

Disability Rights Forum

Accommodating Tenants with Disabilities

Wednesday, July 21, 2010

8:30am - 4:30pm

**THE CALIFORNIA ENDOWMENT
1000 N. ALAMEDA STREET
LOS ANGELES, CA 90012**

Admission: \$20.00*

Includes Continental Breakfast, Lunch,
Materials & Parking

*Discounts for CAA members

Speakers Include:

Heidi Palutke, Research Counsel,
California Apartment Association

Michelle Uzeta, Director of Litigation,
Housing Rights Center

Craig D. McMahon, Partner, *Kimball, Tirey
& St. John*

Christopher Brancart, Partner, *Brancart &
Brancart*

Denise McGranahan, Staff Attorney, *Legal
Aid Foundation of Los Angeles*

Elena Popp, *Attorney at Law*

Lynn Dover, Associate, *Kimball, Tirey & St.
John*

Gabriela Garcia, Case Analyst, *Housing
Rights Center*

Sponsored by:



TOPIC DESCRIPTIONS:

Discussion I – Fair Housing Laws & the Concepts of Reasonable Accommodation and Modification: ADA and FHA Basics

The discussion will present an overview of the rights of tenants with disabilities to reasonable accommodations and reasonable modifications in housing under the Fair Housing Amendments Act, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, and related state laws. Presenters will note similarities and differences in the various laws, discuss common types of reasonable accommodation and modification requests, highlight key cases in the area, and provide 'best-practice' tips on how to make and process requests for accommodations and modifications.

Discussion II - Economic Accommodations

The discussion will include an in-depth look at the concept of "economic accommodations" in the fair housing context, including a discussion of ever-developing case law on the topic. Presenters will discuss a number of accommodations that might be characterized as "economic", such as adjusting rent due dates, allowing early lease terminations and accepting housing subsidies in payment of rent. Presenters will also provide a number of 'best-practice' tips when working with a tenant with a disability who needs an economic accommodation.

Discussion III – Using Reasonable Accommodations to Prevent the Eviction of Tenants with Mental Disabilities

The discussion will present an overview of housing providers' legal obligations to tenants whose disability-related behaviors cause them to be noncompliant with lease terms and/or create a risk of harm to others. Presenters will explore the "direct threat" exception under Fair Housing Law, highlight the types of behaviors that have triggered the exception in the past by reviewing key cases on the topic, and discuss the circumstances that require provision of reasonable accommodation as a precursor to eviction. Specific attention will be paid to the importance of the reasonable accommodation request itself, including the need to draw a nexus between the disability and the lease-breaking behavior, the need to create a "plan" for addressing the tenant's short and long term needs, and the role of medical documentation. Specific case scenarios including nuisance, hoarding, and direct threat will be discussed.

Registration Required

Contact Amy Ly at (800) 477-5977 extension 19, or email aly@hrc-la.org