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HOUSING RIGHTS CENTER AND MENTAL HEALTH ADVOCACY SERVICES JOIN TO DEFEND TENANT’S FAIR HOUSING RIGHT TO AN ASSISTANCE DOG AS A REASONABLE ACCOMMODATION

[LOS ANGELES, CA – NOVEMBER 2, 2020] – Mental Health Advocacy Services today joined a lawsuit filed by the Housing Rights Center on behalf of a tenant with disabilities who needs an assistance dog as a reasonable accommodation under federal and state fair housing laws.

The lawsuit was filed in federal district court by Megan Friedlander against her former landlord, Masava Corporation, for discrimination on the basis of disability.

The complaint alleges that Ms. Friedlander lived for five years in an apartment at 11900 Montana Avenue, a building owned and operated by Masava Corp. During her tenancy at 11900 Montana Avenue, Ms. Friedlander experienced debilitating symptoms of multiple severe disabilities, which substantially impaired her ability to function across a range of major life activities. After exhausting other treatment options, Ms. Friedlander’s doctors prescribed an assistance animal to aid in the mitigation of her symptoms, maintain her independence of living, and support her continued use and enjoyment of her housing.

The complaint explains that Ms. Friedlander, and the Housing Rights Center on her behalf, made several requests to Masava Corp. for her to have an assistance animal in her apartment as a reasonable accommodation of her disabilities. In support of the requests, Ms. Friedlander’s clinicians provided several letters certifying her disabilities and need for accommodation. During this time, Masava Corp. never once requested additional information regarding Ms. Friedlander’s disabilities or disability-related needs and never once offered to discuss any alternative accommodations or otherwise engage in the legally required interactive process.

Ms. Friedlander also alleges that her former apartment owner retaliated against her for asserting her fair housing rights by refusing to allow her to replace a roommate who had moved out, despite its longstanding policy of allowing roommate replacement. As a result, Ms. Friedlander lost her housing, and with it, the ability to live independently. Ms. Friedlander said, “The experience was profoundly destabilizing. I worked hard to establish my independence and make a place for myself in Los Angeles. Now, at the age of 30, I am living with my parents again. I do not know when or how I will be able to return to Los Angeles, or whether I will be able to create the same sense of stability and self-sufficiency in the future.”

Chancela Al-Mansour, Executive Director of the Housing Rights Center, said, “It’s been illegal to refuse to allow an emotional assistance animal as a reasonable accommodation for people with mental disabilities for

more than 30 years. Landlords need to comply with their obligations to make reasonable accommodations and allow emotional support animals.”

Deepika Sharma, Director of Legal Services for Mental Health Advocacy Services, commented, “This case serves as a reminder to landlords that they need to engage in a good faith interactive process to help ensure that disabled tenants receive the reasonable accommodations that they need. When they don’t, it can displace tenants with disabilities from their homes, just like Megan Friedlander.”

According to the Department of Housing and Urban Development, fair housing complaints concerning denial of reasonable accommodations and disability access comprise almost 60% of all complaints submitted to its Office of Fair Housing and Equal Opportunity, and complaints involving assistance animals are among the most common types received. Meanwhile, a 2019 study conducted by the Louisiana Fair Housing Action Center found that only one in five landlords would accept an emotional support animal in accordance with fair housing laws in response to inquiries by prospective renters.

Mental Health Advocacy Services, Inc. (MHAS) is a private, non-profit organization established in 1977 to provide free legal services to people with mental disabilities. MHAS assists both children and adults, with an emphasis on obtaining government benefits and services, protecting rights, and fighting discrimination.

The Housing Rights Center (HRC) is the nation's largest non-profit civil rights organization dedicated to securing and promoting fair housing. HRC was founded in 1968, the same year that Congress passed the Fair Housing Act. Its mission is to actively support and promote freedom of residence through education, advocacy, and enforcement. Its free services include landlord tenant counseling, outreach and education, and discrimination investigation.

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The Housing Rights Center is a non-profit organization established in 1968 to actively support and promote equal opportunity and freedom of residence to all persons without regard to their race, color, religion, gender, sexual orientation, national origin, familial status, disability, marital status, ancestry, age, source of income, or other characteristics protected by law. The Center engages in activities – including outreach/education, investigation/testing and legal advocacy – to identify barriers to fair housing in Los Angeles and Ventura Counties and to help counteract and eliminate discriminatory housing practices.