

## Request for Reasonable Accommodation After Denial for Criminal History

This document provides example language for a request for reasonable accommodation to a property's tenant selection criteria after the household's application for housing was denied due to the applicant's criminal history. Requests are not required to be written. All requests should contain basic information that the property needs to make a decision including:

- 1) Introduction of the applicant to the property
- 2) Quotation of the language provided by the property to the applicant in the rejection notice from the property. If rejection is unclear, request a copy of the Tenant Selection Criteria (Plan).
- 3) An indication of a relationship between the requested accommodation and the applicant's disability
- 4) Request for a response

### 1) Introduction Example Language

I recently submitted an application to your property as a referral from the Texas Department of Housing and Community Affairs' Section 811 Project Rental Assistance Program and I was informed that you denied me housing. I am requesting that you provide me with a reasonable accommodation as a person with a disability by re-considering my application for housing and by providing an exception to the following application criterion.

### 2) Language from Property Rejection Letter

Property ABC requires that "Applicant(s) must not have a criminal history that reflects any prior felony conviction or deferred adjudication for felony offenses within the last 10 years."

### 3) Indicate the Relationship Between the Request and Disability

An applicant was convicted of a drug-related felony in 2012. They are a person with a disability as defined by federal and state law. The conduct that led to their conviction occurred while they were under the influence of illegal substances and was a direct manifestation of their disability. Their conviction resulted from their inability at that time to manage the symptoms of their disability.

The disability-related behaviors that led to the conviction have been, and are being, addressed. They have successfully completed in-patient treatment through their local mental health service provider.

Moreover, the conviction is not predictive of their willingness and ability to pay their rent, be a good neighbor, and care for the rental premises. They currently receive case management services from their service provider, case manager, etc. They can establish that they are willing and able to pay their rent, be a good neighbor, and care for the rental premises.

They can include references that can verify their recovery and their disability, attest to their character, and their willingness and ability to pay their rent and be a good tenant and neighbor.

### 4) Request for Response

Please respond to my request in writing not to exceed 14 days of the date of the letter, in accordance with Title 10 of the Texas Administrative Code, §1.204(d).