



PHA Fact Sheet: Reasonable Accommodations for Public Housing Residents and Applicants

PHAs must provide reasonable accommodations for public housing applicants and residents. Reasonable accommodations allow individuals with disabilities an equal opportunity to use and enjoy their housing.

Reasonable Accommodations (RAs) Include:

- A change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with disabilities to have an equal opportunity to use and enjoy a dwelling. [24 CFR 100.204](#)
- Physical or structural changes to a housing unit or public or common use spaces so that the individual with disabilities has an equal opportunity to participate in or benefit from a PHA's program or activity, or to otherwise avoid discrimination against individuals with disabilities. [24 CFR 8.24](#)

Applicable Laws: The Fair Housing Act, the [Americans with Disabilities Act](#) (ADA), and [Section 504](#) of the Rehabilitation Act of 1973 apply to PHAs. All three require PHAs to provide reasonable accommodations. Some parts of the law use the term “reasonable modification”, but it is common to refer only to “reasonable accommodations” to describe both. HUD’s related implementation regulations are:

- [24 CFR 100 subpart D](#) for the FHA.
- [24 CFR 8](#) for Section 504.
- [28 CFR 35](#) for Title II of the ADA.

Person with a Disability: Someone with a physical or mental impairment, a record of such impairment, or who is regarded as having such an impairment, which substantially limits one or more major life activities. Examples and more information are at [24 CFR 8.3](#).

Protected Individuals: Reasonable accommodation laws protect the primary applicant or resident with disabilities. They also protect people associated with residents and applicants (for example, children, parents, spouses, and other members of the household). People engaged in certain legally protected activities, such as advocating on behalf of an individual with a disability, are also protected.

Requests: PHAs must have a process for RA requests. Individuals with disabilities have a right to request an RA at any time, including during admissions and lease enforcement. The request may be made by the person with a disability or someone acting on their behalf. Requests may be made verbally or in writing. Specific procedures, forms, or wording do not need to be used. There is no limit to the number of requests that may be made.



This material is based upon work supported, in whole or in part, by Federal award number C-20-TA-TX-0010 awarded to NALCAB by the U.S. Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. Neither the United States Government, nor any of its employees, makes any warranty, express or implied, or assumes any legal liability or responsibility for the accuracy, completeness, or usefulness of any information, apparatus, product, or process disclosed, or represents that its use would not infringe privately-owned rights. Reference herein to any individuals, agencies, companies, products, process, services, service by trade name, trademark, manufacturer, or otherwise does not constitute or imply an endorsement, recommendation, or favoring by the author(s), contributor(s), the U.S. Government or any agency thereof. Opinions contained herein are those of the author(s) and do not necessarily reflect the official position of, or a position that is endorsed by, HUD or any Federal agency.



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Assistance Animals: PHAs are required to make reasonable accommodations to allow an individual with a disability-related need to have an assistance animal, including one that provides emotional support. Usually, an accommodation is required as an exception to the PHA's rules or policies related to pets. See the **Notice on Service Animals and Assistance Animals for People with Disabilities in Housing and HUD-Funded Programs:** <https://tinyurl.com/mr28avd2>.

Approval/ Denial: PHAs must decide requests for accommodations on a case-by-case basis. If the PHA determines there is a disability-related need for the accommodation, the PHA must approve the request unless doing so would result in a fundamental alteration in the essential nature of the program or activity or an undue financial and administrative burden. This is a high standard. Before a request is denied, the PHA must engage in an interactive process to explore and provide an alternative accommodation. The PHA is required to provide any other accommodation up to the point that would not result in an undue burden or fundamental alteration. Approved accommodations must be provided and paid for by the PHA.

Determinations/ Documentation: See the [Resource Sheet: Reasonable Accommodation Determinations](#).

Tracking RA Requests: See the [Reasonable Accommodations Requests Tracking Sheet](#).

Resources:

- **HUD FHEO Reasonable Accommodations and Modifications**
- **Joint Statement of HUD and DOJ on Reasonable Accommodations:** <https://www.hud.gov/sites/dfiles/FHEO/documents/huddojstatement.pdf>
- **Joint Statement of HUD and DOJ on Reasonable Modifications:** https://www.hud.gov/sites/dfiles/FHEO/documents/reasonable_modifications_mar08.pdf
- **Additional HUD Guidance, Notices, and other materials relating to disability**
- **Fair Housing Chapter of Public Housing Occupancy Guidebook, Fair Housing and Nondiscrimination Requirements:** <https://tinyurl.com/ja9763ah>



Learn more: Reasonable Accommodations for Public Housing Residents and Applicants training series: <https://tinyurl.com/mur79ms8>.