State Health and Housing Institute on Sustainably Financing Cross-Agency Housing and Health Initiatives

2018 – 2020

Reasonable Accommodation Appeals Resources

1. **U.S. Department of Housing and Urban Development. "Reasonable Accommodations Under the Fair Housing Act." Retrieved August 9, 2018.**
   - A housing provider can deny a request for a reasonable accommodation if the request was not made by or on behalf of a person with a disability or if:
     - There is no disability-related need for the accommodation
     - If the request would impose an undue financial and administrative burden on the housing provider
     - If it would fundamentally alter the nature of the provider's operations.
   - When a housing provider refuses a requested accommodation because it is not reasonable, the provider should discuss with the requester whether there is an alternative accommodation that would effectively address the requester's disability-related needs without a fundamental alteration to the provider's operations and without imposing an undue financial and administrative burden.

2. **U.S. Department of Housing and Urban Development. "Procedures for Providing Reasonable Accommodation." Retrieved August 9, 2018.**
   - *Chapter 10: Denial of Reasonable Accommodation*
     1. Within 3 business days, the decision maker must submit a "Denial of Request" form and submit it to the Disability Program Manager with supporting documentation.
     2. The denial notice should explain reasons for denial as well as any alternative accommodations offered that were not agreed to.
     3. The written notice must include specific reasons for recommended denial:
        - The requested accommodation would not be effective;
        - Medical documentation is inadequate to establish that the individual has a disability and/or needs reasonable accommodation;
        - The requested accommodation would require the removal of an essential function; or
        - The requested accommodation would require the lowering of a performance or production standard.
     4. The Disability Program Manager will notify the requesting individual of the recommended denial and next steps.
     5. The Reasonable Accommodation Committee will review the request, supporting documentation, and justification for denial. The Committee will vote to determine whether to approve or deny the request in no more than 7 business days from receipt of the request.

3. **Illinois Department of Human Rights. "[Reasonable Accommodations and Modifications: A Guide for Housing Professionals](#)." Retrieved August 20, 2018.**
   - This book provides guidance and clarification on the accommodations and modifications that must be made in housing for persons with disabilities and their family members.

4. **CSH, "[Sample Reasonable Accommodation Request Notices and Forms](#)." Retrieved August 9, 2018.**
   - This document contains sample notices and accompanying sample forms that could be made available to any tenant requesting a reasonable accommodation.

5. **Intermountain Fair Housing Council. "[Guide to Reasonable Accommodation in Housing Under the Fair Housing Act](#)." Retrieved August 9, 2018.**
   - This document is a high-level guide to the frequently asked questions regarding the reasonable accommodation appeals process.

Reasonable Accommodation Appeals Cases

1. **U.S. Department of Housing and Urban Development. "[HUD Reaches Agreements with Housing Providers in California, Idaho, and Hawaii Settling Claims of Discrimination Against Individuals with Disabilities](#)." Retrieved August 9, 2018.**
   - This HUD press release outlines the outcomes of four recently decided reasonable accommodation cases.

2. **U.S. Department of Housing and Urban Development. "[Press Releases-2018](#)." Retrieved August 9, 2018.**
   - This is a U.S. Department of Housing and Urban Development press release archive that includes examples of resolved reasonable accommodation cases.

3. **Dennis Steinman, *[Reasonable Accommodation in Housing for the Disabled](#)*. (Portland, OR: Kell, Alterman & Runstein, LLP.)**
   - This resource considers foundational reasonable accommodation cases on a granular level.