



State of Illinois
Department of Human Rights

Reasonable Accommodations and Modifications:

A Guide for Housing Professionals



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Access Living is a change agent committed to fostering an inclusive society that enables Chicagoans with disabilities to live fully-engaged and self-directed lives. Access Living is a leading force in the disability advocacy community, Access Living challenges stereotypes, protects civil rights and champions social reform.

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This Guidebook provides general legal guidance to housing professionals on reasonable accommodations and reasonable modifications for residents with disabilities and their family members.

This guidance may not be appropriate in all situations and is not a substitute for legal advice. Further, federal and state law is subject to change, so it is recommended that housing professionals contact a housing attorney in their community for further information or legal advice.

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The author and publisher are solely responsible for the accuracy of the statements and interpretations contained in this publication. Such interpretations do not necessarily reflect the views of the Government.

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Section 1

Importance of Reasonable Accommodations and Modifications

As of 2010, approximately 56.7 million people in the United States live with a disability.¹ While the disabilities vary widely in nature and severity, for many people with disabilities it is extremely difficult to find and secure housing that is accessible to them and/or otherwise meets their needs.

A reasonable accommodation is a change, exception, or adjustment to a rule, policy, practice, or service. A reasonable modification is a structural change made to the premises.² The purpose of a reasonable accommodation or modification is to provide equal access to housing for people with disabilities.

Reasonable accommodations and modifications provide increased housing options that are near transportation, jobs, and other fundamentals to economic progress by making inaccessible units or buildings accessible to people with disabilities.

Accommodations and modifications also increase the marketability of a property by appealing to a broader customer base.

This Guidebook discusses the disability laws and the processes involved in meeting requests for reasonable accommodations and modifications in residential properties.

This Guidebook

The word "resident" or "residents" includes any person residing or seeking to reside (i.e. an applicant) in apartment buildings, condominium buildings, shelters, and other types of housing.

Section 3

Applicable Federal and State Laws

Federal, state, and local laws require a housing provider to grant reasonable accommodations or reasonable modifications to people with disabilities. While many laws use the term “handicap,” that term is disfavored, so this Guidebook uses the term “disability,” which has the same legal meaning.

Federal laws that apply to the housing rights of people with disabilities include the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act. In Illinois, the Illinois Human Rights Act also applies.

Fair Housing Act (FHA) of 1968	Section 504 Rehabilitation Act of 1973	Americans with Disabilities Act (ADA)	Illinois Human Rights Act (IHRA)
<p>Also known as Title VIII of the Civil Rights Act of 1968, was passed to protect individuals against housing discrimination. It prohibited housing discrimination based on race, color, religion, national origin, and sex.⁵ It was amended in 1988 to prohibit discrimination based on disability and familial status.⁶ The U.S. Department of Housing and Urban Development (“HUD”) enforces the FHA.</p>	<p>Prohibits discrimination based on disability by any entity that receives federal financial assistance, such as public housing authorities, privately-owned buildings that receive federal funds (e.g. project-based Section 8 units), and federally-funded housing programs.⁷</p>	<p>Prohibits discrimination against people with disabilities.⁸ The ADA generally does not cover housing, except as follows: Title II of the ADA prohibits discrimination based on disability in state and local government housing programs (e.g. state-funded housing); and Title III of the ADA covers discrimination in leasing and property management offices that are open to the public.⁹ The U.S. Department of Justice (“DOJ”) enforces the ADA.</p>	<p>Prohibits discrimination in employment, financial credit, public accommodations, and real estate transactions based on disability and other protected classes.¹⁰ The IHRA, like the Fair Housing Act, makes it unlawful to discriminate in the sale or rental of residential property. The Illinois Department of Human Rights (“IDHR”) enforces the IHRA.</p>

Local Ordinances

Municipalities or local governments may have ordinances that require reasonable accommodations and modifications for people with disabilities. For example, if the housing is in Chicago, applicable local ordinances include the Cook County Human Rights Ordinance and the Chicago Fair Housing Ordinance.

Section 5

Reasonable Accommodations and Modifications

Reasonable accommodations are a change, exception, adaptation, or adjustment to a housing provider's rule, policy, regulation, practice, program, or service that will help the person with a disability have an equal opportunity to access and use the unit and common areas.¹⁵

Examples of Reasonable Accommodations

- Providing a reserved accessible parking space near a resident's unit for someone with a mobility or respiratory disability.
- Providing documents in alternate formats such as large print or in electronic form for a person with a vision disability.
- Allowing a resident with a disability to have an assistance animal in a "no-pets" building.
- Waiving guest fees or guest rules for a live-in aide for a resident with a disability.

Reasonable modifications are a structural change to the unit or common area so that the person can access and use the premises.¹⁶

Examples of Reasonable Modifications

- Installing grab bars in the bathroom.
- Changing doorknobs to levers for easier access.
- Installing a ramp to the front door of the building.
- Installing a doorbell with a light instead of sound.
- Widening the doorways in a unit for easier access.

A request for a reasonable accommodation or modification may occur any time during the application process, the signing of a lease, the tenancy, or even during the eviction or non-renewal process. Moreover, the request can be made by a family member or person acting on behalf of the person with a disability.

Housing providers must:

IMPORTANT

- Engage with residents who request an accommodation or modification;
- Respond in an adequate and prompt manner;
- Determine if there is a need for the request; and
- Determine if the request is reasonable.

Section 5-Reasonable Accommodations and Modifications

Responding to a Request

Once a request for an accommodation or modification has been made, the housing provider has an obligation to respond to the request regardless of *when* the request was made or *how* it was communicated.¹⁹

IMPORTANT

1. Timeliness: Housing providers must respond in a timely manner. An undue delay may be deemed a denial of the request.²⁰
2. Estimate Timeline: Provide an anticipated response date or timeline. If housing providers are not able to respond within a timely manner, they should let the person know when to expect a response. Otherwise, the lack of response could be deemed a denial.
3. Confidentiality: Housing providers must respect an individual's privacy. All information provided to the housing provider related to the individual's disability should be kept confidential.

PRO TIP

Although not required by law, housing providers should respond in writing and keep copies of all paperwork regarding the request.

Interactive Process

If the housing provider needs further information or wants to propose an alternative accommodation to the one requested by the resident, the housing provider must initiate a discussion with the resident. This discussion is referred to as "*the interactive process*."²¹

If a housing provider denies a request for an accommodation or modification without first engaging in the interactive process, the housing provider may be liable for failing to approve the reasonable accommodation or modification.²²

If the alternative accommodation or modification does not meet the needs of the resident, the resident may reject it.

If the resident rejects the proposed alternative, the housing provider and resident should continue to work together to reach a mutually agreeable solution.

If no agreement is reached during the interactive process, the resident may proceed as if the request were denied.

Determining the Need for a Reasonable Accommodation or Modification

The housing provider must also determine if there is a need for the accommodation or modification because of the resident's disability.

Section 5-Reasonable Accommodations and Modifications

If the disability is not apparent or known, the housing provider may request information to verify the disability, such as a letter from a medical professional, social service provider, the Social Security Administration, or other reliable third-party.

Examples: Requests for Information

- Leah uses a walker. She asks her housing provider to assign her a parking space near the entrance to the building. Because Leah's disability and need for the requested accommodation are both obvious, the provider may not ask for additional information.
- Jose uses a wheelchair. He asks his housing provider if he can keep an emotional support dog in his unit even though the provider has a "no-pets" policy. Jose's physical disability is apparent but the need for an emotional support animal is not. The housing provider may ask Jose to provide information about the need for the dog.

IMPORTANT

The housing provider may not ask a resident to disclose a specific diagnosis or provide his or her entire medical history.²⁶



Section 5-Reasonable Accommodations and Modifications

To determine whether a request for an accommodation imposes an undue burden, a housing provider should consider:

- the administrative and financial costs of the request,
- the costs of the housing provider's regular operations,
- the overall financial resources available to the housing provider,
- the benefit the request would have on the requestor, and
- whether there are any alternatives which could be granted.²⁸



Example of a Fundamental Alteration

Asking a landlord to pick up groceries for a tenant with a disability would be a fundamental alteration of the landlord's business of providing rental housing. This request is unreasonable.

Section 6-Associated Costs

Reasonable Modification Costs and Maintenance:

A reasonable modification is a structural change to the unit or common area so that the person can enjoy full access and use the premises. Modifications can be made to the common areas and interior of the unit.³¹ The general rule is the resident pays for the modification.³²

However, if the housing provider receives federal financial assistance, the housing provider must pay for the modification under Section 504 of the Rehabilitation Act, unless doing so would impose an undue burden.³³ If a resident has a tenant-based Housing Choice Voucher (formerly called "Section 8" voucher), Section 504 does not apply and the resident has to pay for the modification.

IMPORTANT

A housing provider may not refuse to grant a modification because it speculates that the modification may affect the aesthetics or property value of the building.

A housing provider may require a more aesthetically pleasing design if it does not impose any additional costs and meets the resident's needs.³⁴

If the housing provider requires a higher aesthetic standard, which in turn requires more costly materials, the housing provider must pay for those additional costs and the proposed design must meet the resident's needs.³⁵

Housing providers cannot require the resident to obtain special liability insurance for the requested modification.³⁶

Section 6-Associated Costs

Available Modification Funds

Below are resources for funding home modifications
(installing grab bars, wheelchair lifts, or ramps, etc.):

Children with disabilities under 21:
UIC Division of Specialized Care for Children
312-996-6380
www.dsccl.uic.edu

Under 60:
Chicago Mayor's Office for People with Disabilities⁴⁰
312-744-7050
www.cityofchicago.org/disabilities

Illinois Department of Human Services
Division of Vocational Rehabilitation:
Various locations and phone numbers⁴¹
www.dhs.state.il.us

Over 60:
The City of Chicago's Small Accessible Repairs for Seniors (SARFS)⁴²
and
Resources for Senior Help with Home Modifications⁴³
312-744-0841
www.cityofchicago.org

Eldercare Locator
1-800-677-1116
www.eldercare.gov

Other resources:
Funding sources for modifications compiled by a
private modification company:
www.ehls.com/funding-sources

Funding sources for modifications compiled by
Family Resource Center on Disabilities:
www.frcd.org/accessibility

Section 7-Complex Issues

IMPORTANT

Denying an Accommodation

Housing providers must have valid reasons for denying an accommodation. The following are invalid reasons:

- The accommodation would violate rules or policies: An accommodation is an exception to the housing provider's rules. Sheer reluctance to allow an exception to the rules is not a valid reason to deny an accommodation.
- The resident already received an accommodation: More than one accommodation may be needed if a resident's needs have increased, the previous accommodation request proves to be insufficient, or if the new accommodation addresses a different need.
- Allowing the accommodation will open the floodgates: An accommodation cannot be denied because of fear that others will want something similar. If an accommodation is granted to a resident with a disability, a similar arrangement is not required for a person without a disability or need for the accommodation.
- Impair aesthetics and property values: A housing provider may not deny an accommodation because of speculation that it may affect the aesthetics or property value of the building.⁴²
- Dislike of the resident: A housing provider's opinion of a resident's character or behavior, or a bad relationship with the resident, is generally not relevant as to whether the accommodation is needed.
- Housing provider's perception of what is best: A housing provider may not deny a person with a disability an accommodation because the housing provider believes the housing is unsafe, the person needs more care, or the person should live in a different environment, such as a nursing home.
- Requests made during evictions: A person may request an accommodation at any time during the application process and throughout the tenancy, even after the housing provider files for an eviction.⁴³

Section 7-Complex Issues

Communication

If a resident has a disability that impairs his or her ability to communicate with the housing provider, the resident may request that the housing provider alter its standard mode of communication as a reasonable accommodation.

Examples of alternative modes of communication are: providing printed material in an alternative format, such as Braille or large print; arranging for sign language interpretation or captioning; using a telephone or video relay system for an individual who is Deaf or has a speech disability; or communicating by e-mail.



PRO TIP

Communication tips for housing providers:

- Do not assume a person with a speech disability has difficulty hearing or understanding.
- Ask the person to identify the preferred method of communication, such as e-mail or online chat.
- Be patient. A conversation with someone with a communication disability may take longer and the housing provider should not cut off the communication (e.g. hang up the phone).

Section 7-Complex Issues

Examples of Assistance Animals

- Seeing-eye dogs
- Hearing dogs who alert their owners to sounds
- Dogs that pull a person in a wheelchair or pick up items for a person with a disability
- Animals that provide emotional and/or psychological support to individuals with mental disabilities

A housing provider may not apply size and weight limitations to assistance animals. Also, a housing provider may not restrict particular breeds, such as pitbulls, because of speculation about their behavior. A housing provider may deny the accommodation if a particular animal poses a direct threat based on objective evidence about the animal's actual conduct.⁴⁵

Before denying an assistance animal based on another resident's allergy or fear of the assistance animal, the housing provider must show the assistance animal posed a direct threat of harm to the other resident that could only be addressed by prohibiting the assistance animal. All determinations of direct threat of harm to the other residents must be based on an individualized assessment that relies on objective evidence about the specific animal's actual conduct, and not on mere speculation or fear about harms or damages an animal may cause.⁴⁶

The resident is responsible for supervising the assistance animal and must always maintain full control of the assistance animal by use of a leash, a carrier, or voice. A housing provider must not require an assistance animal to wear a special collar or harness that identifies the animal as an assistance animal.

Assistance animals do not need any special certification or training.⁴⁷ A housing provider can ask for proof that the assistance animal was vaccinated and require that it be housebroken.

PRO TIP

The housing provider can address any problems with the animal's behavior in the same manner it would address similar problems.



Section 7-Complex Issues

Parking

If a housing provider offers parking for residents, the housing provider must reasonably accommodate a person with a disability by making an exception to its parking policies.



This obligation exists whether the parking spaces are available to residents on a first-come and first-serve basis or reserved.

Some residents with disabilities may need a formal accessible parking space (a space with an access aisle specifically designed, painted, and marked as an accessible parking space).

Others may simply need a reserved parking space close to an entrance. Thus, it is important to talk to the resident about what kind of parking space is needed and explore what options are available.

PRO TIP

Proof that the resident has a disabled parking placard issued by the Illinois Secretary of State usually is sufficient to demonstrate the resident's need for a reserved accessible parking space.

If a housing provider provides parking on a first-come and first-serve basis, the housing provider may need to reserve a space for a resident with a disability. Maintaining a certain number of accessible parking spaces may not be sufficient because those spaces may not be available when needed. Even if parking spaces are reserved, leased, or deeded, a housing provider must reasonably accommodate a resident.

Examples of Solutions for Reserved Parking

- Ask the user/owner of the leased or deeded space to voluntarily exchange the space
- Modify the terms of the lease to allow the housing provider to exchange spaces
- Reserve the space specifically for the resident with a disability once the current lease expires
- If spaces cannot be exchanged, create new space from unused space in the parking lot, such as where the garbage bins or maintenance equipment is kept.

Section 7-Complex Issues

- Adopting smoke-free policies for an entire building or certain buildings in a multi-unit housing complex.
- Repairing walls, windows, doorways, etc. and replacing carpeting to reduce or eliminate secondhand smoke seepage.
- Changing heating or ventilation systems to eliminate secondhand smoke dispersal among apartment units.

Aides

Live-in aides are workers who reside with residents with disabilities and provide essential care and/or assistance to the resident. Live-in aides may be professionals or relatives. If a housing provider has rules that limit who may occupy a unit with the resident, the housing provider may be obligated to make exceptions to those rules to allow a live-in aide as a reasonable accommodation.

Similarly, persons with a disability may need the assistance of a supportive health care worker, personal attendant, or a homemaker to visit the unit and provide services to the person with a disability.



If a housing provider has rules that limit who may visit, the housing provider may have to make exceptions to those rules to allow access to the building.

Criminal history



A housing provider may have a policy to disqualify applicants with a criminal history. However, it may be discriminatory to exclude applicants with a criminal history, regardless of disability, without evaluating the candidate on a case-by-case basis and taking into consideration mitigating factors, such as the nature of the crime and length of time since the arrest or conviction.⁵⁰

Section 7-Complex Issues

Hoarding

If a person's practice of hoarding constitutes a disability or results from a disability, the person may request a reasonable accommodation from the housing provider, such as extra time to clean up the unit and/or assistance in removing the clutter.⁵²

Denying a Modification

Housing providers must have a valid reason to deny a modification.

IMPORTANT

- Speculation that the modification violates a fire or building code is not sufficient. The housing provider must identify an actual violation of the fire or building code.

Example of Improper Denial

A resident requests to install a chair lift in the common area stairway. There is sufficient space to install the chair lift under the fire and building codes. The housing provider cannot deny the request based on its fear that other residents are at risk in the event of a fire.



Section 7-Complex Issues

PRO TIP

In limited circumstances, if the housing provider requests restoration and is uncertain the resident will be able to pay for restoration, the housing provider can require a deposit into an interest-bearing account to cover restoration costs. The interest generated from the account will count towards the restoration costs.⁵⁹

Retaliation

Retaliation occurs when a housing provider attempts to discourage a resident from, or punishes a resident for, requesting a reasonable accommodation or modification by taking an adverse action against the resident.

IMPORTANT

A housing provider cannot retaliate against a resident because the resident requested an accommodation or modification.⁶⁰

Adverse actions which could be retaliatory if in response to a request for an accommodation or modification:

- Non-renewal of lease
- Increase in rent
- Eviction
- Harassment



Section 8-Issues Unique to Certain Housing Providers

IMPORTANT

- Associations must respond timely: It may take a condominium association longer to respond to requests for accommodations or modification due to the need to consider the request at the next board meeting. However, if the association takes too long to make its decision, the delay could be considered a denial. An association should consider expediting its meeting date or temporarily granting the accommodation until the board considers the request.

Examples of Request to a Condominium Board

Jey-Chin is a person with a disability who has an emotional support animal. She rents a condo in a building that has a "no pets" policy. When she moves in, she alerts the association of her disability and need for the animal. She provides supporting documentation. The association informs Jey-Chin that it will evaluate her request at the next meeting, two months later. The association should either move up the board meeting or allow Jey-Chin to have her emotional support animal until it can evaluate her request.

Public Housing Authorities and Other Federally Funded Housing Providers

Since public housing authorities and other subsidized housing providers receive federal financial assistance, they are covered by the Fair Housing Act, the Illinois Human Rights Act, and Section 504 of the Rehabilitation Act.⁶³

The application and waitlist process for a provider of subsidized housing must be accessible to people with disabilities. Further, the housing provider must provide a reasonable accommodation to an applicant on a waitlist when needed.⁶⁴

IMPORTANT

- Under Section 504, an applicant on the waitlist who needs an accessible unit is entitled to the next available accessible unit, even if there are people without disabilities on the waitlist ahead of the applicant.
- As with waitlists, a resident who needs to transfer to an accessible unit is entitled to the next available accessible unit over new applicants without disabilities.⁶⁵
- Similarly, a resident who needs a particular accessibility feature, such as a first-floor apartment, is entitled to the next available unit with that feature.

Section 8-Issues Unique to Certain Housing Providers

A person may request a subsidized housing provider to add a family member with a disability to the resident's household as a reasonable accommodation.

Example of Adding a Family Member

Suzie has had a housing choice voucher for many years. Her adult son, Greg, was in a car accident and acquired a severe brain injury. Suzie requests that the public housing authority add Greg to her voucher so she can provide care for him. The public housing authority should treat this as a request for a reasonable accommodation.

If a resident needs a live-in aide as a reasonable accommodation, the subsidized housing provider must include a live-in aide in determining the family size and may require an additional bedroom for the live-in aide.⁶⁸ The subsidized housing provider cannot count the live-in aide's income in determining the household income.⁶⁹



Example of Adding a Family Member

Regina has a Section 8 housing choice voucher for a one-bedroom unit for herself and her seven-year old son. Regina's disability requires the care of a live-in aide. Regina requests an accommodation to have her aide reside with her. Since a live-in aide is counted in determining family size, and federal regulations require one bedroom for every two people, Regina would be entitled to a Section 8 housing choice voucher for a two-bedroom unit. Further, the live-in aide's income would not count towards Regina's household income.

Section 10

Appendices

Legal Guidance ⁷⁴

1. **Joint Statement of the Department of Housing and Urban Development and the Department of Justice – Reasonable Accommodation under the Fair Housing Act**
https://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/library#Guidance
2. **Joint Statement of the Department of Housing and Urban Development and the Department of Justice – Reasonable Modifications under the Fair Housing Act**
https://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/library#Guidance
3. **Department of Housing and Urban Development Guidance on Service Animals and Assistance Animals for People with Disabilities in Housing and HUD-Funded Programs**
https://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/library#Guidance
4. **U.S. Department of Housing and Urban Development, Office of General Counsel Guidance on Application of the Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real-Estate Transactions**
https://www.hud.gov/sites/documents/HUD_OGCGUIDAPPFHASTANDCR.PDF
5. **U.S. Department of Housing and Urban Development Accessibility Notice: Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; the Architectural Barriers Act of 1968; and the Fair Housing Act of 1988**
<https://www.hud.gov/sites/documents/PIH2003-31.PDF>
6. **Joint Statement of the Department of Justice and the Department of Housing and Urban Development on Group Homes, Local Land Use, and the Fair Housing Act**
https://www.hud.gov/program_offices/fair_housing_equal_opp/library

Statutes

- a) The Fair Housing Act (42 U.S.C. 3601)
<https://www.justice.gov/crt/fair-housing-act-2>
- b) Americans With Disabilities Act of 1990 (42 U.S.C § 12102)
<https://www.ada.gov/pubs/adastatute08.htm>
- c) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794)
https://www.hud.gov/program_offices/fair_housing_equal_opp/disabilities/sect504
- d) The Illinois Human Rights Act (775 ILCS 5)
<http://www.ilga.gov/legislation/ilcs/ilcs2.asp?ChapterID=64>

Municipal Ordinances

Units of local governments, such as municipalities and counties, may also have their own civil rights ordinances. Housing providers should check with their units of local governments to learn whether they have an ordinance that may apply.

Regulations

HUD's Regulations on discrimination related to disability under the Fair Housing Act
<https://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=24:1.2.1.1.1>

End Notes

- ¹ Matthew W. Braught, *Americans with Disabilities: 2010 Household Economic Studies*, U.S. Census Bureau (July 2012).
- ² Joint Statement of HUD and DOJ, "Reasonable Modifications under the Fair Housing Act," (March 5, 2008) (Question 9, page 6) *available at* https://www.hud.gov/offices/fheo/disabilities/reasonable_modifications_mar08.pdf.
- ³ Joint Statement of HUD and DOJ, "Reasonable Accommodations under the Fair Housing Act," (May 17, 2004) (Question 2, page 3) *available at* <https://www.hud.gov/offices/fheo/library/huddojstatement.pdf>.
- ⁴ See *City of Chicago v. Matchmaker Real Estate Sales Center, Inc.*, 982 F.2d 1086 (7th Cir. 1992) and *U.S. v. Balistrieri*, 981 F.2d 916 (7th Cir. 1992).
- ⁵ The Fair Housing Act is codified at 42 U.S.C. §§ 3601 - 3619.
- ⁶ See generally Fair Housing Amendments Act, Pub. L. No. 100-430, 102 Stat. 1619 (codified at 42 U.S.C. § 3604 (2006)).
- ⁷ The Rehabilitation Act of 1973, 29 U.S.C. 794.
- ⁸ The Americans with Disability Act, 42 U.S.C 12101 *et seq.*
- ⁹ See Department of Justice, Title III Technical Assistance Manual, § III-1.2000 (1993), *available at* <http://www.ada.gov/taman3.html>.
- ¹⁰ The Illinois Human Rights Act, 775 ILCS 5/1-101 *et seq.*
- ¹¹ The Fair Housing Act, 42 U.S.C. §3602(h)(1).
- ¹² The Fair Housing Act, 42 U.S.C. §3602(h)(3).
- ¹³ The Fair Housing Act, 42 U.S.C. §3602(h)(2).
- ¹⁴ See the Fair Housing Act, 42 U.S.C. §3602(h).
- ¹⁵ Joint Statement of HUD and DOJ, "Reasonable Accommodations under the Fair Housing Act," (May 17, 2004) (Question 6, page 6) *available at* <https://www.hud.gov/offices/fheo/library/huddojstatement.pdf>.
- ¹⁶ Joint Statement of HUD and DOJ, "Reasonable Modifications under the Fair Housing Act," (March 5, 2008) (Question 2, page 3) *available at* https://www.hud.gov/offices/fheo/disabilities/reasonable_modifications_mar08.pdf.
- ¹⁷ Joint Statement of HUD and DOJ, "Reasonable Accommodations under the Fair Housing Act," (May 17, 2004) (Questions 12 and 13, pages 10-11) *available at* <https://www.hud.gov/offices/fheo/library/huddojstatement.pdf> and Joint Statement of HUD and DOJ, "Reasonable Modifications under the Fair Housing Act," (March 5, 2008) (Question 15, pages 9-10) *available at* https://www.hud.gov/offices/fheo/disabilities/reasonable_modifications_mar08.pdf.
- ¹⁸ *Id.*
- ¹⁹ *Id.*
- ²⁰ Joint Statement of HUD and DOJ, "Reasonable Accommodations under the Fair Housing Act," (May 17, 2004) (Question 15, page 11).
- ²¹ *Jankowski Lee & Assocs. v. Cisneros*, 91 F.3d 891, 895 (7th Cir. 1996).
- ²² Joint Statement of HUD and DOJ, "Reasonable Accommodations under the Fair Housing Act," (May 17, 2004) (Question 7, page 7) *available at* <https://www.hud.gov/offices/fheo/library/huddojstatement.pdf>.
- ²³ Joint Statement of HUD and DOJ, "Reasonable Accommodations under the Fair Housing Act," (May 17, 2004) (Question 6, page 6) *available at* <https://www.hud.gov/offices/fheo/library/huddojstatement.pdf> and Joint Statement of HUD and DOJ, "Reasonable Modifications under the Fair Housing Act," (March 5, 2008) (Question 2, page 3) *available at* https://www.hud.gov/offices/fheo/disabilities/reasonable_modifications_mar08.pdf.
- ²⁴ Joint Statement of HUD and DOJ, "Reasonable Accommodations under the Fair Housing Act," (May 17, 2004) (Question 7, page 7) *available at* <https://www.hud.gov/offices/fheo/library/huddojstatement.pdf>.
- ²⁵ *Id.* (Questions 17 and 18, pages 12-14)
- ²⁶ *Id.* (Questions 17 and 18, pages 12-14)
- ²⁷ *Id.* (Question 7, pages 7-8)
- ²⁸ *Id.* (Question 7, pages 7-8)
- ²⁹ *Id.* (Question 9, pages 8-9)
- ³⁰ HUD FHEO Notice FHEO-2013-01 on Service Animals and Assistance Animals for People with Disabilities in Housing and HUD-Funded Programs (April 25, 2013).
- ³¹ Joint Statement of HUD and DOJ, "Reasonable Modifications under the Fair Housing Act," (March 5, 2008) (Question 10, page 7) *available at* https://www.hud.gov/offices/fheo/disabilities/reasonable_modifications_mar08.pdf.
- ³² *Id.* (Question 3, page 3)
- ³³ *Id.* (Question 31, pages 16-17). See also, 29 U.S.C. 794.
- ³⁴ Joint Statement of HUD and DOJ, "Reasonable Modifications under the Fair Housing Act," (March 5, 2008) (Question 19, page 11) *available at* https://www.hud.gov/offices/fheo/disabilities/reasonable_modifications_mar08.pdf.
- ³⁵ *Id.* (Question 20, page 11)
- ³⁶ *Id.* (Question 22, page 12)
- ³⁷ *Id.* (Question 13, pages 8-9)
- ³⁸ Joint Statement of HUD and DOJ, "Reasonable Accommodations under the Fair Housing Act," (May 17, 2004) (Questions 4 and 5, Pages 4-6) *available at* <https://www.hud.gov/offices/fheo/library/huddojstatement.pdf>.
- ³⁹ *Id.*

End Notes *(cont.)*

⁷⁰ Joint Statement of HUD and DOJ, "Reasonable Accommodations under the Fair Housing Act," (May 17, 2004) (Question 19, pages 14-15) *available at* <https://www.hud.gov/offices/fheo/library/huddojstatement.pdf> (citing Cleveland v. Policy Management Systems Corp., 526 U.S. 795, 797 (1999)).

⁷¹ The Fair Housing Act, 42 U.S.C. §3613(c); the Illinois Human Rights Act, 775 ILCS 5/8B-104.

⁷² 24 CFR §180.705(b); the Illinois Human Rights Act, 775 ILCS 5/8B-104(D).

⁷³ Krueger v. Cuomo, 115 F.3d 487, 493 (7th Cir. 1997).

⁷⁴ If you have trouble accessing this document from this link, all of HUD's policy and guidance can be found at HUD's FHEO Library on their website at https://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/library. You may also contact HUD at:
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NOTES

