Requesting Changes to Your Landlord’s Rules

This fact sheet has general information. It is not intended as legal advice. Only an attorney can give you legal advice to help you with a problem, or answer a question.

The Fair Housing Act

The Fair Housing Act1 (FHA) protects people in protected classes from being treated differently than others in housing situations. Under the FHA, people with disabilities have the right to ask for changes to the rules of their housing complex, like a pet policy.

(42 U.S.C. § 3601 et al. See also the Utah Fair Housing Act at Utah Code Ann. § 57-21-1 et al. The federal protected classes are race, color, sex, national origin, familial status, religion, and disability. Utah law also prohibits discrimination based on sexual orientation, gender identity, and source of income.)

What Disability Means Under the FHA

Under the FHA, a person has a disability if they:

- Have a physical or mental impairment that substantially limits one or more major life activities, which may include seeing, hearing, walking, breathing, learning, speaking, taking care of oneself or performing manual tasks;
- Is regarded as having such an impairment, and;
- Have a record of having such an impairment.

The FHA Applies, But is Not Limited To...

- Home Owners Associations (HOA)
- Apartment complexes with 4 or more units
- Condominiums, cooperatives, and time shares
- Emergency shelters
- Mobile homes and trailer parks

Reasonable Accommodations

Reasonable accommodations are changes in rules, policies, or services that allow a person with a disability to use and enjoy their home just like anyone else. If you ask for a change, and it is reasonable, the landlord should allow you to do it. Examples of reasonable accommodations include:

- Changing a “no pets” policy to allow a support animal for someone with a mental illness.
- Giving notices in large print to people who are blind or have poor eyesight.
- Giving someone who uses a wheelchair an assigned parking space even if the landlord has a “no assigned parking” rule.

Rights of Landlords under the FHA

If the change you ask for is very difficult or expensive for your landlord to provide, they may be able to deny your request. If this happens, you and your landlord can try to compromise. This can be a confusing ordeal, so feel free to contact the Fair Housing Program at the Disability Law Center (DLC) if you feel like you might need some help.
A Landlord May Ask for More Information Regarding Your Disability

Your landlord may request more information from your doctor, therapist, or other professional who is familiar with your disability that:

• explains how your disability affects your life;
• explains the relationship between your disability and the need for the requested modification;
• explains why you need to make changes in your housing.

You may consult an attorney to find out what type of information you'll need to give your landlord.

For More Information

If you have further questions, or would like more information in general, please contact the Disability Law Center (DLC).

The Fair Housing Program at the DLC provides services to all protected classes throughout Utah, not just those with disabilities. Our services are offered statewide and free of charge. Materials are also available in alternative formats such as audio, large-print, Braille, and Spanish.

Call (800) 662-9080 or visit our office to speak confidentially with a Short Term Assistance Advocate. Office hours are Monday-Friday, 9:00 AM to 4:00 PM.

Disability Law Center
205 North 400 West
Salt Lake City, UT 84103
(800) 662-9080
TRS: dial 711

VRS Services available at: sorensonvrs.com
fairhousing@disabilitylawcenter.org
disabilitylawcenter.org/contact
disabilitylawcenter.org/housing

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The federal Fair Housing Act prohibits discrimination on the basis of race, color, sex, national origin, familial status, religion, or disability. Utah law also prohibits discrimination based on source of income, sexual orientation, and gender identity in the rental, purchase, and sale of real property.

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