



(image description: SouthCoast Fair Housing logo)

SouthCoast Fair Housing



(image description: two people signing in ASL to each other in a bright room. One person is signing “help” and the other is responding.)

FAIR HOUSING RIGHTS OF PERSONS WHO ARE DEAF OR HARD OF HEARING OR WHO ARE BLIND OR HAVE LOW VISION

HOUSING DISCRIMINATION IS ILLEGAL

The federal Fair Housing Act prohibits discrimination in housing-related transactions because of *race, color, religion, national origin, sex, disability* or *familial status (presence of minor children or pregnancy)*.

The Massachusetts and Rhode Island fair housing statutes prohibit housing discrimination on the basis of these additional protected classes:

- age,
- veteran or military status,
- sexual orientation,
- gender identity,
- marital status,
- receipt of public assistance* (e.g., food stamps)
- use of housing subsidy* (e.g., Section 8)
- genetics*
- status as a victim of domestic violence‡

*Massachusetts only

‡ Rhode Island only

Fair housing laws apply to a wide variety of housing transactions, including rentals, sales, home mortgages, appraisals and homeowners insurance. Landlords, real estate agents, lenders, insurance companies, and condominium, cooperative and homeowners associations must not discriminate because of one's membership in a protected class.



(image description: person from the legs down walking with an assistance dog and holding a support cane)

COMMONLY ASKED QUESTIONS & ANSWERS

What is the definition of a disability?

A disability is a physical or mental impairment which substantially limits one or more major life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. It also includes a record of such an impairment or being regarded as having such an impairment. The law also covers someone who is associated with a person with a disability.

What is a reasonable accommodation?

A "reasonable accommodation" is 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 its public and common use space. Examples of reasonable accommodations for residents who are deaf or hard of hearing or blind or have low vision include:

- Providing an interpreter to enable residents who are deaf or hard of hearing to participate in homeowner or condominium association meetings or meetings or conversations with a housing provider involving long, complex or important matters.
- Providing assistance in filling out forms or providing leases, rules, or other documents in large print.
- Where a lease permits only those adults named on the lease to reside in a unit, allowing a live-in aide if the tenant needs such assistance.
- Allowing an assistance animal in a building with a "no pets" policy.

LANDLORDS & PROPERTY MANAGERS

Landlords and their agents must ensure that individuals with vision, hearing, communication or speech-related disabilities can effectively communicate with them. For example, persons who are blind or have low vision may need to have the rental application or other housing related documents read to them. Housing providers may not refuse to communicate through TTY, video relay, or other relay systems.

What is a reasonable modification?

A “reasonable modification” is a structural change made to existing premises occupied or to be occupied by a person with a disability, so that he or she can fully use and enjoy the premises. Reasonable modifications can include structural changes to interiors and exteriors of dwellings, and to the common and public use areas. The resident pays the cost of the modification. Examples of reasonable modifications include allowing a tenant to:

- Install a communication device, such as strobe lights, to alert a tenant who is deaf or hard of hearing that smoke alarm or door bell has sounded.
- Modify kitchen appliances for use by a person who is blind.
- Install grab bars or ramps; widen doorways to enable wheelchair access.
- Remove a built-in bookshelf that protrudes into a pathway.

The resident is responsible for paying the cost of the modification. Tenants are obligated to restore the interior of the dwelling to its previous state only where it is reasonable to do so and the housing provider has requested the restoration. Reasonable modifications to the exterior of a dwelling are not required to be restored. Section 504 of the

Rehabilitation Act of 1973 may require landlords that receive federal funds to pay for reasonable modifications.

LENDERS AND INSURERS

Lenders and insurance companies may not refuse to provide mortgages or homeowners or renters insurance respectively because the applicant is a person with a disability. Nor may they provide mortgages or insurance on different terms. Under the Fair Housing Act, lenders and insurers need to make sure that a person with a disability receives the same information about a loan or insurance policy as any other applicant without a disability. Lenders and insurers also need to make reasonable accommodations to persons with disabilities, which may include providing an interpreter.

REQUEST FOR REASONABLE ACCOMMODATION/MODIFICATION

A request for a reasonable accommodation or reasonable modification need not be in writing, but it is recommended that a request be made in writing so that there is a record of both the request and the date it was sent.

When considering a reasonable accommodation/modification request, a housing provider may take only the following into consideration:

- Is the individual for whom the request is made a person with a disability?
- Is the requested accommodation or modification necessary to allow the person with a disability an equal opportunity to use and enjoy a dwelling, including common areas?
- Would the requested accommodation impose an undue financial and administrative burden on the housing provider?

- Would the requested accommodation require a fundamental alteration in the nature of the provider's operations?

A housing provider may not ask about the nature or severity of the disability. However, a housing provider may request information about the relationship between the person's disability and the need for requested accommodation, if either the disability or the need for the requested accommodation is not apparent. This information can usually be provided by the individual making the request. A doctor or other medical professional, a peer support group, a non-medical service agency, or another reliable third party who is in a position to know about the individual's disability may also provide the information.

Fair Housing is Your Right!

SouthCoast Fair Housing, Inc. (SCFH) works to eliminate housing discrimination and help develop inclusive communities throughout Rhode Island and southeastern Massachusetts. SCFH provides fair housing education, outreach, advocacy, and enforcement activities to ensure all individuals have equal housing opportunities.

For more information, to schedule a fair housing training, or to file a housing discrimination complaint, call (774) 473-9994 or (401) 285-2550, visit southcoastfairhousing.org or email info@southcoastfairhousing.org.



(image description: SouthCoast Fair Housing logo)

For more information or to file a housing discrimination complaint, contact:

SouthCoast Fair Housing

257 Union Street
New Bedford, MA 02740
(774) 473-9994

1005 Main Street, Suite 1210
Pawtucket, RI 02860
(401) 285-2550

SouthCoastFairHousing.org

To contact us via TTY, using your TTY call 711, call MassRelay at 800-439-2370 (or 1-866-930-9252 for Spanish), or call Rhode Island Relay at 1-800-745-5555 (or 1-866-355-9214 for Spanish) and provide our phone number.

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.