

FAIR HOUSING RIGHTS FOR PERSONS WITH DISABILITIES

Q: WHAT IS THE FAIR HOUSING ACT?

A: This law was passed by Congress in 1968 and prohibits discrimination based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents of legal custodians, pregnant women, and people securing custody of children under the age of 18), and disability. Additionally, Palm Beach County prohibits discrimination in housing based on sexual orientation, age, and marital status.

Q: What is the definition of disability under the Fair Housing Act?

A: An individual is considered disabled if they meet the following definition:

- Individual with a physical or mental impairment that substantially affects one or more life activities, or
- Individual who has a record of having a physical or mental impairment, or
- Individual regarded as having a physical or mental impairment.

**However, the Fair Housing Act does not provide coverage for individuals who are current drug users, pose a direct threat to health and safety of other residents, or if the tenancy may result in substantial damage to the property.*

Q: How do I know if I have been treated differently because of my disability?

A: Disability Discrimination may come in four different forms:

Intentional Discrimination:

Your housing provider may try to intentionally treat you differently because of your disability. Your housing provider may not :

- 1. Refuse to rent to you because of your disability. For example, a housing provider may not refuse a disabled tenant's application because the tenant uses wheelchair or has received psychiatric treatment.**
- 2. Impose different terms and conditions on your rental or purchase. It would be a violation of the Fair Housing Act for a housing provider to require an additional security deposit for a disabled person who uses a walker.**

Request for Reasonable Accommodation:

A disabled individual may request a change to a rule, policy or procedure to make the home accessible and usable. Requests for reasonable accommodation may include:

- 1. Live-in aide for a disabled individual who needs a caretaker to assist with the activities of daily living. When requesting approval for a live-in aide, you must document the need for the live-in aide, determine the appropriate size of the unit (will your live-in aide need an additional room?), and be prepared to submit your live-in aide for screening by the housing provider.**
- 2. Emotional support animal when the housing provider has a "no pets" policy.**

