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## **What Can I Do if It Is Hard for Me to Live in My Rental Because of My Disability?**

The law says that your landlord must be willing to make “reasonable” changes to the rental policy or your housing structure if you need it because of your disability. This is true for private and public housing. You need to ask for the changes to happen. You do this by requesting a “reasonable accommodation” or “reasonable modification.” Your landlord cannot say no unless it would be too expensive, or if it would require too much of a change to the landlord’s rental program.

If you are asking your landlord to change something about their rental policy, you need to ask for a reasonable **accommodation**.

If you are asking your landlord to change something about the physical structure of your rental, you need to ask for a reasonable **modification**.

This section contains information more about reasonable accommodations and reasonable modifications.

You might want an attorney to help you ask for these changes. If you are a Maine resident who is 60 or older, call the Legal Services for Maine Elders Helpline at 1-800-750-5353 to talk to an attorney for free.

What is a reasonable accommodation?

A reasonable accommodation is a change that is necessary for a person with a disability to be able to use and enjoy their living space. If your landlord changes something about the rules, policies, procedures or services, or the management of an apartment complex, they are making a reasonable accommodation.

### **Example A**

Your landlord has a policy of not providing assigned parking. There is plenty of parking but it is on a first come first served basis. You just had a stroke and are having a hard time getting around. You need to park close to the front door of your apartment. Your landlord could make a reasonable accommodation for you by agreeing to your request for a reserved parking space near the front door.

### **Example B**

You are in the very early stages of Alzheimer’s and sometimes you forget the date. Because of this, you are often late paying the rent. Your landlord wants to evict you and get you out of the apartment. You might ask your landlord for another chance as a reasonable accommodation. You could tell your landlord that someone is going to help you make sure the rent is on time.

What is a reasonable modification?

A reasonable modification is when your landlord makes physical changes to your housing unit so that you can use and enjoy your housing unit and the related facilities, even though you

have a disability.

### **Example A**

You have osteoporosis and your doctor said that if you fall you will probably break your bones. You ask your landlord to install grab bars in the bathroom as your reasonable modification. The grab bars will help prevent you from falling.

### **Example B**

You recently fell, and now you have to use a wheelchair. You have a few stairs that lead to your front door. You ask your landlord to have a ramp put in place as a reasonable modification.

### **Example C**

Your health needs require you to get dialysis. You want to hook up a portable dialysis unit in your apartment. To do this, you have to change the plumbing in the apartment. You ask your landlord for permission to do this as a reasonable modification. Your landlord can require that the changes be done by a professional and up to code.

How do I ask for a reasonable accommodation or modification?

Some apartment managers have forms for requesting reasonable accommodations or modifications. If your landlord does not, make your request in writing and keep a copy for your records. The letter should:

- Specifically describe the accommodation you are requesting;
- Explain why you are asking for it; and,
- Clearly explain how the accommodation relates to your disability.

You should request a letter from your doctor, therapist or other professional that confirms that you have a disability. Your health care provider or other professional should explain how the accommodation or modification would assist with your disability and allow you to continue living in your current apartment. Include a copy of this letter when you give your landlord your request. Keep a copy for your records.

It's a good idea to get help from an attorney if you can. If you are a Maine resident who is 60 or older, call the Legal Services for Maine Elders Helpline at 1-800-750-5353 to talk to an attorney for free.

The Disability Rights Center of Maine created samples of these letters. You can find these sample letters in the Quicklinks section to the left, or:

- [Click here for a .pdf copy.](#)
- [Click here for a word document that you can save to your computer and modify.](#)

Who has to pay for a reasonable modification?

If you live in housing that was built or rehabilitated with federal funds (HUD or Rural Housing) or in a subsidized apartment where the landlord receives government funding to maintain accessible housing, your landlord has to pay unless they can prove that it would cause an undue financial and administrative burden.

If you have a disability, private landlords, including those that are participating in the Section 8 Program, must allow you to modify your apartments at **your own expense**. Keep in mind that you might be required to pay to undo the changes when you move.

What happens if my landlord refuses my request?

There are a few steps to take, but you should get an attorney to help. If you are a Maine resident who is 60 or older, call the Legal Services for Maine Elders Helpline at 1-800-750-5353 to talk to an attorney for free.

For more information, [click here to read the chapter on “Age & Disability Discrimination”](#).

Can I have my service dog in an apartment that has a “no pets” policy?

Your landlord should make a reasonable accommodation for you to have your physical or psychiatric service animal in your apartment even if there is a “no pets” policy in force. Service animals are working animals, not pets. Service animals are trained to help people with disabilities.

Your landlord can only say no to this request if the animal is threatening the health and safety of others, if it makes a significant change to the nature of your housing, or if it “interferes” with the other tenants. It is not “interference” if another tenant is just afraid of animals or is allergic.

Can the landlord charge me more because I use a wheelchair or have a service animal?

No, but you could have to use your security deposit to pay for any damage to your housing unit that is beyond normal wear and tear. This is true for any person who pays a security deposit, and is true even if the service animal caused the damage.

I need my caregiver to live with me. Do I have to pay for an extra room?

If you live in federally funded housing, you cannot be charged extra for the extra room. If you have a Section 8 voucher you may be charged but, you might be able to get more money to help pay for the extra room. If you are living in private housing without a Section 8 voucher, you will have to pay for the extra room.

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