

# What if I run into problems with my search?

Sometimes you may run into issues with your housing search.

## Facing Discrimination

There are several state and federal laws that work together to protect people against housing discrimination.

In most cases, it is illegal for a landlord, their employee, or a real estate broker to discriminate against you because of your:

- disability (including a mental health diagnosis)
- race
- color
- national origin
- ancestry
- gender
- gender identity
- sexual orientation
- marital status
- religion
- age (if you are 18 or over) - except in housing designated for people aged 55 and older

It is also illegal to discriminate against you because you:

- are a current or former member of the military
- are pregnant or have a child
- get a federal, state, or local rental assistance or a housing subsidy
- get public assistance or benefits like SSDI, SSI, or EAEDC

This means that the landlord cannot refuse to rent to you or require different conditions of you simply because you are a member of one of the groups listed above.

If you think you've been discriminated against:

1. write down what happened as soon as possible - including the date and time, who was involved, and what people said
2. consider fair housing testing - this is a process where trained "testers" contact the potential landlord or property manager posing as potential tenants, to determine if they a similar experience to the person who feels they have been discriminated against

**Community Legal Aid**

[www.communitylegal.org](http://www.communitylegal.org)

**Mass Fair Housing Center**

[www.massfairhousing.org](http://www.massfairhousing.org)



### **South Coast Fair Housing**

[www.southcoastfairhousing.org](http://www.southcoastfairhousing.org)

### **Suffolk Law School Housing Discrimination Testing Program**

[www.suffolk.edu/law/academics-clinics/clinics-experiential-opportunities/housing-discrimination-testing-program](http://www.suffolk.edu/law/academics-clinics/clinics-experiential-opportunities/housing-discrimination-testing-program)

3. seek out legal help - you can use the Massachusetts Legal Resource Finder to find legal assistance

#### **Massachusetts Legal Resource Finder**

[www.masslrf.org](http://www.masslrf.org)

4. consider filing a complaint - you can file with:

**your local fair housing or human rights commission, if there is one**  
check your city or town's website

#### **Massachusetts Attorney General's Office**

[www.mass.gov/how-to/file-a-civil-rights-complaint](http://www.mass.gov/how-to/file-a-civil-rights-complaint)

#### **Massachusetts Commission Against Discrimination**

[www.mass.gov/orgs/massachusetts-commission-against-discrimination](http://www.mass.gov/orgs/massachusetts-commission-against-discrimination)

#### **US Department of Housing and Urban, Office of Fair Housing & Equal Opportunity**

[www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/online-complaint](http://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint)

## **Reasonable Accommodations and Modifications**

If you have a disability, you have a right to ask for reasonable accommodations and modifications that could help you find or keep housing.

**A disability is a mental or physical impairment that substantially limits one or more major life activities.** Major life activities can include caring for yourself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

**An accommodation is a change to a rule, policy, practice, or service that provides you with an equal opportunity to use and enjoy your home or meet housing-related requirements.**

You can request an accommodation from a landlord, a realtor, a condominium association, a housing lender, a housing authority, and any other housing-related person or entity.

Some examples of housing-related accommodations include:

- getting forms in large print, if you have a vision problem
- giving you more time to complete paperwork, if your disability impacts your cognition
- changing the day that rent is due, in line with when you receive a disability benefit payment
- giving you an assigned parking space, if walking distances is a problem

**A modification is a physical or structural change to the home you live in or will move into that provides you with an equal opportunity to use and enjoy your home.**



Some examples of housing-related modifications include:

- installing a grab bar in the bathroom
- installing a ramp at the entrance to your home
- widening a doorway
- installing a flashing doorbell

Note that the term accommodation is often used to mean both accommodations and modifications.

### **How to request an accommodation or modification:**

1. you can make the request verbally or in writing (in writing is suggested)
2. you do not have to use specific forms (but you can, if they are provided)
3. the person or entity you are requesting the accommodation or modification from may request more information about your disability
4. the person or entity will consider if the request is reasonable (the request is not reasonable if it places an undue financial or administrative burden on the person or entity, or it would fundamentally alter the nature of the program – this is determined on a case-by-case basis)
5. if the person/entity believes that the request is unreasonable, they should talk to you about alternatives

You can use these sample letters when you ask for accommodations or modifications.

### **Sample of Letter to Request Reasonable Accommodation**

[www.hud.gov/sites/documents/DOC\\_7398.DOC](http://www.hud.gov/sites/documents/DOC_7398.DOC)

### **Epic Master List of Disability Accommodation Letters for Housing**

[www.howtogeton.wordpress.com/sample-disability-accommodation-letters-housing/](http://www.howtogeton.wordpress.com/sample-disability-accommodation-letters-housing/)

[You can use the worksheet in our Finding Home guide to think about your need for accommodations or modifications during the housing search process or when you've found housing.](#) It can also help you keep track of your accommodation or modification requests.

If a requested modification is granted, state law requires the person or entity that you requested it from pay for it when you live in publicly assisted housing or you live in a building with 10 or more units. You must pay for modifications in other rental properties, but landlord cannot unreasonably refuse permission to make modifications. If the person or entity refuses your request for an accommodation or modification, or does not respond, you can file a complaint:

### **Massachusetts Commission Against Discrimination**

[www.mass.gov/orgs/massachusetts-commission-against-discrimination](http://www.mass.gov/orgs/massachusetts-commission-against-discrimination)

### **US Department of Housing and Urban, Office of Fair Housing and Equal Opportunity**

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