

Breathing Easier At Home

A Reasonable Accommodation Request Checklist for Tenants with Asthma

The Americans with Disabilities Act (ADA), a federal civil rights law, requires public agencies like NYCHA to guarantee that individuals with disabilities have full access to and equal enjoyment of all facilities. Asthma is a disability under the ADA. That means if you or other tenants in your apartment have been diagnosed with asthma, you have the right to request a reasonable accommodation from NYCHA **at any time**. NYCHA must decide whether to grant your request **within 5 calendar days**. Your request is more likely to be successful if it follows these guidelines.

Making a Reasonable Accommodation Request

- Make your request in writing. NYCHA has forms available online, but they are not required.
- Submit your written request to NYCHA's Public Housing Reasonable Accommodation Coordinator (PHRAC), your housing development's management office, or the Department of Equal Opportunity - Services for People with Disabilities Unit.
- Include medical documentation of your asthma with the request, especially a doctor's letter.

Supporting Your Request with a Doctor's Letter

You will need a letter from your doctor supporting your Reasonable Accommodation Request. **Ask your doctor to include the following things in her letter documenting your asthma:**

- How long you have been a patient and when you were first diagnosed with asthma.
- How your asthma negatively affects your day-to-day life (coughing, shortness of breath, emergency room visits, having to miss work or school).
- That she is aware of the mold or moisture problem in your apartment and whether it's likely affecting your asthma symptoms.
- Whether ongoing exposure to the mold or moisture problem in your apartment will create more health problems for you in the future.

Requesting an Accommodation for Your Asthma

NYCHA-recognized accommodation options you might be entitled to:

- ❖ The right to purchase and operate an additional air conditioning unit in your apartment
- ❖ Temporary relocation while NYCHA fixes your apartment's mold or moisture problem
- ❖ Use of low-toxicity fungicides to cover surfaces with mold
- ❖ Use of dust suppression methods like double bagging and High Efficiency Particulate Air (HEPA) vacuum cleaning during and after mold or moisture removal
- ❖ Permanent relocation to other NYCHA housing if your apartment is uninhabitable

Other accommodations that might be appropriate for asthma include:

- ❖ A fast-track timeline to get your mold and moisture work order resolved by NYCHA
- ❖ Air quality testing after NYCHA fixes your apartment's mold and moisture problem
- ❖ The right to purchase and operate a dehumidifier in your apartment
- ❖ The right to purchase and operate a HEPA filter in your apartment