



DISABILITY LAW
COLORADO™



Housing Transition

Where to Live after High School

Housing:

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This handbook does not constitute legal advice. This handbook attempts to summarize existing policies or laws without stating the opinion of Disability Law Colorado. If you have a legal problem, please contact an attorney or advocate.

Now that you are an adult, deciding where to live is a big decision. You have the right to live in the least restrictive, most integrated setting that meets your needs. That means that if you can safely live on your own, you don't have to live in a group home or facility if you don't want to. There are many different options; here are a few:

- With family
- With friends
- On your own
- In a host home
- In a group home

Should you live with family?

If they have the option, many young adults choose to live with family, at least to start. Living with family has a lot of benefits. It is usually a lot cheaper to live with family. Once you are an adult your family might expect you to help by contributing some money, but even if they do it is usually much less money than living on your own. Also, your family knows what you need, and they and their home may be set up better to meet your needs than an apartment might be.

Some young adults live at home to save money to get their own place in the future. Some live at home while they learn some skills to help them live on their own. There are organizations that can help you develop those skills to live on your own.

Do You Need Support Services?

Centers for Independent Living teach independent living skills. You can find your local Center for Independent Living here: <https://coloradosilc.org/independent-living-center-locator/>

Long-Term Support Services Some people may need more help to be able to stay with their family. You may be eligible for benefits that include home delivered meals, home modification, non-medical transportation, consumer directed support services, and In Home Support Services. These benefits are provided through the Colorado Medicaid Waiver system more information about the programs and eligibility can be found here:

<https://hcpf.colorado.gov/long-term-services-and-supports-programs#Waivers>

Should you rent your own place?

Some young adults rent their own place or rent a place with friends. If you are considering renting an apartment, room or house there are some questions you will want to consider:

- 1) Can you afford it? Rental prices all over Colorado are getting more expensive, so you want to think about if you can afford a place if the prices go up next year too. Having a roommate or two might help to afford the cost of rent, but be sure they are people you trust with a stable job. You will be counting on them to pay part of the rent, and you will be sharing a living space with them.
- 2) Are you eligible to rent a place? Landlords often require the rent to be no more than 30% of what you earn. They will often require you to show a state ID or driver's license. They also may require a credit check that shows a good credit score. You get a good credit score by having a history of using credit cards, renting apartments, buying cars or other things you pay off over time, and paying those bills on time. A landlord may also charge you a fee to apply for an apartment.
- 3) Where do you want to live? Location can be very important for things like easy access to a bus line, being close to work, or being close to where you receive services.
- 4) What do you need to live in an apartment comfortably? Do you need a wheelchair accessible apartment? Do you need a quiet space? If so, renting an apartment in a smaller building and getting a corner unit might be important for you.

Can you get financial help to rent your own place?

There are services that can help you afford to rent your own apartment.

Public Housing and Subsidized Housing. If you qualify, there may be public housing or subsidized housing options for you. However, there are long waiting lists for public and subsidized housing. For more information see: <https://www.hud.gov/states/colorado/renting>

Housing Choice Voucher Program (formerly Section 8). Housing vouchers can assist in paying part or all of your rent depending on your income. In order to receive housing vouchers you need to apply and qualify. For information and application instructions see: https://www.hud.gov/topics/housing_choice_voucher_program_section_8

Section 811. Section 811 provides housing vouchers for people with significant, long-term disabilities who are coming out of institutions or are at risk of going into institutions. This includes people with disabilities who are homeless or are about to become homeless. For more information see:

<https://cdola.colorado.gov/office-of-rental-assistance/housing-voucher-programs>

211 Colorado. 211 Colorado doesn't provide assistance itself, but it directs people where to get assistance. They have information about getting rent payment assistance, emergency shelters, subsidized housing and much much more. You can find information by calling 211 or visiting their website. <https://www.211colorado.org/housing-and-shelter/>

How do you find a place to rent?

You should be prepared to make lots of calls, and understand that the search may take a while. Right now, there are less places to live in Colorado than there are people who want them. This can make searching for a place to rent take a long time and require a lot of work on your part.

There are many different websites where you can search apartments or houses to rent. Different websites specialize in different types of rentals so be aware of that when you are searching. You want to keep in mind that if you qualify for one of the programs discussed above you may be limited in where you can live because not every place will take a voucher. Your local public housing authority should have a list of places that take Housing Choice Vouchers in the area.

When finding a place to rent keep in mind what will make your life easier. Make a list of what is most important to you when renting a place. Be realistic and think about what you really need. During your search keep checking your list. Make sure you go see a rental place before you actually rent it or pay money for it because a listing can be misleading. When you go to see a place remember your list of what is most important. If you would like, you can take a trusted person with you to share their thoughts and opinions.

You may be thinking about renting a room in someone else's house. This can be a good way to keep the rental price low, but there are a few things to consider. When you rent a room in someone's home it might limit your rights to reasonable accommodations for your disability. It may also limit other rights that a renter has when they are renting from a more traditional landlord. If you are going to rent a room in someone else's house it is especially important to make sure that everything is in writing and signed by you and the person who's renting you the room.

What do you need to apply for a place to rent?

When you are applying to rent a place you want to make sure that you have the items you might need. Check what the specific place you want to rent requires. You may need proof of income, ID, application fee, contact information for past landlords and past and current employers, references, transcripts (if you are a student), or even your credit report.

It is important to know what a landlord is allowed to ask on an application, as well as what they are not allowed to ask.

Some of the questions a landlord can ask:

- What your job is, and how long you have had it
- How much money you earn
- How many people will live in the apartment
- Whether you have criminal convictions, and what convictions you have.

A landlord cannot ask:

- About your race, ethnicity, or national origin
- About your religion or religious beliefs
- Whether you are LGBTQ+
- Whether you are married
- Whether you have mental or physical disabilities.
- If you take medications
- For your medical records

How can you protect your rights when renting?

A lease is a signed document that spells out what your responsibilities are and what your landlord's responsibilities are. You want to make sure that everything a landlord has promised you is written in the lease.

At a minimum a lease should have:

- The amount of rent and when it is due
- Grace periods and penalties for late rent
- The length of the lease
- Who is responsible for utility payments
- Who is responsible for minor and major repairs
- When a landlord can enter a unit
- Information about any security deposit, when it will be returned, the circumstances under which it won't be returned
- Any other specific agreements you and the landlord have made

If you violate the terms of the lease you can be evicted. Eviction means that you can be made to leave your apartment, but it can also be a big problem for your credit. It can make it hard to be able to rent another place, and it can make it hard to get loans or credit cards. If you get an eviction notice you have rights. Your local Colorado Legal Services may be able to help.

<https://www.coloradolegalservices.org/>. Also Colorado Poverty Law Project may be able to help <https://www.copovertylawproject.org/>.



What are general rights when renting a place?

A landlord must keep an apartment habitable (called the Warranty of Habitability), meaning that they cannot cause or allow situations that threaten the health and safety of tenants. The situation that threatens the health and safety cannot be caused by the tenant. If you believe your landlord has violated this, you must inform them in writing and give them a chance to fix it. Landlords must respond within 24 hours. If it is an emergency they must start fixing the problem within 24 hours. If it is not an emergency then they must start to fix it within 96 hours. If they do not, notify your landlord you are filing a complaint with the local health department, and file a complaint with the local health department. For more information see: <https://coloradohousingconnects.org/wp-content/uploads/2021/03/AHC-FL-HABITABILITY-21-02-05-V11-1.pdf>

Generally, a landlord can only enter an apartment when:

- There is an emergency
- When you have moved out/abandoned the rental
- To do necessary or agreed upon repairs
- To show the apartment to prospective renters
- To allow entry to contractors
- To conduct an initial inspection before the end of the tenancy
- By court order

Unless it is an emergency, a landlord usually must give you reasonable notice prior to entering your place. There is an exception if your lease allows entry without notice under other circumstances.

A landlord can only terminate your lease prior to the end of the lease with cause. A landlord can terminate for cause if you don't pay rent, disturb other residents, create a safety risk, use your apartment for illegal activity, damage your apartment, or violate the terms of your lease. Once your lease has expired a landlord can terminate your lease for any reason.

What are the rights of people with disabilities when renting a place?

Reasonable accommodations are changes, adjustment, or exceptions to a rule, policy, or practice to allow a person with disability to have equal opportunity to use and enjoy a place. An example is a landlord who has a no pet policy but allows a resident to have an emotional support animal as a reasonable accommodation for the person's disability. A reasonable modification is a structural change made to existing premises, occupied or to be occupied by a person with a disability, in order to afford that person full enjoyment of the premises. An example of a reasonable modification is changing the height of kitchen counters to allow a person in a wheelchair to easily access the counter to prepare meals.



When you are applying for a place you do not need to let the prospective landlord know that you will need reasonable accommodations or modifications. Depending on your circumstances you may want to wait until after they have accepted your application to make that request. If they deny your application after they have already accepted your application you can file a complaint with HUD or the Colorado Civil Rights Division (CCRD).

https://www.hud.gov/program_offices/fair_housing_equal_opp/complaint-process

<https://socgov07-site.secure.force.com/ColoradoCivilRights/>

Almost every landlord has to grant reasonable accommodations, and if the reasonable accommodation costs money, the landlord has to pay the cost. The most common exceptions are a four-unit apartment where the owner lives in one of the units, or when a person rents a room out of their house. Most landlords do not have to pay for a reasonable modifications. A landlord may have to pay for reasonable modification when they receive funding from the federal government, such as an apartment owned by a housing authority. An apartment that is not owned by the housing authority but takes Housing Choice Vouchers does not have to pay for reasonable modifications. A landlord still has to allow a reasonable modification if the tenant is paying for it to be done in a professional manner. The tenant is also generally responsible for paying for the modification to be changed back when the tenant is leaving.

For a request to be considered a reasonable accommodation it must:

- Be related to a person's disability
- Be a change, adjustment or exception to a rule, policy or practice
- Be practical and feasible
- Not be an undue burden (for example, something very expensive or would take a lot of manpower)
- Not be a fundamental alteration (change the nature of what the landlord does)

Common examples of reasonable accommodations:

- Allowing service, assistance, and emotional support animals despite of a no pets policy
- Creating an assigned parking spot close to their place for a person with a mobility disability
- Allowing a visually impaired person to pay rent by mail, when the landlord generally requires payment online
- Waiving a pet deposit for a service, assistance, or emotional support animal



Common examples of reasonable modifications:

- Widening doorways
- Installing grab bars
- Lowering the kitchen sink
- Installing a ramp

There is not one acceptable way to request an accommodation or modification, but it is a good idea to put the request in writing and request the landlord put their response in writing too. Make sure you keep copies of your requests and their responses. That way you have proof of your request and make it less likely that there would be a miscommunication. Your request should state that you have a disability and how the requested accommodation/modification can help with your disability. If your disability is not apparent, your landlord can request proof of your disability and proof that the requested accommodation/modification is needed. This could be a doctor's note stating you have a disability and that the accommodation/modification helps with a symptom or issue caused by the disability. Disability Law Colorado's Housing Packet has a sample reasonable accommodation request that you can find here:

https://disabilitylawco.org/sites/default/files/uploads/Housing%20Packet%202017_web%20version.pdf

Remember, when you are requesting a reasonable modification, you are usually requesting that you landlord allow you to pay for and arrange to make the structural change, unless they are funded by the federal government. You may want to make clear in your request that you understand you would be paying for and arranging the work to make the change in order for the request process to go more smoothly.

If you have made the reasonable accommodation/modification request and your landlord is not responding or has denied the request you can contact Disability Law Colorado to see if we can help you. Call 303-722-0300 or 970-241-6371 to schedule a phone intake or you can complete an intake packet at <https://disabilitylawco.org/we-may-be-able-help-you>



What are some self-advocacy tips for requesting reasonable accommodations?

1. Have a plan about whether you will ask for your accommodation/modification before signing the lease or after.
2. Keep everything in writing. Follow up on verbal conversations with written confirmation.
3. Be prepared with a doctor's letter stating you have a disability and how the accommodation will help with your disability. (If not readily apparent).
4. Be prepared with a letter requesting a reasonable accommodation.
5. Know your rights.
6. Read Disability Law Colorado's Housing Packet to better know your rights and for a sample reasonable accommodation letter.
http://www.disabilitylawco.org/sites/default/files/uploads/Housing%20Packet%202017_web%20version.pdf
7. Contact Disability Law Colorado if your landlord refuses your reasonable accommodation. Call 303-722-0300 to schedule a phone intake or you can complete an intake packet at <https://disabilitylawco.org/we-may-be-able-help-you>

Checklist for renting a place

- Make a budget
- In that budget make sure you have money for the furniture, dishes, bathroom items, etc. that you will need
- Make a list of what is important for the place you live
- Make a list of the accommodations/modifications you need
- Research how much apartments that meet your needs typically rent for
- Apply for assistance you might be entitled to
- Have a state ID
- Get reference letters
- Talk to people who might be willing to co-sign your lease

If you need help or have questions about your rights, you can contact [Disability Law Colorado](#).





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