

# FACT SHEET: FAIR HOUSING FOR PERSONS WITH DISABILITIES: ENSURING ACCESSIBILITY



Fair Housing Center

## What is fair housing?

Fair housing is the right to choose housing free from unlawful discrimination. Fair housing laws protect people from discrimination in housing based on race, color, religion, sex, national origin, familial status, **disability**, marital status, and age. Discrimination is illegal in housing transactions such as rentals, sales, lending, and insurance. One type of discrimination prohibited by the law is the refusal to make reasonable modifications or accommodations that allow for a person with a disability the equal opportunity to access, use and fully enjoy a dwelling.

## What qualifies as a disability?

The Fair Housing Act defines a person with a disability to include (1) individuals with a physical or mental impairment that substantially limits one or more major life activities; (2) individuals who are regarded as having such an impairment; and (3) individuals with a record of such an impairment. Major life activities include caring for yourself, performing manual tasks, walking, seeing, hearing, speaking, breathing, and working.

## What are reasonable modifications?

Reasonable *modifications* are physical changes to an apartment or house that make the unit accessible to someone with a disability, such as ramps or grab bars. A person with a disability must be permitted to make reasonable modifications to their dwelling unit or to the public and common use areas if necessary for equal access. Reasonable modifications are critical for equal housing opportunity, especially in meeting the demand for accessible housing from a growing senior population.

## What are reasonable accommodations?

Reasonable *accommodations* are changes in any rule, policy, procedure or service needed in order for a person with a disability to have equal access to and enjoyment of their home. Examples of reasonable accommodations include allowing an overnight caregiver despite a policy prohibiting overnight guests or allowing a service animal despite a "no pets" policy.

## What does reasonable mean?

Reasonable is not defined by law so each request should be determined on a case-by-case basis. To show that a requested accommodation or modification may be necessary, there must be an identifiable relationship, or nexus, between the request and the individual's disability. A request may be denied if providing the accommodation or modification is not reasonable – i.e., if it would impose an undue financial and administrative burden on the housing provider or it would fundamentally alter the nature of the provider's operations.

*Continued on other side...*

# VAWA VIOLENCE AGAINST WOMEN ACT

## WHAT IS VAWA?

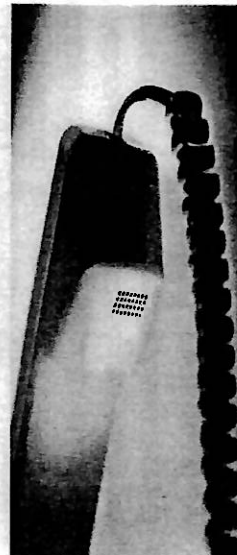
The Violence Against Women Act was enacted in 1994 to help immigrant victims of domestic violence lawfully remain in the United States. Everyday, victims are unable to flee their abusive homes for fear that their abusers, either U.S. citizens or lawful permanent residents, would retaliate by not petitioning them for their green cards. VAWA allows those victims to independently file for lawful status without having to rely on their abusers for sponsorship. VAWA applies to both male and female victims.

If you file a VAWA petition, you may become eligible for permanent residency, protection from deportation proceedings, public benefits and work authorization. For your safety, the VAWA process is kept confidential from the abuser.

It is important to discuss the process with an attorney, especially if you have any previous criminal history or immigration violations.

### This is NOT legal advice.

Every petition is unique to each person's circumstances. Attorneys are available to make sure your petition reflects YOUR life and YOUR situation.



Your immigration status should NOT be a source of power or control. For domestic abusers, it no longer is.

## ARE YOU ELIGIBLE?

REGARDLESS of your immigration status, you may be eligible for VAWA if you are:

- An abused spouse of a U.S. citizen or lawful permanent resident
- An abused child of a U.S. citizen or lawful permanent resident (A child is unmarried and under 21 years of age.)
- A non-abused spouse of a U.S. citizen or lawful permanent resident whose child is abused by the U.S. citizen or lawful permanent resident
- An abused parent of a U.S. citizen son or daughter (The son or daughter must be 21 years of age or older.)

### Additional requirements:

- The abuser is a U.S. citizen or a lawful permanent resident.
- Your spouse abused you *during the marriage* or your parent, son or daughter abused you *at any time*.
- You were subjected to battery or extreme cruelty:
  - Threats of bodily harm
  - Actual bodily harm (hit, punch, slap, kick)
  - Rape
  - Emotional abuse
  - Threats of deportation
  - Threats to harm your children, etc.
- You lived with the abuser *at some point*.
- You must be currently living in the U.S. *unless the abuser is an employee of the U.S. government or uniformed services or the abuse occurred in the U.S.*
- If you were abused by your spouse, then you must have entered the marriage in "good faith."
- You have good moral character.

If you have any questions, be sure to consult with an immigration attorney.

## HOW DO YOU APPLY?

This is a general overview of the VAWA application process:

1. Gather documents that are required by VAWA and as advised by an attorney. (There is a partial list of documents on the back of this brochure.)
2. Submit form I-360 with documents supporting your eligibility for VAWA to United States Citizenship and Immigration Services (USCIS) through the Vermont Service Center (VSC).
3. Submit a filing fee or request a fee waiver if you are unable to pay.
4. Receive a receipt notice from USCIS and if the petition is approved, receive a letter declaring that you meet the basic VAWA eligibility requirements.
5. If the petition is approved, VSC will send a final Approval Notice (Form I-797) most likely with a notice deferring deportation.
6. After receiving the Approval Notice, you may take steps for an adjustment of status to obtain your green card. Speak to an attorney for details regarding specific eligibility requirements.

Note: Petition processing times will vary.



You do not have to do this alone. Attorneys and advocates are here to help you the whole way.

Are You a  
Victim of  
Housing  
Discrimination?

Fair Housing is Your Right!

If you have been denied your  
housing rights...you may have  
experienced unlawful discrimina-  
tion.



U.S. Department of Housing and Urban Development

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PLACE  
POSTAGE  
HERE

MAIL TO:

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Public Reporting Burden for this collection of information is estimated to average 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The Department of Housing and Urban Development is authorized to collect this information by Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, (P.L. 100-430); Title VI of the Civil Rights Act of 1964, (P.L. 88-352); Section 504 of the Rehabilitation Act of 1973, as amended, (P.L. 93-112); Section 109 of Title I- Housing and Community Development Act of 1974, as amended, (P.L. 97-35); Americans with Disabilities Act of 1990, (P.L. 101-336); and by the Age Discrimination Act of 1975, as amended, (42 U.S.C. 6103).

The information will be used to investigate and to process housing discrimination complaints. The information may be disclosed to the United States Department of Justice for its use in the filing of pattern and practice suits of housing discrimination or the prosecution of the person(s) who committed that discrimination where violence is involved; and to State or local fair housing agencies that administer substantially equivalent fair housing laws for complaint processing. Failure to provide some or all of the requested information will result in delay or denial of HUD assistance.

Disclosure of this information is voluntary.



# HOUSING DISCRIMINATION INFORMATION

Departamento de Vivienda y Desarrollo Urbano    Oficina de Derecho Equitativo a la Vivienda  
U.S. Department of Housing and Urban Development    Office of Fair Housing and Equal Opportunity

## 2 Why do you think you are a victim of housing discrimination?

Is it because of your:

• race • color • religion • sex • national origin • familial status (families with children under 18) • disability?

For example: were you denied housing because of your race? Were you denied a mortgage loan because of your religion? Or turned down for an apartment because you have children?

Briefly explain why you think your housing rights were denied and circle the factor(s) listed above that you believe apply.

## 3 Who do you believe discriminated against you?

For example: was it a landlord, owner, bank, real estate agent, broker, company, or organization?

Identify who you believe discriminated against you.

Name \_\_\_\_\_

Address \_\_\_\_\_

## 4 Where did the alleged act of discrimination occur?

For example: Was it at a rental unit? Single family home? Public or Assisted Housing? A Mobile Home?

Did it occur at a bank or other lending institution?

Provide the address.

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

## 5 When did the last act of discrimination occur?

Enter the date

\_\_\_\_/\_\_\_\_/\_\_\_\_

Is the alleged discrimination continuing or ongoing?

Yes No

☐☐

Signature \_\_\_\_\_

Date \_\_\_\_\_

Send this form to HUD or to the fair housing agency nearest you. If you are unable to complete this form, you may call that office directly. See address and telephone listings on back page.

## ARE YOU A VICTIM OF HOUSING DISCRIMINATION?

"The American Dream of having a safe and decent place to call 'home' reflects our shared belief that in this nation, opportunity and success are within everyone's reach.

Under our Fair Housing laws, every citizen is assured the opportunity to build a better life in the home or apartment of their choice — regardless of their race, color, religion, sex, national origin, family status or disability."

Alphonso Jackson  
Secretary

## HOW DO YOU RECOGNIZE HOUSING DISCRIMINATION?

Under the Fair Housing Act, it is Against the Law to:

- Refuse to rent to you or sell you housing
- Tell you housing is unavailable when in fact it is available
- Show you apartments or homes only in certain neighborhoods
- Set different terms, conditions, or privileges for sale or rental of a dwelling
- Provide different housing services or facilities
- Advertise housing to preferred groups of people only
- Refuse to provide you with information regarding mortgage loans, deny you a mortgage loan, or impose different terms or conditions on a mortgage loan
- Deny you property insurance
- Conduct property appraisals in a discriminatory manner
- Refuse to make reasonable accommodations for persons with a disability if the accommodation may be necessary to afford such person a reasonable and equal opportunity to use and enjoy a dwelling.
- Fail to design and construct housing in an accessible manner
- Harass, coerce, intimidate, or interfere with anyone exercising or assisting someone else with his/her fair housing rights

<b>Accommodation Request</b> For Persons With Disabilities	U.S. Department of Housing and Urban Development Office of Administration																							
<b>Disability Program Manager ▶</b>	<b>Control Number:</b> RA- <b>Date:</b> Control Number (RA-Fiscal Year (e.g. 2002)-Sequential # Assigned by Disability Program Manager)																							
<b>Administrative Instructions</b>	Before completing this form, read the reverse. <b>Entries:</b> May be either handwritten or typewritten. <b>Forms Supply:</b> Use local office copier for initial supply and supply and providing completed copies. <b>Copies Retained By:</b> (1) Employee's Program Office; (2) Disability Program Manager; (3) Employee.																							
<b>Requester</b>  Other, such as Immediate Supervisor, Employee Assistance Staff, Disability Program Manager, and Selective Placement Coordinator may help employee complete this section	<table border="0"> <tr> <td><b>Name</b></td> <td colspan="2"><b>Signature</b></td> <td colspan="2"></td> </tr> <tr> <td><b>Date</b></td> <td><b>Organization</b></td> <td colspan="3"></td> </tr> <tr> <td><b>Position Title</b></td> <td><b>Series</b></td> <td colspan="3"><b>Grade</b></td> </tr> </table>				<b>Name</b>	<b>Signature</b>				<b>Date</b>	<b>Organization</b>				<b>Position Title</b>	<b>Series</b>	<b>Grade</b>							
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<b>Requester Comments</b> May be completed if others initiate form. Otherwise, entry not required																								
<b>Receiving Official</b> (e.g., Immediate supervisor, manager, Principal Organization Head, Disability Program Manager, Human Resources Staff, Employee Assistance Program Staff, or Employee/ Labor Relations Staff)	<table border="0"> <tr> <td><b>Date Received</b></td> <td><b>*Disapproved</b> <input type="checkbox"/></td> <td><b>Approved In Full</b> <input type="checkbox"/></td> <td colspan="2"><b>Approved In Part</b> <input type="checkbox"/></td> </tr> <tr> <td><b>Name</b></td> <td><b>Signature</b></td> <td colspan="3"><b>Date</b></td> </tr> <tr> <td colspan="5"><b>Comments</b></td> </tr> </table>				<b>Date Received</b>	<b>*Disapproved</b> <input type="checkbox"/>	<b>Approved In Full</b> <input type="checkbox"/>	<b>Approved In Part</b> <input type="checkbox"/>		<b>Name</b>	<b>Signature</b>	<b>Date</b>			<b>Comments</b>									
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<b>Name</b>	<b>Signature</b>	<b>Date</b>																						
<b>Comments</b>																								

\* If disapproved, complete HUD Form 11600.

Form HUD-1000

# Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

Print or type  
See Specific Instructions on page 2.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification; check only one of the following seven boxes:

- ☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate
- ☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ \_\_\_\_\_
- Note.** For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.
- ☐ Other (see instructions) ▶ \_\_\_\_\_

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) \_\_\_\_\_

Exemption from FATCA reporting code (if any) \_\_\_\_\_

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.)

Requester's name and address (optional)

6 City, state, and ZIP code

7 List account number(s) here (optional)

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Note.** If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number

				-			-				
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or

Employer identification number

				-							
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## Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign  
Here

Signature of  
U.S. person ▶

Date ▶

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/fw9](http://www.irs.gov/fw9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

**If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding.** See *What is backup withholding?* on page 2.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.