

Creating Accessibility: Reasonable Accommodations & Modifications in Housing



AGENDA

- The Need for Accessible Housing
- Accessibility Through Reasonable Accommodations and Modifications
- Examples of Common Reasonable Accommodations and Modifications Issues
- IDHR's Guidebook for Housing Providers

Disclaimer:

This presentation is intended for educational and informational purposes only, not legal advice.



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Department of Human Rights

THE NEED FOR MORE ACCESSIBLE HOUSING

- As of 2010, 56.7 million people in the U.S. live with a disability.
- The availability of accessible housing is critical to enable people with disabilities to live independently.
- The physical attributes of a property or nature of the policies, which govern the property may have the effect of limiting the accessibility of the property for these individuals.



THE NEED FOR MORE ACCESSIBLE HOUSING

Accessibility of America's Housing Stock: Analysis of the 2011 American Housing Survey

- Assessed the accessibility of America's current housing stock
- Three classifications:
 - (a) Potentially Modifiable
 - (b) Livable
 - (c) Wheelchair Accessible



THE NEED FOR MORE ACCESSIBLE HOUSING

	Potentially Modifiable	Livable	Wheelchair Accessible
All Properties	33.34%	3.76%	0.15%
Rental	31.48%	4.07%	0.18%
Owner-Occupied	33.91%	3.68%	0.13%



THE NEED FOR MORE ACCESSIBLE HOUSING

	Potentially Modifiable	Livable	Wheelchair Accessible
Northeast	18.21%	2.68%	0.09%
Midwest	23.88%	3.78%	0.21%
South	41.27%	3.81%	0.15%
West	41.21%	4.50%	0.15%



ACCESSIBILITY THROUGH REASONABLE ACCOMMODATIONS AND MODIFICATIONS

Reasonable Accommodations = exception or modification to a housing provider's rule, policy, regulation, practice, program, or service that will help a person with a disability have an equal opportunity to access and use the unit and common areas.

The request for an accommodation must be both reasonable and necessary.



ACCESSIBILITY THROUGH REASONABLE ACCOMMODATIONS AND MODIFICATIONS

A request is not reasonable if it imposes an undue financial and administrative burden on the housing provider or fundamentally alters the basic operation or nature of a housing provider's services or programs by significantly modifying, eliminating, or adding to the services it provides.

A request is necessary if there is a nexus or disability-related need for the accommodation to enable equal access and use of the dwelling.



ACCESSIBILITY THROUGH REASONABLE ACCOMMODATIONS AND MODIFICATIONS

Reasonable Modifications = a structural change to the unit or common area so that the person with a disability can access and use the premises.

The request for a modification must be both reasonable and necessary.



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EXAMPLES OF COMMON REASONABLE ACCOMMODATIONS AND MODIFICATIONS ISSUES

PARKING

If a housing provider offers parking for residents, the housing provider must reasonably accommodate a person with a disability by making an exception to its parking policies.

1. Common use parking lot or spaces
2. Deeded or leased parking spaces



EXAMPLES OF COMMON REASONABLE ACCOMMODATIONS AND MODIFICATIONS ISSUES

ASSISTANCE ANIMALS

A resident may request an exception to a housing provider's pet policies as a reasonable accommodation for their disability to allow an assistance animal.

An Assistance Animal is any animal that performs tasks or emotional support to lessen the effect of a disability.



EXAMPLES OF COMMON REASONABLE ACCOMMODATIONS AND MODIFICATIONS ISSUES

EARLY TERMINATION OF LEASE OR TRANSFER TO ANOTHER UNIT

Residents with disabilities who reside in a unit that is not accessible may request as an accommodation to:

- Leave the unit early;
- Transfer to another unit; or
- Transfer to another building



EXAMPLES OF COMMON REASONABLE ACCOMMODATIONS AND MODIFICATIONS ISSUES

HOARDING

If a person's practice of hoarding constitutes a disability or results from a disability, the person may request an accommodation from the housing provider.



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EXAMPLES OF COMMON REASONABLE ACCOMMODATIONS AND MODIFICATIONS ISSUES

AESTHETICS

A housing provider cannot deny a request for a reasonable modification because the housing provider is concerned regarding the aesthetics of the modification.

A housing provider may require a more aesthetically pleasing design if the housing provider is willing to pay any additional costs associated with the design.

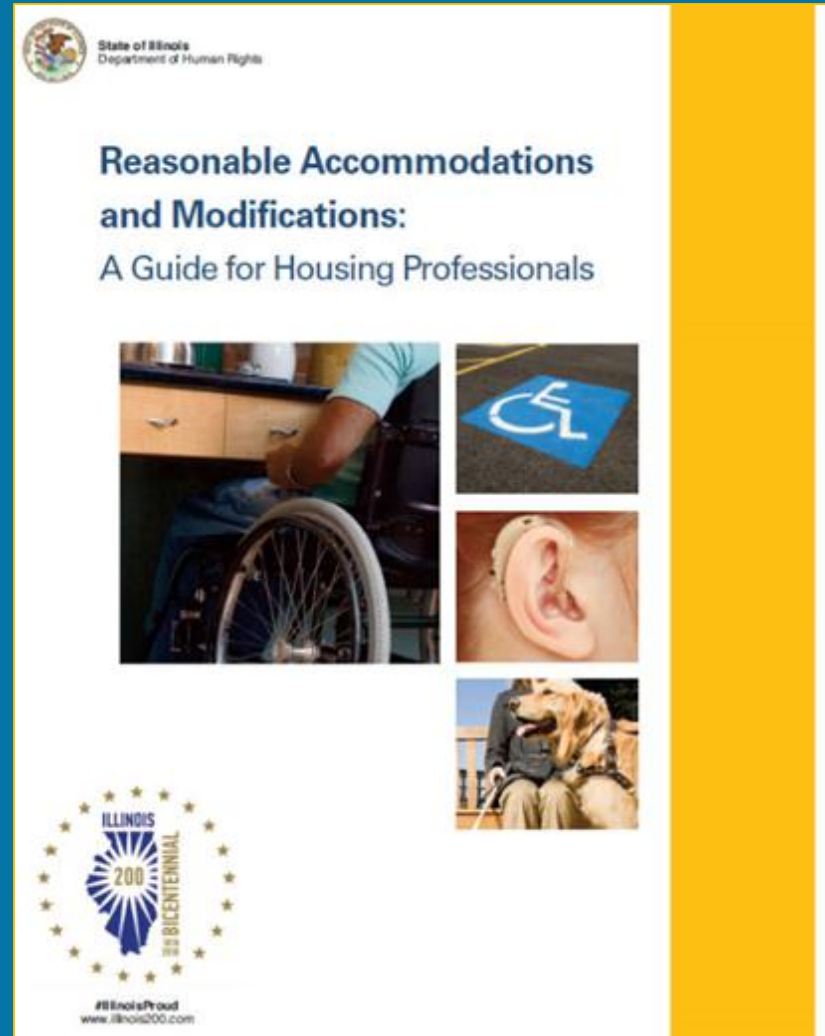


IDHR'S GUIDEBOOK ON REASONABLE ACCOMMODATIONS AND MODIFICATIONS

Found on IDHR Website:

www.illinois.gov/dhr

Under Publications Tab



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IDHR'S GUIDEBOOK ON REASONABLE ACCOMMODATIONS AND MODIFICATIONS

Key Features

1. Disclaimer
2. Broad Application
3. 10 Sections
4. Important Arrows
5. Pro Tips
6. Examples
7. Blue Highlighted Boxes



Thank you!

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*Guidebook can be found under the Publications Tab



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