

FACT SHEET: FAIR HOUSING & OLDER ADULTS

What is fair housing?

Fair housing is the right to choose housing free from unlawful discrimination. Federal, state and local fair housing laws protect people from discrimination in housing transactions such as rentals, sales, lending, appraisals, and insurance. Specifically, the federal Fair Housing Act and Michigan's Elliott-Larsen Civil Rights Act protect against housing discrimination based on the following "protected classes":

- Race
- Color
- Religion
- Sex, including Gender Identity & Sexual Orientation
- National origin
- Familial status
- Disability
- Marital status
- Age



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What rights do seniors have under fair housing?

Fair housing protects and ensures housing choice for seniors by ensuring equal access to not only senior housing opportunities themselves but also to the associated amenities, services, and community features offered in senior housing – all of which play a vital role in protecting the independence and well-being of older adults. The Fair Housing Act and Michigan housing laws cover most types of housing including: senior living for 55 or 62 and older, independent living communities, assisted living facilities, continuing care retirement communities, skilled nursing homes, and more. Any older adult should have equal access to the housing of their choice regardless of their race, color, religion, gender including sexual orientation and gender identity, national origin, familial status, disability status, marital status, and age.

Further, as an individual's needs change, fair housing rights specifically support older adults in the pursuit and acquisition of reasonable accommodations and/or modifications based on a physical or mental disability; these changes may be necessary to help ensure equal use and enjoyment of their home, as well as to allow a senior to age in place.

What are reasonable accommodations and reasonable modifications?

Under the Fair Housing Act, a **reasonable accommodation** is a change or exception to any rule, policy, procedure or service needed in order for a person with a disability to be able to have equal access to and full enjoyment of their home, such as allowing an assistance animal where there is a "no pet" policy or allowing a live-in caregiver when a housing policy states "no over-night guests".

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A **reasonable modification** is a structural change made to existing premises, occupied or to be occupied by a person with a disability, in order to afford them full enjoyment of the premises, such as the installation of a ramp, grab bar or handrail. Reasonable modifications are critical for equal housing opportunity, especially in meeting the demand for accessible housing from a growing senior population. Reasonable accommodations and modifications enable independent living and equal access to housing for people with disabilities.

How do I request a reasonable accommodation or modification?

If you feel you need a **reasonable accommodation** or **modification** to your home or apartment based on a disability, there is a process you will need to go through to work with your housing provider (such as your landlord, property manager, or homeowners/condo association board). Reasonable accommodation requests should be evaluated on a case-by-case basis. The Fair Housing Center of West Michigan (FHCWM) can assist in preparing your request(s).

Where can I find more information?

If you have additional questions or would like resource materials or assistance in requesting reasonable modifications or reasonable accommodations, please contact the Fair Housing Center office. You may also visit our website, www.fhcwm.org and www.fhcwm.org/disability. There is no cost for the FHCWM to assist with these requests. Discrimination can be reported anonymously.

FHCWM Service Area

We currently serve 12 counties in western Michigan: Allegan, Grand Traverse, Ionia, Isabella, Kent, Mecosta, Montcalm, Muskegon, Newaygo, Oceana, Osceola and Ottawa.

SIGNS OF POSSIBLE DISCRIMINATION, IF BASED ON A PROTECTED CLASS

- Refusal to allow reasonable accommodations, such as an assistance animal in a “no pets” property or an assigned, accessible parking space
- Refusal to permit reasonable modifications, such as a wheelchair ramp or grab bars
- Requiring that you be able to live independently, without daily care assistance
- Asking whether you have a disability or details about your disability
- Asking for medical records or a physician’s assessment during the application process
- Refusing to allow a 24-hour live-in aide, chore worker, or other support staff
- Refusing to allow wheelchairs or scooters in dining areas or other common space
- Being restricted to a certain floor or area of a senior community
- Requiring residents with wheelchairs to have special insurance or pay extra deposits
- Evicting a person because they need more assistance or bring in part-time help