

Questions and Answers: Reasonable Modification Requests

Q: I rent a unit from a private landlord. My disabled mother will be moving in with me within the next few months and I would like to make some modifications to my unit so that she can access the bathroom and shower. Can I ask my landlord to make these modifications to my unit?

A: The Fair Housing Act makes it unlawful to refuse to permit reasonable modifications of existing premises if the modifications may be necessary to afford a disabled person full enjoyment of her unit. Reasonable modifications are any structural changes to interiors and exteriors of dwellings as well as common and public use areas, such as widening doorways or installing grab bars in bathrooms. The individual requesting a modification usually bears the cost of the modification.

Q: I am disabled and use a wheelchair in my unit. I recently asked if I can lower the kitchen cabinets so I can reach the cabinets from my wheelchair. My landlord approved my request, but he insists that I use his contractor. He is also saying that I have to restore the unit to its original condition when I move out. Can he require that I use his contractor and that I restore my unit when I move out?

A: A housing provider cannot insist that a particular contractor do the work. However, your landlord can require that you ensure that the work be performed in a workmanlike manner. This usually includes providing a description of the proposed modification, proof that your contractor is licensed, and requiring that any and all necessary building permits be obtained prior to starting on your modification project.

Your landlord can require that you restore your unit to its original condition. A landlord can require this only when it is reasonable to do so. Lower kitchen cabinets may affect your landlord's ability to rent out his unit in the future so he can most likely require that your unit be restored. There are some modifications that can be made to a unit where it would be unreasonable to require restoration, such as requests to widen doors.

Q: I own a condo and have trouble accessing my unit from my parking stall. I want to ask the Association of Apartment Owners to put in ramps and curb cuts around the property. Would the Association be required to make these changes or would I have to pay for the modifications myself?

A: With a few exceptions, multifamily housing consisting of four or more units with an elevator, which were built for first occupancy after March 13, 1991, must comply with the Fair Housing Act's design and construction requirements. If your condominium project fits that description, they may be required to meet certain standards which include accessible routes (usually provided by ramps and curb cuts) though the housing complex and into your unit.

If you live in building built before for first occupancy before 1991, you may need to request a modification for curb cuts and ramps. You would have to bear the cost of the modifications. You are not, however, responsible for restoring the property upon move-out and your Association will be responsible for the upkeep and maintenance of the modifications.

Q: I live in an older building and there are no handicap accessible parking stalls on the property. I would like to request an accessible stall. This would require my housing provider to provide a new stall and create an access aisle. Can I make this modification request?

A: The U.S. Department of Housing and Urban Development, the Department of Justice, and courts throughout the United States have found that requests for parking stalls are considered reasonable accommodation requests. For more information on accommodation requests for parking stalls, [please click here](#).