Lenawee, Livingston, Monroe, Shiawassee, and Washtenaw counties. The mission of the FHC is to end discrimination in housing and public accommodations and to promote accessible, integrated communities.

## Fair Housing Law

The Federal Fair Housing Act prohibits discrimination in housing, both public and private, on the basis of race, color, religion, sex, national origin, familial status, and disability. One potential type of prohibited discrimination under this Act is a refusal to provide a reasonable accommodation or a refusal to allow a reasonable modification to a person with a disability.

## FHA Definition of a Disability

The Fair Housing Act prohibits discrimination on the basis of disability in all types of housing transactions. The Act defines persons with a disability to mean those individuals with mental or physical impairments that substantially limit one or more major life activities.

### Physical and mental impairments can include but are not limited to:

- visual, speech, or hearing issues
- cerebral palsy, autism, epilepsy, multiple sclerosis, muscular dystrophy, cancer, heart disease, diabetes, or HIV/AIDS
- intellectual development disorder and/or emotional illness

### Major life activities include:

- |                 |            |                      |
|-----------------|------------|----------------------|
| • Walking       | • Seeing   | • Learning           |
| • Breathing     | • Hearing  | • Caring for oneself |
| • Communicating | • Thinking | • and more...        |

# REASONABLE ACCOMMODATIONS AND MODIFICATIONS

## What is a Reasonable Accommodation

A change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common-use spaces.

## Examples of Accommodations

- Termination of a lease without penalty for disability-related reasons
- Allowing assistance animal(s) in the home without imposing pet fees or pet deposits
- Providing assigned accessible parking to a person with mobility impairment
- Giving extra notice to the tenant before management/maintenance enters the unit
- Changing the rent due date and/or allowing a cosigner for someone who solely relies on SSI/SSDI income

## What is a Reasonable Modification

A structural change made to existing premises occupied or to be occupied by a person with a disability in order to afford such person full enjoyment of the premises.

## Examples of Modifications

- Adding a grab bar to a tenant's bathroom
- Installing a roll-in shower
- Providing ramp access to the entrance of the dwelling
- Installing visual doorbells or fire alarms
- Widening a doorway
- Carpet removal for wheelchair maneuverability

## A Letter of Reasonable Accommodation:

- Is written by a doctor or other medical or mental health professional, peer support group, non-medical service provider, or reliable third party who is in a position to know about the individual's disability.
- Is written or printed on letterhead
- Accomplishes the following:
  - Verifies that the person meets the Fair Housing Act's definition of disability (need not mention a specific diagnosis, but it must be clear that the person's condition rises to the level of a disability)
  - Shows the relationship between the person's disability and the need for the requested accommodation/modification ("need" should be distinguished from "may benefit" or "is recommended")

## Tips for an Effective Letter

### **DO:**

- Make a direct connection between the request and the disability
- Use language like "necessary," "essential," and/or "prescribed" to describe the client's need for a reasonable accommodation or reasonable modification

### **DON'T:**

- Use terms like "issue" or "condition" to describe a disability
- Describe the disability in detail
- Provide the diagnosis, treatment history, medications, etc.
- Use the word "pet" to describe an assistance animal

### **REMEMBER...**

- Assistance animals are NOT pets
- Emotional Support Animals are NOT required to undergo ESA-specific training or certification
- Housing providers cannot mandate the use of a specific form for requesting reasonable accommodations

## Example 1

### General Request for Reasonable Accommodation

[Date]

Dear [Housing Provider]:

[Name of client] is my client/patient, and I am familiar with his/her/their history and disability-related functional limitations. [Name of client] meets the definition of a disability under the Fair Housing Act.

To allow [name of client] to have full use and enjoyment of his/her/their dwelling, it is necessary for [insert need].

Specifically, [please provide information demonstrating how the accommodation is needed or necessary to alleviate one or more identified symptoms or effects of an existing disability or how the disability will be exacerbated in the absence of the accommodation].

I am available to answer questions you may have concerning my verification of [name of client]'s request.

Sincerely,

[Signature and Name of Professional]

## Example 2

### Request for Accessible Parking Space

[Date]

Dear [Housing Provider]:

[Name of client] is my client/patient, and I am familiar with his/her/their history and disability-related functional limitations. [Name of client] meets the definition of a disability under the Fair Housing Act.

Due to [name of client]'s disability, he/she/they needs/requires a designated accessible parking space nearest to his/her/their unit, because **[of mobility impairment, inability to walk long distances, etc. - provide the least detailed explanation necessary to demonstrate the need for the accommodation]**.

I am available to answer questions you may have concerning my verification of [name of client]'s request.

Sincerely,

[Signature and Name of Professional]

## Example 3

### Request for Emotional Support Animal

[Date]

Dear [Housing Provider]:

[Name of client] is my client/patient, and I am familiar with his/her/their history and disability-related functional limitations. [Name of client] meets the definition of a disability under the Fair Housing Act.

Due to [name of client]'s disability, it is necessary for he/her/them to reside with his/her/their emotional support animal (ESA), \_\_\_\_\_ [if client already has ESA, or if a specific species of animal is prescribed, identify the type of animal - dog, cat, bird, etc.]. This ESA will assist [name of client] with the functional limitations associated with his/her/their disability.

*If client has multiple ESAs, please delineate the specific need for/role(s) fulfilled by each animal. If the animal is not a traditional domesticated animal, please justify the patient's need for the particular animal or type of animal.*

I am available to answer questions you may have concerning my verification of [name of client]'s request.

Sincerely,

[Signature and Name of Professional]

## Example 4

### Request for First Floor Unit

[Date]

Dear [Housing Provider]:

[Name of client] is my client/patient, and I am familiar with his/her/their history and disability-related functional limitations. [Name of client] meets the definition of a disability under the Fair Housing Act.

Due to changes in [name of client]'s disability-related needs, it is necessary for he/her/them to transfer to a first floor unit, because **[of mobility impairment, inability to walk up and down stairs, etc. - provide the least detailed explanation necessary to demonstrate the need for the accommodation]**.

I am available to answer questions you may have concerning my verification of [name of client]'s request.

Sincerely,

[Signature and Name of Professional]

# Additional Resources

## **Fair Housing Center, *Writing Support Letters***

<https://fhcmichigan.org/know-your-rights/disability/writing-support-letters/>

## **Fair Housing Center, *Reasonable Accommodations***

<https://fhcmichigan.org/know-your-rights/disability/reasonable-accommodations/>

## **Fair Housing Center, *Reasonable Modifications***

<https://fhcmichigan.org/know-your-rights/disability/reasonable-modifications/>

## **Fair Housing Center of West Michigan, *A Guide to Requesting Reasonable Accommodations and Modifications***

<https://fhcwm.org/disability>

## **Bazelon Center for Mental Health Law, *What Fair Housing Means for People with Disabilities***

[https://www.bazelon.org/wp-content/uploads/2018/05/Fair-Housing-Guide\\_2018-Update.pdf](https://www.bazelon.org/wp-content/uploads/2018/05/Fair-Housing-Guide_2018-Update.pdf)

# Notes

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# **The Fair Housing Center of Southeast & Mid Michigan**

call: **877-979-3247**

email: **complaints@fhcmichigan.org**

submit an online inquiry: **fhcmichigan.org**

This guide book is not intended to be used as legal advice.

