



3255 Wilshire Blvd., Suite 902
Los Angeles, CA 90010
(213) 389-2077
For California Relay Service TTY: (800) 735-2929
www.mhas-la.org



***FAIR HOUSING:
IT'S THE LAW!***

A nonprofit organization protecting and advancing the legal rights of people with mental disabilities.

Fair Housing Tip of the Month

Tip #3 – Requesting a Reasonable Accommodation to Add a Roommate to Help Pay Rent

TENANT: *“I am currently living in an apartment alone. Until recently, I was able to pay the rent because I had a job. However, in the last several months, I became unable to work due to my disabilities and can no longer afford the rent on my own because my only income is SSI. I am hoping to find a roommate to help me with rent. Otherwise, I’ll probably lose my place. Is the landlord allowed to prohibit me from finding a roommate and force me to either pay the entire rent or move out?”*

The law says: No, if you have a disability that limits your income. Before considering whether you are entitled to a reasonable accommodation under fair housing laws, check whether your lease or local law in your area already allows you to have a roommate. For example, in Los Angeles, a tenant in an apartment covered by the local Rent Stabilization Ordinance is entitled to have one adult roommate or co-tenant. If your lease and/or local laws do not entitle you to a roommate, and you have a disability, your request to add a roommate to help with rent may qualify as a reasonable accommodation under fair housing laws.

If you need a roommate because you can no longer afford the rent on your own, your inability to pay must be related to your disability. For example, Supplemental Security Income (SSI) is the only source of income for some people who are unable to work due to disability, and SSI benefits are not enough to pay rent for an apartment in many parts of the United States. Therefore, a person receiving SSI benefits may have a disability-related need for a roommate. If denying your request would prevent you from having equal access to housing, your landlord would be required to permit a roommate, subject to reasonable tenant screening procedures, as long as it would not be too difficult or expensive (an “undue burden”) or change the nature of the landlord’s business (a “fundamental alteration”).

What to do: Make your accommodation request, preferably in writing, stating that you need a roommate to help you pay rent because your disability has reduced your income. In this case, include a copy of your SSI award letter, making sure to redact or remove any references to your Social Security Number. Keep copies of all of your letters.

If your landlord refuses your request for reasonable accommodation, or refuses to consider it, you can file a complaint with a local fair housing agency, the California Department of Fair Employment and Housing (DFEH), or the U.S. Department of Housing and Urban Development (HUD).

To file a complaint with HUD, call 800-669-9777, or visit www.hud.gov/program_offices/fair_housing_equal_opp/complaint-process

To file a complaint with DFEH, call 800-884-1684, or visit www.dfeh.ca.gov/complaint-process/file-a-complaint/

Fair housing laws prohibit discrimination in housing based on the following characteristics: race, religion, national origin, color, sex, familial status, disability, marital status,* ancestry,* sexual orientation,* gender identity,* gender expression,* genetic information,* and source of income.*

*Covered under California law, but not federal law. (For most housing, California laws also prohibit discrimination on the basis of citizenship, immigration status and primary language.)

Disclaimer: The Fair Housing Tip of the Month is for educational purposes only and does not constitute legal advice. If you have a legal question, please contact MHAS, your local fair housing council or another attorney of your choice.

The Fair Housing Tip of the Month campaign is based on work supported by the Department of Housing and Urban Development (HUD) under FHIP Grant #FEOI19008. Any opinion, findings, and conclusions or recommendations expressed in this material are those of the author(s) and do not necessarily reflect the views of HUD.