



What are Reasonable Accommodations?

by Zachary Lawrence JD

In California, state and federal law require that landlords provide "reasonable accommodations" and "reasonable modifications" to tenants with disabilities. These accommodations allow tenants with a disability an equal opportunity to use and enjoy a dwelling unit or common area.

But what exactly is a "reasonable accommodation"? And who foots the bill for these accommodations? May a landlord refuse a tenants request for such an accommodation on the basis that it is an "unreasonable accommodation"?

I discussed these issues, and more, on my weekly podcast with my friend, mentor,

and eviction attorney, Dennis P. Block.

Zac: Let's talk about the children, the handicapped and

not burden the landlord beyond that which the law considers reasonable. It cannot be one that makes the tenancy unprofitable.

Zac: Pretend that I am the landlord and you are my tenant. You have two children that love taking chalk and marking up common area walkway with a "hopscotch" game and other markings. The other tenants are now complaining about these markings. They say that this is not the way they want their premises to look. Comment?

Dennis: I don't see that as a reasonable accommodation. A landlord may not refuse access to children on the common area. However, these children,

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A reasonable accommodation is one that does not burden the landlord beyond that which the law considers reasonable. It cannot be one that makes the tenancy unprofitable.

even transgenders. What exactly is a "reasonable accommodation"?

Dennis: A reasonable accommodation is one that does

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the premises. And I don't care of the landlord is upset that installing a ramp on handrails will disturb his curb appeal. He has an absolute duty to comply, but at the tenant's expense.

Zac: The State of North Carolina has been under heavy scrutiny for its failure to acknowledge a male transgender person's right to use a woman's public restroom.

Suppose you are a California landlord and have a tenant name Joe Smith. Three months into his tenancy, Joe Smith has become Jane Smith. You are now getting calls from your tenants. They are not comfortable with Jane Smith. He/she is using the common area facilities,

frightening their children, and changing clothes in the common area laundry room. Comments?

Dennis: The landlord should tell the complaining tenants that they are crazy. If a transgender person is minding his own business, and not interfering with the use and enjoyment of the property, then the complaining tenant should be told to find another place to live.

Closing Comments

The obligation to provide reasonable accommodations and modifications to the disabled applies to private landlords, as well as to providers

of public housing, except for landlords who own a single family home, live in that home, and rent out only one room to a boarder. If you have questions about your rights or obligations under state and federal laws that protect people with disabilities from housing discrimination, contact Disabilities Rights California: Tel: (800) 776-5746, TTY: (800) 649-0154. 

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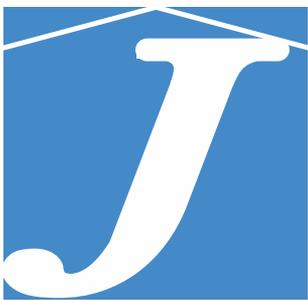


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