

REASONABLE ACCOMMODATIONS & MODIFICATIONS:

A GUIDE FOR RESIDENTS WITH DISABILITIES



Revised 1-16

Reasonable Accommodations & Modifications **for Residents With Disabilities**

The Fair Housing Partners wrote this guidebook to help rental applicants and residents, and members of condominiums and homeowner associations understand the reasonable accommodation and modification process. We hope you find this information helpful.

Other free fair housing resources are available in print and CD format:

- **Housing Discrimination & Your Civil Rights: Fair Housing Guide for Renters and Home Buyers** (in several languages)
- **Harassment and Retaliation**
- **Domestic Violence & Fair Housing**
- **Sample Policy for Housing Providers: Reasonable Accommodations & Modifications for People with Disabilities**
- **Sample Policy for Housing Providers: Service Animals**

Please share your comments about this guidebook by contacting the King County Office of Civil Rights, 206-263-2446, TTY Relay: 711, or email to Civil-Rights.OCR@KingCounty.gov.

FAIR HOUSING PARTNERS OF WASHINGTON STATE

Washington State Human Rights Commission
King County Office of Civil Rights
Seattle Office for Civil Rights
Tacoma Human Rights
Fair Housing Center of Washington
Northwest Fair Housing Alliance

This information does not constitute legal advice. Please consult with one of the fair housing agencies if you have questions about this topic.

AVAILABLE IN ALTERNATE FORMATS UPON REQUEST

Contact King County OCR, 206-263-2446, TTY Relay: 711

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WHO IS DEFINED AS A "PERSON WITH A DISABILITY"?

Under fair housing laws, a disability is defined as:

- a physical or mental impairment which substantially limits one or more major life activities,
- a record of such an impairment, or
- being regarded as having such an impairment.



The Washington State Law Against Discrimination defines disability to include conditions that are temporary or permanent, common or uncommon, mitigated or unmitigated.

A "**housing provider**" is a landlord, rental manager, condominium board person, homeowner association board member, or other person or entity which controls access and/or use to dwellings or housing related services.

REASONABLE ACCOMMODATIONS AND MODIFICATIONS

An applicant or resident with a disability may need either a reasonable accommodation or a reasonable modification, or both, in order to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces. See Appendix B for a list of common accommodations and modifications.

A **reasonable accommodation** is a change, exception, or adjustment to a rule, policy, practice, or service that allows a person with a disability to use and enjoy housing, including public and common use areas. Examples of reasonable accommodations provided by rental management include:

- providing rental forms in large print
- providing a reserved accessible parking space near a dwelling
- allowing a service animal in a "no pets" building
- granting a move to the ground floor when someone can no longer climb stairs.



A **reasonable modification** is a structural change made to a resident's living space or to the common areas of a community, which is necessary to enable the resident with a disability to have full use of and enjoyment of the housing. Reasonable modifications can include structural changes to interiors and exteriors of dwellings, and to common and public use areas. Examples of reasonable modifications include:



- widening a doorway for a wheelchair user
- installing grab bars in a bathroom
- lowering kitchen cabinets to a height suitable for a wheelchair user
- adding a ramp and handrails to make a main entrance accessible
- altering a walkway to provide access to a public or common use area.

ACCOMMODATIONS AND MODIFICATIONS PROCESS

MAKE A REQUEST

If an individual with a disability needs a reasonable accommodation or modification, the first step is to submit a request to the housing provider. The person with a disability or another person/entity (parent, advocacy organization or other representative) can make the request. The request does not need to disclose the nature of the person's disability. (see sample letters in Appendix C)



Accommodation requests can be verbal; however, it is recommended that requests be made in writing. Written requests will help the housing provider to assess the request and avoid misunderstandings about what is being requested. There is no special form or format that must be used for requests.

The request must be:

- for someone who has a disability,
- for an accommodation that is necessary and directly related to the person's disability, and
- reasonable.

In the request, include a full description of the required accommodation. If there are resources that will make it easier or quicker for management to grant the request, it is helpful to include this information with the request.

If the request is for permission to make a modification to the premises at the resident's expense:

- Give a full description of the modification(s) that is needed.
- Let management know that building permits will be obtained, if necessary.
- Assure management that the modifications will be done in a professional manner.

Requests for reasonable accommodations are usually granted without cost to the resident. However, residents usually must pay for reasonable modifications. In some cases, a resident will be asked to:

- Agree to return the premises to its original state, at the resident's expense.
- Agree to pay into an interest-bearing escrow account, over a reasonable period, an amount of money not to exceed the cost of the restorations (the interest on the account accrues to the resident).

Example: A resident installs bathtub grab bars with reinforcement in the wall (with permission of management). Management may ask the resident to remove the grab bars at move-out, but leave the wall reinforcement.

WHO PAY\$?

Accommodations – The rental housing provider, condominium or homeowner association is responsible for ensuring general access to the housing facility and for meeting minimum accessibility code standards. Most reasonable accommodations are no or low cost. The housing provider is required to cover accommodation costs that do not amount to an "undue financial and administrative burden." Housing providers may not require people with disabilities to pay extra fees or deposits as a condition of receiving a reasonable accommodation or modification.

Modifications – Generally, the resident will cover the expense of making reasonable structural modifications to a property. However, if the property receives federal funds, the housing provider pays, unless there is financial and administrative hardship.



How many requests? A person with a disability can make as many requests for accommodations or modifications as necessary, whenever they are needed. The housing provider should consider each request promptly.

NO fees for requests. A housing provider cannot require people with disabilities to pay extra fees or deposits as a condition of receiving a reasonable accommodation.

Example: A manager cannot charge a pet deposit for a service animal.

PROVIDE VERIFICATION, IF NECESSARY

The housing provider may ask for written verification that the person who needs the accommodation or modification has a disability. The person making the request may also be asked to verify that the accommodation or modification is necessary for that person to have an equal opportunity to use and enjoy the housing.



A verification letter may be provided by a doctor or other qualified medical professional, a peer support group, a non-medical service agency, or a reliable third party who is in a position to know about the individual's disability.

- If a person's disability and the need for the accommodation is obvious, the person will not need to provide verification. Examples: A resident who obviously has low vision asks for the tenancy rules in large print. Or an applicant with a state disabled parking permit asks for a reserved parking space near his front door.
- If the disability is obvious, but the need for the accommodation is not clear, the housing provider may ask for written verification that the accommodation is necessary. Example: Someone who is clearly deaf asks for a reserved parking space near his front door. There's no clear connection between the deafness and a parking space, so the resident will need to show that the parking space is needed (maybe for another disability).
- If neither the disability nor the need for the accommodation are obvious, the housing provider may ask for verification that the person has a disability and a disability-related need for the accommodation requested. Example: A resident does not have an obvious disability, and wants to have a service animal live with her. She may need to provide a letter verifying that she has a disability and that she needs the service animal for her disability condition.

Confidentiality: Sometimes in casual conversation or during the interactive process, a person may share private information about his or her disability, medical treatment, or details about tasks a service animal does. The housing provider must keep this information confidential and not share it, except with management employees who need to make a decision to grant or deny a reasonable accommodation request.

DISCUSS YOUR REQUEST

The housing provider may need to discuss a request with the resident. Sometimes the particular accommodation requested may be difficult, time-consuming or expensive to provide, and the housing provider might suggest alternate accommodations that could work just as well. If the accommodation requested is the only one that will work, be prepared to explain why. Have a back-up plan in mind and be willing to discuss alternatives. The housing provider should tell the resident if they decide to deny the request, and offer an opportunity for the person to request an alternative.



The housing provider should consider each request on a case by case basis. Management is expected to provide prompt responses to accommodation requests. An undue delay in responding may be seen as a denial of the requested accommodation. The resident may then want to seek legal assistance or to file a complaint with a fair housing agency.

The housing provider can:

- offer to move a resident to a different (more accessible) unit instead of allowing a modification in the person's current unit (but cannot insist that the person move).
- require that a modification to a common area (or to the inside of a unit that will not need restoration) be done to their design, if it still meets the resident's needs and does not amount to any additional cost.
- require that whoever does the work on a modification is reasonably able to do so in a workmanlike manner and that all necessary building permits are obtained.
- at move-out, require the resident to restore the inside of the unit to its previous condition when it is reasonable to do so. (If the modification will not affect the next resident's use of the rental, it does not need to be restored to the way it was at move-in).
- in certain limited circumstances, require that the resident deposit money into an interest bearing account to ensure that funds are available to remove modifications and restore the interior of a dwelling to its previous condition.

The housing provider cannot:

- require a resident to use more costly materials for a modification just to satisfy their design preferences, unless the housing provider pays the additional costs.
- require that a resident get additional insurance or increase the security deposit before they will allow an accommodation or modification.
- insist that a particular contractor perform the modifications.
- require that a resident restore modifications made to the outside of the unit, such as ramps to the front door of the dwelling, or modifications made to building entrances or common areas.



TROUBLESHOOTING: WHAT TO DO WHEN THINGS GO WRONG

If you have followed the process outlined in this booklet and you met problems along the way, there are various steps you can follow. Here are some problem areas to watch out for, and what you can do to resolve them:

<u>Problem</u>	<u>Solution</u>
You made a verbal request, and the manager insists you put the request in writing.	It's a good idea to put requests in writing, because then you and management have a record of what you asked for. If you submit a verbal request, make a note for yourself about the date, who you spoke to, and what you asked for.
Management says you must tell them exactly what kind of disability you have.	You do not have to share any detailed information about what sort of disability you have, or any other medical details. Tell management about the guidebook "Reasonable Accommodations & Modifications for People with Disabilities" available online at www.kingcounty.gov/exec/CivilRights/FH/HPresources.aspx .
The manager wants written verification of your disability, even though it is obvious.	If you have a disability that anyone can see, rental management does not need written proof that you're disabled. Tell management about the guidebook above.
The manager will not discuss your request with you.	Not every request needs discussion – sometimes management can go ahead and provide the accommodation. If you need to talk with management about the request details and the manager refuses, you may need to contact the manager's supervisor or send a letter to the property owner or the management company. Tell management about the guidebook above.
Management says the verification letter is not good enough.	Sometimes a doctor or other professional working with you will write a letter that's not specific enough. For example, when a letter says "David will benefit from this accommodation," it does not show the disability-related necessity. One option is to use the verification form in Appendix F. The verification letter should clearly confirm that you have a disability and that there is a disability-related need for the requested accommodation or modification.
You requested an accommodation several days or weeks ago and nothing has been done.	Follow up and ask about the status (is there a decision, who's reviewing, etc.). Management should consider your request and grant it promptly if it's reasonable. If there is a delay they cannot control, they should let you know why it's taking so long. Tell management about the guidebook above.
Management provided you with a reserved parking space, but does nothing when others park there.	When management provides accommodations, they must follow through by making sure the accommodation continues to work for you. This is especially true for reserved parking spaces – the manager must enforce the rule that only you can park there.

RESOURCES

Remember, anyone can contact a civil rights agency at any time with questions about reasonable accommodations or modifications. If you have any questions about your rights and responsibilities under the fair housing laws, contact a fair housing agency in your area listed in Appendix A (page 10). These agencies offer good information for accommodation ideas, funding resources, access codes, etc.



If the process described in this booklet was followed and management did not respond, took too long to respond, or denied a reasonable request, a person may need to consider filing a fair housing complaint with a civil rights enforcement agency.

For more information about your rights under fair housing laws, see www.hud.gov/offices/fheo/FHLaws/yourrights.cfm.

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FAIR HOUSING AGENCIES IN WASHINGTON STATE

FAIR HOUSING ENFORCEMENT AGENCIES

U.S. Dept. of Housing & Urban Development Fair Housing 909 First Avenue Suite 205 Seattle, WA 98104-1000	Washington State Human Rights Commission 711 S. Capitol Way Suite 402 Olympia, WA 98504-2490	King County Office of Civil Rights Chinook Building 401 Fifth Avenue Suite 215 Seattle, WA 98104-1818	Seattle Office for Civil Rights 810 Third Avenue Suite 750 Seattle, WA 98104-1627	Tacoma Human Rights 747 Market Street Room 1044 Tacoma, WA 98402-3779
206-220-5170 800-877-0246 TTY 206-220-5185 Fax 206-220-5447	360-753-6770 800-233-3247 in WA TTY 800-300-7525 Fax 360-586-2282	206-263-2446 TTY Relay: 711 Fax 206-296-4329	206-684-4500 TTY 206-684-4503 Fax 206-684-0332	253-591-5162 TTY Relay: 711
www.hud.gov/local/sea/seafhome.html	www.hum.wa.gov	www.kingcounty.gov/civilrights	www.seattle.gov/civilrights	www.cityoftacoma.org/humanrights
<u>Protected Classes</u> Race Color National Origin Religion Sex Disability Familial Status	<u>Protected Classes</u> Race Color National Origin Creed Sex Disability Familial Status Marital Status Sexual Orientation (incl. gender identity) Veteran/Military Status	<u>Protected Classes</u> Race Color National Origin Religion Gender Disability Familial Status Marital Status Sexual Orientation (incl. gender identity) Age Section 8 Ancestry Use of a Service or Assistive Animal	<u>Protected Classes</u> Race Color National Origin Religion/Creed Sex Disability Parental Status Marital Status Sexual Orientation Gender Identity Age Section 8 Political Ideology Veteran/Military Status	<u>Protected Classes</u> Race Color National Origin Religion Sex Disability Familial Status Marital Status Sexual Orientation Gender Identity Age Ancestry Veteran/Military Status
File within 1 year <u>Jurisdiction:</u> United States	File within 1 year <u>Jurisdiction:</u> Washington	File within 365 days <u>Jurisdiction:</u> Unincorporated King County	File within 1 year <u>Jurisdiction:</u> City of Seattle	File within 1 year <u>Jurisdiction:</u> City of Tacoma

FAIR HOUSING ADVOCACY, EDUCATION & OUTREACH ORGANIZATIONS

<u>In Western Washington:</u> Fair Housing Center of Washington 1517 S. Fawcett Avenue, Suite 250 Tacoma, WA 98402 253-274-9523, 888-766-8800 (toll free), Fax 253-274-8220 www.fhcwashington.org	<u>In Eastern Washington:</u> Northwest Fair Housing Alliance 35 West Main Avenue, Suite 250 Spokane, WA 99201 509-325-2665, 800-200-FAIR (in 509 area code), Fax 509-325-2716 www.nwfairhouse.org
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RETALIATION: Fair housing laws prohibit retaliation – an act of harm by anyone against a person who has asserted fair housing rights (by making an informal discrimination complaint, filing a civil rights complaint, or being otherwise involved in an investigation).

Fair housing laws are subject to change. The federal Fair Housing Act, state and local fair housing laws exempt certain housing from coverage. For questions, contact each agency concerning the laws that agency enforces.



SECTION 8 ORDINANCE ENFORCEMENT

In addition to the City of Seattle and unincorporated King County, the following cities enforce local ordinances prohibiting housing discrimination based on participation in the Section 8 Program:

- **City of Bellevue** -- To file a complaint, contact Code Compliance, 425-452-4570
email: codecompliance@ci.bellevue.wa.us
web: www.ci.bellevue.wa.us/reportproblem.htm
- **City of Kirkland** -- To file a complaint, contact Code Compliance, 425-587-3225
email: codecompliance@ci.bellevue.wa.us
web: www.kirklandwa.gov/depart/planning/Code_Enforcement.htm
- **City of Redmond** -- To file a complaint, contact Code Compliance, 425-556-2474
email: codeenforcement@redmond.gov
web: www.redmond.gov/Residents/CodeEnforcement/

APPENDIX B - COMMON DISABILITY ACCOMMODATIONS & MODIFICATIONS

Under fair housing laws, housing providers must accommodate the disability-related needs of applicants and residents who have disabilities. A reasonable accommodation is an adjustment in rules, procedures or services that gives a person an equal opportunity to use and enjoy their dwelling and common areas. A reasonable modification is a change in a dwelling or common areas (usually at the resident's expense) that is needed to live comfortably and safely. Do not ask applicants or residents if they have a disability, for details about the condition, or to see medical records. If unaware of the person's disability status or need for the accommodation/modification, it is okay to ask for third-party verification that the person has a disability and that the request will address the person's disability needs. *

Vision Disabilities	Hearing Disabilities	Cognitive Disabilities	Physical Disabilities	Psychiatric Disabilities	Environmental Disabilities
<p>Allow a guide dog.</p> <p>Read notices aloud or put them in large print or in Braille.</p> <p>Provide ample interior and exterior lighting.</p> <p>Provide large print or Braille numbers on doors.</p> <p>Provide documents in electronic format.</p> <p>Remove objects that protrude into hallways and pathways.</p> <p>Put non-slip, color-contrast strips on stairs.</p>	<p>Provide a doorbell signaler.</p> <p>Provide a visual smoke alarm system.</p> <p>For phones in common areas, add voice amplification.</p> <p>Install a TTY in the rental office.</p> <p>Provide sign language interpreters for important meetings.</p> <p>Allow a service animal.</p>	<p>Explain the rental agreement and tenancy rules.</p> <p>Write application, rental agreement and notices in clear, simple terms.</p> <p>Show how to use appliances.</p> <p>Provide simple door locks or security systems.</p> <p>Provide a monthly reminder that the rent is due.</p> <p>Show location of the water shutoff valve and explain when to use it.</p>	<p>Make sure the on-site rental office is accessible.</p> <p>Allow a live-in personal care attendant.</p> <p>Provide lever door handles and automatic door closers.</p> <p>Clear shrubs from pathways and trim to low height.</p> <p>Insulate exposed kitchen and bathroom pipes.</p> <p>Install anti-skid tape on floors and stairs.</p> <p>Upon request, move resident to a lower floor.</p> <p>Allow modifications:</p> <ul style="list-style-type: none"> ▪ wider doorways ▪ ramps ▪ grab bar installation ▪ lower closet rods ▪ lower thermostat. 	<p>Move a resident to a quieter unit, upon request.</p> <p>If an applicant misses a deadline because of the disability, return the application to the waiting list upon request.</p> <p>Allow a service animal.</p> <p>Allow a third party payee.</p> <p>Upon request, notify an authorized third party of compliance issues.</p>	<p>Use non-toxic fertilizers and cleaning products.</p> <p>Allow removal of carpet from the rental.</p> <p>Remove the ballast on fluorescent lights.</p> <p>Post "no smoking" signs in common areas.</p> <p>Consider a "no smoking" rule for an entire building.</p>

* The documentation that can be requested is a letter of verification from a doctor or other medical professional, or other qualified third party who, in their professional capacity, has knowledge about the person's disability and the need for reasonable accommodation. For more information, see the joint HUD and Dept. of Justice guidance memo on reasonable accommodations online at www.usdoj.gov/crt/housing/joint_statement_ra_5-17-04.pdf.

APPENDIX C - ACCESSIBLE PARKING

Resident Parking – If parking is provided for residents, it is a reasonable accommodation to provide reserved accessible spaces for residents with disabilities.

- The standard accommodations process can be used for accessible parking requests. If a resident has a state disabled parking permit, this is generally sufficient proof of the need for a reserved accessible parking space.
- Many people who need an accessible parking space do not need an extra-wide space with an access aisle – they often need only a regular-size parking space nearest to their front door or on the most accessible route to the front door. Discuss your specific parking needs with your housing provider.
- Even if parking spaces are not normally assigned, a reserved parking space should be provided to a resident with a disability.
- The housing provider should post a sign at the head of the parking space noting that the spot is reserved, so that others do not park there. Vendors and other residents should be alerted that these spaces are off-limits.
- Housing providers should strictly enforce a resident's reserved accessible parking space, and be prompt in responding to complaints when others park there.

Guest Parking – If guest parking is provided near the rental office, some of those spaces must be accessible.

- Housing providers should locate at least one accessible guest parking space near an on-site rental office, with an accessible route from the parking to the office.
- Guest parking is subject to ADA Title III rules, which require that at least 2% of all guest spaces in each lot meet access requirements and be designated with appropriate signage. These spaces must be at least 96" wide and must have an adjacent striped access aisle at least 60" wide. An access aisle can be shared between two accessible parking spaces. At least one of these spaces must be van accessible, with a 96" access aisle. Vendors should be alerted that these spaces are off-limits.
- Housing providers should strictly enforce accessible guest parking spaces, and be prompt in responding to complaints when others park there.

Cooperative housing and condominiums – Sometimes a governing board or owners group has only limited control over parking spaces. Boards should assist within their means to the person seeking a parking accommodation. If another resident owns the desired space, the two owners can negotiate a swap.

APPENDIX D - SERVICE / ASSISTANCE ANIMALS

Some people with disabilities have a medical need for an animal to provide a service or assistance related to their disability. These animals are called service animals, assistance animals, assistive animals, therapeutic companion animals, etc.

When an applicant or resident who has a disability requests to live with a service animal, the usual accommodation process can be used. It is a reasonable accommodation to allow residents to live with service animals that meet their disability-related needs.

- Service animals are **not** pets. A person with a disability uses a service animal as an auxiliary aid – similar to the use of a cane or wheelchair.
- Service animals should be permitted despite "no pet" rules.
- While the most common service animals are dogs, they may include cats, birds, or other common domestic animals. "Therapeutic companion" animals are considered to be service animals, if they are required to meet a disability-related need.
- Service animals may be any breed, size or weight. A housing provider should not apply pet size or weight limitations to service animals.
- Service animals need no special license or visible identification. Some owners of service animals choose to put special collars or harnesses on their animals. If city or county laws require pet licenses for dogs and cats, rental management can require licensing for service dogs or cats. In some cases, such licenses are free or discounted for service animals.
- Service animals need no "certification." A person may train his or her own service animal.
- Housing providers should not charge owners of service animals any pet deposits or fees. They can charge general cleaning or damage deposits, if all residents are similarly charged. The service animal's owner is responsible for the animal's care and liable for any damage the animal causes.
- Because service animals provide different types of assistance, in some cases a person with a disability may require more than one service animal.
- If the need for the service animal is not obvious, a housing provider can request that the resident provide a written verification letter that confirms the person has a disability and a medical need for the animal.

For more information, see the Sample Policy on Service Animals available from the Fair Housing Partners of Washington State.

APPENDIX E - SAMPLE LETTERS FOR RESIDENTS

NOTE: You are not required to disclose the exact nature of your disability with the landlord, manager, condominium board or homeowner association. However, you may share that information if you wish and if you believe it will assist them in providing you with reasonable accommodations.

REASONABLE ACCOMMODATION REQUEST – ACCESSIBLE PARKING

Dear Manager:

I live at the Evergreen Apartments in unit #205. I (or a member of my household) have a mobility disability and use a Washington state disabled parking permit. I have enclosed a photocopy of my state parking permit.

As an accommodation for my disability, I request that you provide me with a reserved accessible parking space nearest to the front door of my unit. I need a regular size parking space with no extra access aisle. I believe that the parking space at the end of the row nearest the mailboxes on the north side of Building 3 would be the best spot for me to access my apartment unit.

Please respond in writing to my request for a reasonable accommodation within a week.

I look forward to your response and appreciate your attention to this matter.

Sincerely, (resident name)

REASONABLE ACCOMMODATION REQUEST – LARGE PRINT

Dear Manager:

I live at the Evergreen Apartments in unit #205. I (or a member of my household) have low vision and need written materials in large print form (at least 20 point type).

As an accommodation for my disability, I request that you provide me with a large print copy of the lease, tenancy rules, safety rules, resident notices, and other printed materials given to residents or posted on the grounds.

Please respond in writing to my request for a reasonable accommodation within a week. I appreciate your attention to this matter and look forward to your response.

Sincerely, (resident name)

REASONABLE ACCOMMODATION REQUEST – SERVICE ANIMAL

Dear Manager:

I live at the Evergreen Apartments in unit #205. I (or a member of my household) am a person with a disability.

Our building's rules state a "no pets" policy. Because of my disability, a doctor has prescribed a service animal to assist with my daily living.

I am requesting that you make a reasonable accommodation in the building's rules to permit me to have a service animal in my apartment. Max, my service animal, is a golden Labrador retriever.

Please respond in writing to my request for a reasonable accommodation within a week. I appreciate your attention to this matter and look forward to your response.

Sincerely, (resident name)

REASONABLE MODIFICATION REQUEST

Dear Manager:

I live at the Evergreen Apartments in unit #205. I (or a member of my household) use a wheelchair.

As a reasonable modification for my disability, I request your permission to install grab bars in the bathroom of my unit, near the toilet and inside the bath stall, at my expense. I intend to hire Able Carpenters Company to do the installation, which will include wall reinforcement to current state building codes. Joe Johnson at ACC is willing to discuss this project with you, show you the blueprints and discuss any concerns you may have.

If you wish, I will have the grab bars removed when I vacate my unit.

Please respond in writing to my request for a reasonable modification within ten days. I appreciate your attention to this matter and look forward to your response.

Sincerely, (resident name)

**APPENDIX F - GUIDANCE FOR HEALTH CARE
AND QUALIFIED PROFESSIONALS:
Verifying Reasonable Accommodation and Modification Requests**

Dear Health Care Provider or Qualified Individual:

Fair housing laws allow an individual who has a physical, mental, or sensory disability to request that a housing provider grant him/her a reasonable accommodation (a change in rules, policies, or practices) or reasonable modification (a structural change to a dwelling). Once an applicant or resident has made a request, a housing provider may ask that the person obtain written verification of disability and/or verification of the need for the accommodation, if not obvious or known.

Verification of disability or need may come from a medical professional, peer support group, non-medical service agency, or a reliable third party who is in a professional position to have knowledge about the person's disability and/or need for accommodation. The verification should state that the person meets the fair housing definition of disability and that the requested accommodation is necessary and is related to the disability.

For the purposes of requesting a reasonable accommodation or modification in housing in Washington state, **disability is defined as “the presence of a sensory, mental, or physical impairment that: (i) is medically cognizable or diagnosable or (ii) exists as a record or history or (iii) is perceived to exist whether or not it exists in fact.”** Additionally, “a disability exists whether it is temporary or permanent, common or uncommon, mitigated or unmitigated ... or whether or not it limits any other activity...” (RCW 49.60.040)

The verification should include the following items:

- I. **Qualification of person** writing the verification letter.
- II. **Nature of relationship** the professional has with the person making the request.
- III. **Statement that** the person has a disability that meets the state definition above.

Important Note: Revealing a diagnosis puts an individual at risk of additional discrimination. Before naming a specific diagnosis or category of disability, obtain the person's informed consent.

IV. **Describe how the accommodation or modification requested is necessary** to afford the person the equal opportunity to access housing, maintain housing, or for full use and enjoyment of the housing or housing related service. Because housing providers must make only those accommodations or modifications that are necessary, be sure to use words like: “necessary,” “essential,” “prescribed”; when describing that the condition creates a need for the accommodation or modification. The role of the verifier is to establish that the need derives from the disability.

Sample Verification Letter
for Reasonable Accommodation or Modification

Re: John Smith's request for a reserved accessible parking space near his apartment.

Please accept this correspondence as verification that:

- I. I am a licensed medical doctor.
- II. I have treated John Smith since May 2009 for a disability-related condition.
- III. John Smith is a person with a disability as defined by the Washington Law Against Discrimination (RCW 49.60).
- IV. Designating a reserved accessible parking space adjacent to his apartment is necessary to afford Mr. Smith the opportunity to access and fully use and enjoy his home.

Please approve John Smith's request for a reserved accessible parking space adjacent to his apartment.

Signature: Dr. Leon Jones

Printed Name: Dr. Leon Jones

Professional Title: Physician

Name of Clinic, Hospital, Agency, etc.: Seattle Hospital

Address: 500 First Avenue, Seattle, WA 98101

Phone Number: 206-555-1212

Fax Number: 206-555-1234

Date: June 3, 2014