



Building Community For People With Disabilities

Presented by

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Connecticut Fair Housing Center



About Us

The mission of the Connecticut Fair Housing Center is to ensure that all people have equal access to housing opportunities in Connecticut.

Because housing discrimination disproportionately affects people with low incomes, the Center focuses on the intersection of poverty and housing discrimination. The Center also assists Connecticut homeowners who have been hardest



Federal & State Fair Housing Protections

Federal

- Race
- Color
- National Origin
- Sex
- Disability
- Religion
- Familial Status

State

- **Ancestry**
- **Marital Status**
- **Age**
- **Sexual Orientation**
- **Lawful Source of Income**
- **Gender Identity & Expression**
- **Veteran Status**



Goal of the fair housing laws

- Promote integration
 - All neighborhoods welcome all people
- Prevent discrimination
 - Ensure that people have access to the housing of their choice
- Ensure that rules and policies do not result in excluding people in the protected classes

Identifying Housing Discrimination



- **Treating people differently because they are members of a protected class**
 - **Misrepresenting the availability of housing**
 - **Refusal to rent or sell**
 - **Discriminating in terms and conditions**
 - **Refusing to make reasonable accommodations**
 - **Passing laws that make it difficult for people to live in a community**

Challenges in Finding Housing

- **Disabilities**
 - Reasonable Accommodation Requests
- **Criminal Background**
 - Case-by-Case Assessment Necessary
- **Eviction Record**
 - Notice to Quit and Summary Process
 - Reason for Eviction
- **Laws that prevent some people from moving to a neighborhood**

Fair Housing Rights of People with Disabilities



- **What is a disability?**

1. condition or disease

2. substantially impacts

- a. For an extended period of time, or

- b. To a large degree

3. one or more major life functions

- People in recovery are considered disabled

Examples of Discrimination:

- Requiring a tenant to buy insurance because they use a wheelchair or need a service animal
- Requiring only people with disabilities have a cosigner or guarantor but not requiring this of anyone else
- Asking for a letter from a doctor stating the person with a disability can “live independently”
- Not allowing a tenant to have a service or support animal

Reasonable Accommodations

- Reasonable accommodation is a **change in a rule, policy, or practice** that makes it possible for a person with a disability to live in their housing
- Does not cost money
- *Unreasonable* – undue financial or administrative burden

Requesting a Reasonable Accommoda



- If the disability is obvious and the need for the request is obvious, request does not have to be in writing
- Housing provider can request letter from a treating medical professional if disability is NOT obvious
- Request does not have to disclose details of the disability; only needs to state the **limitation**
- Disability Letter Generator: www.ctfairhousing.org/raletters/

Physical Accessibility



- **Reasonable modification**
 - Physical changes to the unit to make it accessible
 - **ONLY** owners with federal operating subsidies have to make modifications
 - Tenant can made modifications at their own expense
- **New construction**
 - Property built for first occupancy after March 13, 1991 must comply with accessibility guidelines of FHA

Physical Accessibility



- **Rehabilitation of existing properties**
 - Apartments that are created do not have to be accessible unless there is federal money involved and the money carries an obligation to make a unit accessible
 - Common areas must meet accessibility guidelines of ADA
- **Visitability**
 - Must make property visitable to the greatest extent possible

Animals & Fair Housing Laws

Pets

- No right under Fair Housing laws
- Housing provider can place any restrictions or conditions
- Tenant responsible for animal

Service Animals

- Right granted by ADA and FHA
- Housing provider can request letter from a treating medical professional stating need/s of tenant
- Tenant responsible for animal

Emotional Support Animals

- Right granted by FHA
- Housing provider can request letter from a treating medical professional stating need/s of tenant
- Tenant responsible for animal

Challenges in Finding Housing: Criminal Background



- A blanket “no arrests” or “no convictions” policy violates the Fair Housing Act because it has a discriminatory effect on people of color
- A narrower prohibition that excludes any person with only certain types of convictions may still violate the Fair Housing Act
- An individualized assessment is likely to have a less discriminatory effect than a blanket policy

Criminal Background, cont'd

- Three factors housing providers should use to evaluate a prospective tenant's criminal record:
 1. When was the offense?
 2. What is the nature and severity of the offense?
 3. What has happened since the offense occurred?

Challenges in Finding Housing: Eviction Record



- Housing provider must give Notice to Quit (intention to evict)
- Summary Process required with written notice delivered by Sheriff
- Immediately contact Legal Services for assistance
- NOTE: Eviction record does not expire
- Factors to consider
 - Length of time since eviction
 - Reason for eviction
 - Current rental history

Zoning and disability



- Municipalities often try to keep out people living in group homes for health reasons
- Neighbors object—fear of who is living there, it will bring down property values, crime
- Illegal to refuse to allow a group home to move into any neighborhood in any community
 - Can be in a single-family neighborhood
 - Can have more unrelated people than would otherwise be permitted

QUESTIONS?

Resources



- Connecticut Fair Housing Website: www.ctfairhousing.org
- Disability Letter Generator
 - www.ctfairhousing.org/raletters/
- Moving Forward Guide
 - www.ctfairhousing.org/movingforward/
- Intake Line (860) 247-4400 (English/Spanish)
- Toll Free Line (888) 247-4401 (Translators available)

Report online by visiting:

www.ctfairhousing.org/report-housing-discrimination

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