

[Date]

[Landlord's Name]

[Landlord's Address]

Re: Reasonable Accommodation Request For More Time to Comply with Three Day Notice to Cure or Quit for [Tenant's Name, Address and Apartment Number]

Dear [Landlord],

This letter serves as a formal reasonable accommodation request regarding the Three-Day Notice to Cure or Quit dated [date of notice], in which you ask me to...[briefly explain what your landlord is asking you to do. For example, your landlord might be asking you to comply with your lease agreement by removing your personal property from the common areas, etc.] I am requesting that you give me until [month/date/year] to comply with the notice as a reasonable accommodation for my disabilities.

I am a person with [physical/mental health] disabilities. [Please note that you do not have to provide a specific diagnosis if you do not want to.] As a result of my disabilities, it would be difficult for me to comply with the notice on such a short timeline because... [Explain why you will not be able to comply with the notice in three days and how needing more time is related to your disability. For example, maybe your disability affects your ability to walk, pick up heavy items, or complete other tasks and activities. Or perhaps your mental health disability affects your ability to get out of bed or you need more time to adjust your medications. Maybe you need more time to find someone who can help you, like a caregiver, family member, or caseworker.] As such, I need more time to comply with the notice as a reasonable accommodation.

As a housing provider that operates multi-family housing, you are subject to the Federal Fair Housing Act (FHAA), and the California Fair Employment and Housing Act. Both federal and state fair housing laws make it unlawful for a housing provider to discriminate against people with disabilities. See 42 U.S.C. § 3604; Cal. Gov't Code §§ 12927, 12955. The FHAA requires housing providers to "make reasonable accommodations in rules, policies, practices, or services" in order to grant a person with disabilities "equal opportunity to use and enjoy a dwelling." 42 U.S.C. §

3604(f)(3)(B); 24 C.F.R. § 100.204(a); *Giebeler v. M & B Assocs.*, 343 F.3d 1143, 1146 (9th Cir. 2003). Specifically, the FHAA “imposes an affirmative duty upon landlords reasonably to accommodate the needs of [people with disabilities],’ not only with regard to the physical accommodations” but also with regard to the “administrative policies governing rentals,” such as policies governing the termination of tenancy in rental properties. *Giebeler*, 343 F.3d at 1146-1147; *United States v. California Mobile Home Park Mgmt. Co.*, 29 F.3d 1413, 1416 (9th Cir.1994) (“Mobile Home I”).

In conclusion, I am a person with a disability who needs more time to comply with the Three-Day Notice to Cure or Quit as a reasonable accommodation. More specifically, I am requesting that you give me until [month/date/year]. If you cannot grant my request, fair housing laws require that you engage in the interactive process with me to try and reach an accommodation that meets my disability-related needs.

Due to the time-sensitive nature of the situation, I request a response from you as soon as possible. You can reach me at [contact information]. Please be aware that an undue delay in responding to a reasonable accommodation request may be construed as a denial. A landlord’s failure to grant a reasonable accommodation request may be used as an affirmative defense in an unlawful detainer action.

Sincerely,

[Name]