

Fair Housing Rights for People with Disabilities

A special thanks to our Presenting Sponsors:





Presenters:

Rashida Rattray

Education and Outreach Coordinator

CT Fair Housing Center

Fair Housing Rights for People with Disabilities



Connecticut
**FAIR HOUSING
CENTER**

RASHIDA RATTRAY – EDUCATION & OUTREACH COORDINATOR

Legal Disclaimer



I am not a lawyer, and this should not be considered legal advice. The information provided in this presentation does not, and is not intended to, constitute legal advice; instead, all information, content, and materials available in this presentation are for informational purposes only. Information in this presentation may not constitute the most up-to-date legal or other information.

About Us



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

The Center focuses on the complexities of interlocking oppression and how they correlate with housing discrimination. The Center also assists Connecticut residents who are at risk of or are currently facing foreclosure.

The work we do has expanded as the needs of our residents have expanded.

The Work We Do



- Foreclosure Prevention
- Education & Outreach
- Policy Advocacy
- Tenant Organizing/Movement Lawyering
- Fair Housing Investigation & Enforcement

Federal & State Fair Housing Laws



In order to make sure everyone has equal access to housing Congress passed the Fair Housing Act of 1968. It prohibits discrimination based on your membership in a protected class in all forms of housing transactions.

Connecticut has protected vulnerable members of our communities by enacting additional state-wide fair housing laws.

Federal & State Fair Housing Protections



Federal

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

Connecticut

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



Who Does The Fair Housing Act Apply To?

The Fair Housing Act applies to various people and entities involved in various stages of housing transactions including (but not limited to):

- Organizations offering rental assistance (including public housing)
- Agencies that do housing counseling (including placement)
- Sober houses
- Transitional housing, among many others.
- Housing providers (with some limitations)

Effects of Housing Discrimination

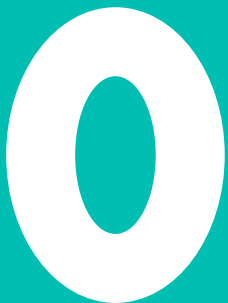
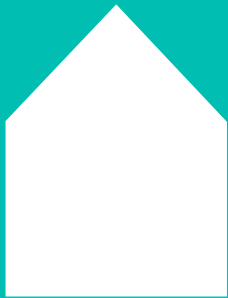
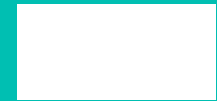


The United States and Connecticut remain highly segregated:

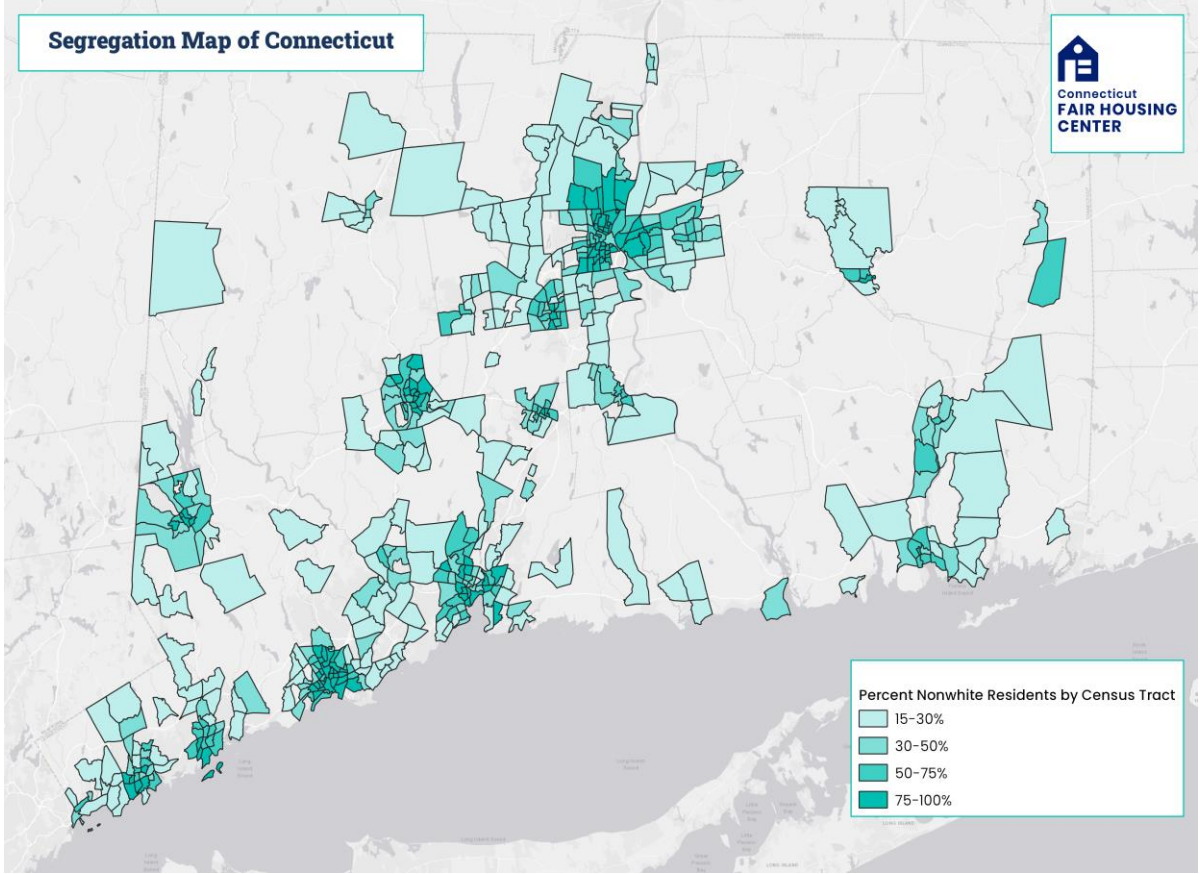
67% of the population of color lives in

8% of Connecticut's towns

People with disabilities and people who have housing vouchers experience discrimination at higher rates than every other protected class



Segregation Map of Connecticut



Forms of Discrimination



Differential Treatment

- Treating people differently because of their membership in a protected class is illegal

Disparate Impact

- Neutral rule that has a disparate impact (greater negative effect) on members of a protected class

Identifying Housing Discrimination



- **Misrepresenting the availability of housing**
- **Refusal to rent or sell**
- **Unequal terms and conditions**
- **Use of threats, intimidation, or coercion**
- **Discriminatory advertisement**
- **Discrimination with a smile**

Fair Housing Rights of People with Disabilities



The Fair Housing Act defines a disability as:

1. a condition
2. that substantially impacts one or more major life functions
3. for an extended period of time

Protections Under the FHA



Protected disabilities include (but are not limited to) mental health, psychological, intellectual, and developmental conditions, such as:

- Organic brain syndrome
- Depression
- Anxiety
- Bipolar disorder
- Post-traumatic stress disorder (PTSD)
- Specific learning disabilities
- Autism
- Down syndrome
- Traumatic brain injuries
- Substance use disorder (other than that caused by current, illegal drug use).

Examples of Disability 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

Examples of Disability Discrimination (cont.)



"You can't live here because there's no one to take care of you."

"I'd like to rent to you, but my insurance will go up."

"How can I be sure that you can pay the rent?"

"We don't want alcoholics or drug addicts here, even if they're in recovery programs."

"We have a no-pets rule and that includes your guide dog."

"I want to see your medical records."

"Your wheelchair will damage the carpet and walls, and you won't be able to get out if there's a fire."

Reasonable Accommodations and Modifications



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

Usually does not cost money

Unreasonable – undue financial or administrative burden

REASONABLE MODIFICATIONS

Reasonable modification is a change to the physical structure to address a limitation resulting from a disability

Reasonable modifications *may* cost money.

For ex: Building a ramp, widening a doorway, or other change to make a unit more accessible

Unreasonable – undue administrative burden or structural concern



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

Animals & Fair Housing Laws (cont.)



- Assistance animals are not pets.
- Trained or untrained animals that do work, perform tasks, provide assistance, and/or provide therapeutic emotional support for individuals with disabilities.
- Can be any common domestic household animal.
- Assists a person with a disability-related need.
- Unique animals are not necessarily excluded, but the requester may need to provide more information about why the animal that is not a common household animal is needed to meet the disability-related need.



Requesting a RA or RM

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/

Contact Us



Connecticut Fair Housing Website:

www.ctfairhousing.org

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

Questions?

www.cceh.org
info@cceh.org

A special thanks to our Presenting Sponsors: