

accommodation will not work, explain to your landlord why it will not work. If your landlord still believes that it will work, then you have the following choices:

1. Agree to the accommodation;
2. Give your landlord a letter from your doctor explaining why it will not work;
3. Contact an attorney to help you; or
4. File a housing discrimination complaint with HUD or the Texas Workforce Commission Civil Rights Division.

IS THERE A LIMIT ON THE NUMBER OF REASONABLE ACCOMMODATIONS I CAN REQUEST?

No. You can request any number of reasonable accommodations if they are necessary to allow you to enjoy your housing in the same manner as other tenants.

WHAT CAN I DO IF MY LANDLORD WANTS TO EVICT ME BECAUSE I REQUESTED AN ACCOMMODATION?

You have the legal right to a reasonable accommodation under federal and Texas law. Therefore, if your landlord wants to evict you because you exercised your legal right, you will have a defense to the eviction. You should contact an attorney if you believe your legal rights are being violated, or file a complaint with HUD or the Texas Workforce Commission Civil Rights Division.

WHAT CAN I DO IF I HAVE VIOLATED MY LEASE BUT THINK I WOULD NOT BE IN VIOLATION IF MY LANDLORD

PROVIDES ME WITH A REASONABLE ACCOMMODATION?

You should immediately request a reasonable accommodation in writing.

These questions and answers provide information about reasonable accommodations. For questions about a specific situation, seek the advice of an attorney.

FILING A DISCRIMINATION COMPLAINT

You can get assistance with filing a fair housing complaint by contacting either the Austin Tenants' Council Fair Housing Project at (512) 474-5444 or (512) 474-7007 or the Fair Housing Council of Greater San Antonio at (210) 733-3247 or 1-(866) 733-4953.



**For Assistance:
1-888-988-9996
www.trla.org**

This brochure was made possible through a grant from the State Bar of Texas Litigation Section



REASONABLE ACCOMMODATIONS

Under both federal and Texas law, a landlord must accommodate a person's disability by changing or modifying a rule or policy if the change is necessary to allow a person with a disability an equal opportunity to enjoy his or her rental unit. The requested accommodation must be reasonable and necessary because of the person's disability. Whether a request is reasonable depends primarily on whether it will cost the landlord money or significantly alter the nature of the administration of the housing provided by the landlord.

You may qualify for a reasonable accommodation if you have a physical or mental impairment which substantially limits one or more of your major life activities.

EXAMPLES OF REASONABLE ACCOMMODATIONS

- Providing enough handicap parking spaces;
- Allowing a person with a disability to have a service animal, such as a seeing eye dog, even if the landlord has a "no pets" policy;
- Allowing a person with a disability who was living in a hospital to give other kinds of references since that person may not have other landlord references; and allowing a person with a mobility disability to pay rent by mail rather than going to the office in person.

WHAT CAN I DO IF I NEED A REASONABLE ACCOMMODATION IN ORDER TO APPLY FOR HOUSING?

A landlord must grant you an accommodation that is necessary to allow you to apply for housing unless it costs too much or will result in a significant change in the housing program. For example, if you need assistance in filling out the application or would need the application mailed to your home instead of going to the office to pick it up, you need to disclose your disability and ask for the accommodation.

IF I DID NOT HAVE A DISABILITY WHEN I MOVED INTO MY UNIT, AM I ENTITLED TO A REASONABLE ACCOMMODATION IF I HAVE A DISABILITY NOW?

Yes. You are entitled to a reasonable accommodation the moment you need one. It does not matter that you did not have a disability when you initially moved into your unit.

IF I HAD A DISABILITY WHEN I APPLIED FOR HOUSING BUT DID NOT NOTIFY THE LANDLORD, DID I GIVE UP MY RIGHT TO ASK FOR A REASONABLE ACCOMMODATION LATER?

No. You are entitled to request a reasonable accommodation whenever you need one.

IF I DID NOT NEED A REASONABLE ACCOMMODATION WHEN I MOVED INTO MY UNIT, BUT WILL NEED ONE LATER, CAN I REQUEST ONE?

Yes. If you have a disability, you are entitled to a reasonable accommodation whenever you need one.

HOW SHOULD I REQUEST A REASONABLE ACCOMMODATION?

You can request a reasonable accommodation orally or in writing. You may first make the request orally and follow up with a written request if the landlord does not act promptly on your request. You should keep a copy of your request for your records so you will have proof that you requested the accommodation. Be sure to include the following in your written request:

1. List the specific accommodation that you would like;
2. Explain why you need this accommodation;
3. Give your name, phone number, and address at which the landlord may contact you to verify the need for your accommodation; and
4. Sign and date the request.

DO I HAVE TO PROVE THAT I NEED A REASONABLE ACCOMMODATION?

Yes, if the landlord requests information. A landlord has the right to ask you to give proof that you have a disability and that

you need an accommodation. What you will need to show will depend on your disability. The most common way to show that you need the requested accommodation is a letter from a medical professional stating that you need the accommodation.

WHAT CAN I DO IF MY REQUEST FOR A REASONABLE ACCOMMODATION IS DENIED BY MY LANDLORD?

You need to make sure that you provided your landlord with documentation that shows that your requested accommodation is necessary. If your landlord refuses to grant your requested accommodation even after you have given proof of your need, then contact an attorney or file a discrimination complaint with the United States Department of Housing and Urban Development (“HUD”). www.hud.gov

WHAT CAN I DO IF I REQUEST A REASONABLE ACCOMMODATION BUT MY LANDLORD OFFERS ANOTHER ACCOMMODATION?

You must decide whether to accept the alternative accommodation offered by your landlord. Under both federal and Texas law, your landlord must make an effort to provide you with the accommodation that you requested. However, if your landlord can still accommodate your needs with an alternative accommodation and it will work just the same, then you may have to accept that accommodation. If the landlord’s proposed