

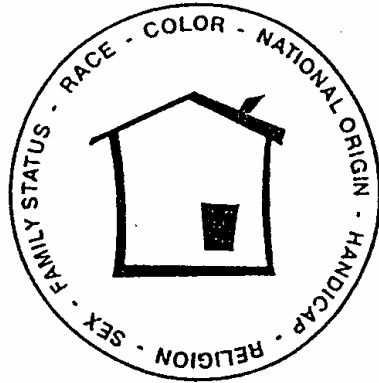
What is FHAC?

The Fair Housing Advocacy Center (FHAC) enforces the fair housing laws throughout Baker, Bradford, Clay, Duval, Nassau, and St. Johns counties. There are no income requirements for FHAC clients. FHAC is committed to zealously advocate on behalf of victims of discrimination, and has a three-fold approach to accomplish this mission:

- 1. EDUCATION:** FHAC educates housing consumers to recognize and report housing discrimination. If your group would like to receive a fair housing presentation, please call the hotline.
- 2. INVESTIGATION:** FHAC often investigates cases of alleged discrimination through testing. Testing has proven to be a highly effective method of identifying unlawful housing discrimination. FHAC also conducts ongoing research and monitoring efforts to determine the nature and the extent of housing discrimination being practiced in our community.
- 3. ENFORCEMENT:** FHAC attorneys may negotiate a settlement for a client, represent a client in state or federal court, or may help a client file a case with a government agency, and advocate for him or her throughout the process.

JACKSONVILLE AREA LEGAL AID, INC.

FAIR HOUSING ADVOCACY CENTER



A guide explaining the fair housing laws and their relevance for the physically, psychiatrically and/or developmentally disabled and their advocates.

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What are my rights?

Discrimination against the disabled is prohibited in most housing transactions. If you have a physical, psychiatric and/or developmental disability, you have the right to apply for housing without regard to your disability, enjoy your home without interference, and not be unjustly evicted. Here are some things you might not have known about your rights under the Fair Housing Act:

Application process

The landlord cannot impose more stringent application criteria, security deposits, rental charges, or rental standards on tenants because they are disabled.

A landlord may not ask a prospective tenant or resident whether he or she has a mental illness or another disability. It is also unlawful for a landlord to inquire about the severity of a tenant's disability. A landlord is not entitled to see a tenant's medical records.

If a tenant is applying for housing suited for people with disabilities or a particular disability, the landlord may ask the tenant if he or she qualifies for the dwelling.

Eviction

Some circumstances may justify the rejection or the eviction of a tenant with a disability: (1) the person refuses or is unable to comply with tenancy rules that apply to all tenants, or (2) the person's "tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial damage to the property of others." However, if a reasonable accommodation would eliminate the threat or enable the tenant to comply with the standard tenancy rules, the law requires the landlord to provide such an accommodation.

Call FHAC's hotline
904-356-8371
Outside (904): 1-800-411-3617
to report housing discrimination
or to request a fair housing
presentation!

Can I request a reasonable accommodation?

If you are disabled, you may request a reasonable accommodation from a landlord to help you live independently and/or comply with the lease. In some cases, tenants may have to incur some costs. FHAC recommends that if you wish to request an accommodation, do so in writing and keep a copy of the letter (see example below.)

(Date)

Dear Landlord:

I am a person with a disability and need a reasonable accommodation. I am requesting that you provide a reasonable accommodation (*write what you wish your accommodation to be*). I am entitled to this accommodation under the Fair Housing Act. Please contact me regarding your decision.

Sincerely, (*your name*)

(Make sure to sign and date the letter)

When deciding whether to request an accommodation, make sure that it meets these requirements:

- ◆ The accommodation is REASONABLE.
- ◆ The landlord is not asked to provide non-housing services.
- ◆ The accommodation does not put undue burden on the landlord.
- ◆ The accommodation will specifically help the tenant because of the unique nature of the tenant's disability.
- ◆ If the tenant is facing a loss of housing, the benefit of continued housing for the tenant should outweigh the burdens and costs that the landlord must incur to make the accommodation.

EXAMPLE: A woman with a psychiatric disability hears voices. To silence them, she hits walls with a broomstick and throws water at them. When the landlord starts eviction proceedings because of the damage, the tenant's mother intervenes and asks the landlord to delay the eviction while she arranges for counseling and a community resource services program with her daughter's case manager.

When should I call FHAC?

Call FHAC if you need assistance in pursuing your fair housing rights; if you would like a reasonable accommodation and want assistance requesting one; if you feel that your rights have been violated and want us to investigate your case; or if you simply have questions about your rights. Here are some examples of discriminatory behavior which we would investigate:

A case manager is told by the manager of a complex that they won't take "programs for the mentally ill because of their insurance."

A landlord refuses to waive a no pet rule for a person with a mental illness who is dependent on a pet, and would be denied the opportunity to use and enjoy her home without a pet.

A landlord refuses to change a policy that requires proof of prior employment or rental history, when a person with a disability does not have such a history because he has been in an institution.

A landlord refuses to waive a no guest's policy if a tenant with a disability must employ a personal care attendant, therapist, nurse, etc. in order to live independently.

A landlord or leasing agent tells a case manager who places the mentally ill in housing, "We have nothing available," when in fact there are units available.

A landlord charges disabled tenants more rent than non-disabled tenants.

After a disabled tenant requests an accommodation, the landlord begins to harass or intimidate the tenant.

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FLORIDA RELAY
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1-800-676-3777 (ENGLISH)
1-800-676-4920 (SPANISH)