

By Law home seekers cannot be denied housing because of:

- » Physical disability
- » Psychological disability
- » Hearing or vision impairment
- » Developmental disability
- » AIDS or HIV infection
- » Epilepsy, cerebral palsy
- » Or any other disability

Physical or Mental Disability means:

- » A physical or mental impairment that substantially limits a major life activity or activities
- » A record of such impairment, or
- » A condition regarded (perceived) as such an impairment

What is a discriminatory Housing Practice?

- » Refusing to show a person housing
- » Refusing to sell, rent or to deal with a person
- » Telling a person housing is not available when it is available
- » Advertising housing as being available to only certain people
- » Harassing, coercing, intimidating or interfering with the exercise of a person's fair housing rights
- » Steering - the practice of directing people to more "appropriate" neighborhoods

If you think someone has discriminated against you, **call:**

HUD » **1.800.877.7353** » HOTLINE **1.800.669.9777**

HUD # FOR HEARING IMPAIRED
1.800.927.9275

MT RELAY » **711**

COMMUNITY HOUSING RESOURCE BOARD
406.256.9355 » www.billingschrb.com
info@billingschrb.com

MONTANA HUMAN RIGHTS BUREAU
406.444.2884 » **1.800.542.0807**

MONTANA FAIR HOUSING
1.800.929.2611

This brochure is NOT legal advice. However, if used in conjunction with the CHRB's "Remember - It's Your Right" brochure, it should serve as a comprehensive guideline for understanding fair housing opportunity.

If you need legal assistance and do not know an attorney, **call:**

MONTANA LEGAL SERVICES ASSOCIATION
2442 1st Ave. North, Billings, MT 59101
406.294.7109



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Fair Housing & Disabilities

RIGHTS AND RESPONSIBILITIES

Fair Housing
REMEMBER-IT'S YOUR RIGHT

PRESENTED AS A PUBLIC SERVICE BY THE
Community Housing Resource Board



The CHRB is a Billings based non-profit organization whose mission is to promote Fair Housing opportunity through education and community outreach.

FAIR HOUSING HOTLINE: M-F » 8AM-NOON
406.256.9355 » www.billingschrb.com

For further information on how to find fair and affordable housing, consult the Guide to Community Resources for Affordable and Fair Housing.

In general,

This booklet is intended to address the most common questions and concerns raised by home seekers and housing providers, regarding rights and responsibilities for those concerned with fair housing opportunities for persons with disabilities.



What is a discriminatory housing practice for which a complaint can be filed?

- » Any action by a housing provider that denies a qualified individual with disabilities equal treatment or equal opportunity to have access to fair housing, including:
 - » Falsely representing that a housing accommodation is not available because of a person's physical or mental disability.
 - » Advertising or otherwise stating a preference or limitation relating to physical or mental disability.
 - » Refusing to rent, sell, or deal with a person, or otherwise denying an accommodation or making it unavailable because of a disability.
 - » Discrimination in the terms, conditions or privileges of sale, or rental accommodation (or other property), because of a disability, such as the use of common facilities or services associated with the accommodation (or property).
 - » Failure to make "reasonable accommodation" required by an otherwise qualified person with a mental or physical disability.

What must housing providers do to ensure compliance with Fair Housing Law?

- » Housing providers need to consider "reasonable accommodation" requests. Reasonable accommodations must be made available by the housing provider. Reasonable accommodations must be practical and feasible. Accommodations creating undue hardship (endangering the health or safety of any person) are not a reasonable accommodation.
- » This applies to rules, policies, practices, and services necessary for a person with disabilities to have equal opportunity to use and enjoy the premises. For example, a building with a "No Pets" policy must allow assistance animals, or a building must provide parking accessible to an individual with mobility impairment.

- » A housing provider must allow reasonable modification, at the home seeker's expense, to the existing housing or common use areas if the proposed modifications are necessary for a person's full use of the premises. A landlord may require the residents to restore the unit's interior to a prior state, but cannot require improvements made to common-use areas be restored to original condition.

Assistance Animals are Not Pets

The FHAA considers an "Assistance Animal" a Reasonable Accommodation. They are not subject to landlords "no pet" policy as long as it doesn't create undue financial and administrative burden or fundamentally alter the provider's operations. A landlord cannot collect a pet deposit for an assistance animal! A Housing provider can request verification of the need for the assistance animal.

Can a housing provider legally reject a home seeker with disabilities? Yes, if:

- » The home seeker does not meet the general responsibilities or conditions applying to ALL applicants. Such rejection MUST be based on concrete evidence. For example, a landlord may ask for financial (income) information, as long as ALL tenants are asked the same questions.
- » If it would impose an undue financial and administrative burden on the housing provider or it would fundamentally alter the nature of the provider's operations.

IF YOU DON'T REPORT DISCRIMINATION,
it can't be stopped.

MONTANA HUMAN RIGHTS COMMISSION
1.800.542.0807