

SAMPLE
COVID-19 Related
Reasonable Accommodation Request

[Date] _____
[Landlord Name] _____
[Landlord Address] _____
Sent via email: _____ [email address]

Re: Reasonable Accommodation Request

Dear _____:

I am your tenant at _____
[address]. I am writing to request a reasonable accommodation due to disability.

I have: [check options that apply]

- a disability, defined by the Fair Housing Act as a physical or mental impairment which substantially limits one or more major life activities (42 U.S.C. 3602(h)) that puts me at greater risk of COVID-19 infection. I must limit possible exposure activities.
- a medically cognizable or diagnosable sensory or physical impairment protected by RCW 49.60.040 (7). I must limit possible exposure activities.

As a reasonable accommodation, please:

[check options that apply]

- ◇ Stop non emergency inspections of my dwelling unit because it is a risk to my health.
- ◇ Waive the following policy that I cannot comply with because of the COVID-19 pandemic:
_____.
- ◇ Extend a deadline for _____ that I cannot meet because of the pandemic to _____ [later date]
- ◇ Allow me to pay my rent by mail without charging late fees for _____ [no.] days after the usual due date. I cannot leave my home to pay rent in person as usual.
- ◇ Communicate with _____ [name], who will be handling my affairs during my illness.
- ◇ Let me enter into a payment plan to plan for [month]'s rent and waive (excuse) any late fees.
- ◇ Other: _____

Reasonable Accommodation Requests

A resident with a disability that makes them more vulnerable to COVID-19 may request a reasonable accommodation to minimize the likelihood of contracting COVID-19.

For example:

- A resident may request to use the laundry room immediately after it has been cleaned, or when other residents are not present.
- Request a delay for a routine inspection of a dwelling unit, or to submit photos or videos of a unit in lieu of in-person inspection.
- Request a landlord to limit the number of employees who enter a unit to make repairs, and require them to wear masks.
- Ask a housing provider to show a unit that the tenant will be vacating to one prospective person at a time.

People with disabilities may need reasonable accommodations for exceptions to rules imposed by housing providers due to COVID 19.

For example:

- People with disabilities who receive personal attendant services are entitled to continue to have their attendants visit them, even if the building they live in has a no-visitors, or limited-visitation policy.

NORTHWEST FAIR HOUSING ALLIANCE

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Our services are free.

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January, 2021



Fair Housing Rights for Protected Classes adversely impacted by COVID 19



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The impacts of COVID-19 morbidity and mortality have not been felt equally by all populations in Washington State. Higher rates and / or more severe symptoms from COVID 19 among **Latinx, Asian and Pacific Islanders, Black, Indigenous, people of color, and people with disabilities** in our region increase their risk of housing discrimination or loss of housing.



The federal **Fair Housing Act** protects rental housing applicants, tenants, homeowners and prospective homebuyers from discrimination based on **race, color, religion, sex, national origin, family status or disability**.

Additionally, the **Washington State Law Against Discrimination** (WLAD, RCW 49.60) prohibits housing discrimination based on **military or veteran status, creed, marital status, sexual orientation, and immigration or citizenship status**.

This means that housing providers cannot deny you housing or treat you differently because of any of these factors.

During the coronavirus pandemic, fair housing laws may protect you from housing discrimination related to COVID-19.

Persons who have COVID-19 with symptoms that substantially limit major life activities, or who have a history of having COVID 19, or who are perceived to have the coronavirus, may be protected from housing discrimination based on disability. Fair housing laws also protect people from national origin discrimination, including discrimination against people from regions of the world associated with COVID-19 origination or outbreaks.

Under the Fair Housing Act, Housing providers cannot:

- Refuse to accept persons moving from assisted living homes, without evidence of infection with COVID-19, based on assumed prevalence of COVID-19 in such housing communities
- Ask if you have a disability that makes you more likely to get COVID-19
- Share your medical condition or disability with other tenants
- Deny you housing based on the belief that people from China are more likely to have the coronavirus
- Terminate your tenancy because you called an ambulance for disability symptoms
- Segregate you and other people with disabilities to specific areas of a building to protect you from COVID-19 exposure
- Permit tenant-on-tenant harassment based on stereotyping about national origin and contagion
- Terminate your tenancy because you appear ill and are assumed to have COVID-19

Housing providers must:

Make reasonable accommodations (changes or exceptions to their usual rules) that are needed if you have a disability (for example, allowing you to temporarily move into a private room in your assisted living home after you contract COVID-19, if one is available)

Housing providers can:

- Require that all residents and guests follow recommended or required public safety measures to prevent the spread of COVID-19, including social distancing and wearing face masks
- Tell neighbors that there has been a COVID-19 diagnosis on the property (but cannot disclose the name, apartment number or other information that would identify who is infected)
- Ask COVID 19 symptom-related questions upon admission to housing or entry into common and public spaces
- Encourage tenants or applicants to voluntarily self-report that they have COVID-19 or have been exposed to the coronavirus (but cannot *require* them to disclose the information)
- Request documentation that demonstrates that an accommodation is necessary for a disability (but cannot request details of the diagnosis or disability)