



# **Toolkit for Medical Professionals in Ontario: Writing Disability Accommodation Letters**

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**Canadian  
Centre for  
Housing Rights**

## About CCHR

The Canadian Centre for Housing Rights (CCHR) is Canada's leading non-profit organization working to advance the right to housing. Founded in 1987, CCHR has worked tirelessly for 35 years at the intersection of human rights and housing. We advance the right to housing by serving renters to help them stay housed, providing education and training about housing rights, and advancing rights-based housing policy through research, policy development, advocacy and strategic litigation.

## Acknowledgements

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# Introduction

This toolkit is designed to help medical professionals support tenants (their patients) who are seeking accommodations in their rental housing from their landlord under the Ontario Human Rights Code. This guide provides an overview of the disability accommodation and letter-writing processes, offers tips for writing an effective disability accommodation letter, and provides templates that medical professionals can use to write their own letters.

Throughout this toolkit, we refer to a “tenant” as a person making an accommodation request. In the context of this toolkit, a “tenant” should also be understood as the patient of a medical professional.

# Disability accommodations in rental housing

Everyone has a right to housing that is accessible and meets their needs. However, not all housing is built to accommodate the various needs of all people. In Ontario, the Human Rights Code (the Code) requires that landlords accommodate tenants' disabilities by taking steps to make their units accessible. The Code applies to public and private housing, as well as to housing cooperatives and condominiums.<sup>1</sup> If a tenant with a disability lives in a unit that does not meet their needs, they are entitled to request an accommodation from their landlord.

Accommodating disabilities in housing can involve making structural modifications or providing supports or services that enable a person with a disability to have an equal opportunity to enjoy an equal opportunity to live in their home safely and with dignity. Accommodations can support tenants in their housing in many ways. For example, they can improve the conditions of their unit to help ensure that the tenant can enjoy the amenities of their home. They can also help a tenant to avoid being evicted due to mental health conditions that could be considered disruptive by a landlord or another tenant who lives nearby. They can range from simple solutions such as providing written notices in a larger font, to more complicated solutions such as making renovations to the rental complex. The type of accommodation needed will vary according to each person's unique needs, which must be considered, assessed, and accommodated individually.<sup>2</sup>

## Types of disabilities that are protected under the Human Rights Code

The Code protects people from discrimination based on 16 protected grounds in five social areas – one of the protected grounds is disability, and one of the social areas is housing.<sup>3</sup>

The Ontario Human Rights Commission's [Policy and Guidelines on Disability and the Duty to Accommodate](#) defines disability, as well as landlords' obligations related to their duty to accommodate, and the process involved in making accommodations.<sup>4</sup> Disability is defined quite broadly and encompasses the following:

- Any degree of physical disability, including intermittent disabilities.
- Any form of mental impairment or developmental disability.
- Mental health disorders.
- Invisible disabilities, such as chronic pain or a learning disability.<sup>5</sup>

# The accommodation process

When a tenant is seeking an accommodation in their rental home, both the tenant and landlord have certain obligations.

First, the tenant should provide a written request to their landlord explaining the need for an accommodation due to a protected ground under the Code. It is best for the tenant to make this request in a letter or email where they can clearly describe the disability-related limitation they experience and their need for an accommodation.

It is important to note that the tenant is not legally required to disclose their specific disability or diagnosis to their landlord when requesting an accommodation.<sup>6</sup>

## Landlord obligations

Once the landlord receives the request, they have a number of responsibilities. They must:

- Make good faith efforts to understand the tenant's needs.
- Obtain expert advice where needed.
- Take an active role in canvassing various forms of possible accommodations.
- Keep any information they receive confidential.
- Limit requests for information to those related to the nature of the tenant's restrictions.
- Implement accommodations in a timely manner.
- Bear the cost of any required medical information.<sup>7</sup>

Landlords have a duty to accommodate the needs of people with disabilities up to the point of "undue hardship." Landlords are only discharged of their duty to accommodate the needs of tenants if they can demonstrate that making the accommodation would result in undue hardship, and only in these circumstances:

- The costs for making the accommodation would be so high that it would affect the very survival or change the essential nature of their business.\
- No outside sources of funding are available to assist with the accommodation process.
- The health and safety risks of making the accommodation would outweigh any benefit of the accommodation itself.

Accommodation is not an all-or-nothing proposition. If a particular measure would cause undue hardship, the next-best accommodation should be sought.<sup>8</sup>

## Tenant obligations

The person seeking the accommodation also continues to have obligations throughout this process. They should:

- Answer questions and/or provide information about relevant restrictions or limitations, including accommodation-related information from healthcare professionals.
- Actively participate in discussions about possible accommodation solutions.
- Cooperate with the landlord, their employees or consultants throughout the accommodation process and fulfill agreed-upon responsibilities.<sup>9</sup>

## Accommodation letters from medical professionals

In the accommodation process, landlords are allowed to require that a tenant provide them with medical documentation that demonstrates the need for the accommodation they are seeking. This information can be provided through an accommodation letter written by the tenant's doctor, nurse, occupational therapist, certified counsellor, or other licensed healthcare providers.

Accommodation letters are written by medical professionals to support their patients (tenants) when they are facing human rights issues in their housing. An accommodation letter by a medical professional is meant to be a credible document that provides information about a tenant's restrictions and needs.

Although the primary recipient of an accommodation letter is the tenant's landlord, these letters may also be used by a tenant as evidence at the Human Rights Tribunal of Ontario (HRT), where disputes related to accommodation requests are normally adjudicated. If the landlord does not fulfill their duty to accommodate, the letter can be used by the tenant to show that they have a restriction that requires an accommodation and that they have adequately informed their landlord of the restriction.

Medical professionals may provide an accommodation letter related to any form of disability including invisible disabilities, addictions and mental health disorders. Regardless of whether a disability is visible or invisible, the person with the disability may require an accommodation in their housing. The landlord should pay for any doctor's notes, physical or psychological assessments, or other medical records that they require to justify making the accommodation.

# Tips for medical professionals on writing accommodation letters

Accommodation letters should be forthright, clear and focused on the tenant's restrictions.

When writing a disability accommodation letter, medical professionals should:

- Be formal, official, and use office letterhead.
- Include their contact information. The medical professional should be prepared to receive calls from the landlord if they want to follow up.
- State their name, professional practice, and relationship to the person requesting an accommodation. If the relationship is well-established, they can include the number of years it has existed. This information is not required, and if the relationship is relatively new, it may be best to omit the length of the relationship.
- Communicate three main ideas:
  1. That the person living in the landlord's premises (the tenant) has a disability.
  2. That the disability creates limitations or restrictions for the tenant, and provide details about what they are.
  3. Provide information on which accommodations would be most appropriate, if the medical professional and the tenant agree on what those should be. However, this is not mandatory. It is the landlord's obligation to determine options to accommodate the tenant.
- Provide facts pertaining to the tenant's particular experience with their restrictions or disability to contextualize the harm the tenant is suffering without the accommodation, if appropriate.
- If possible, clearly describe how the current housing situation exacerbates harm to the tenant.

Medical professionals should not:

- Provide the tenant's specific diagnosis or disability unless the tenant has provided informed consent that they may do so. A landlord is not entitled to receive information regarding medical diagnoses.
- Convince the landlord about why they should or must provide an accommodation. The role of the medical professional is to provide proof that there are disability-related restrictions that exist for the tenant. Their role is not to convince the landlord of the legal requirement to provide the accommodation – that is the role of an HRTD adjudicator.



# Types of health information to disclose

Medical professionals are not legally required to disclose a tenant's diagnosis or the specific nature of their disability to a landlord. There are times when disclosing this information can be beneficial. However, it is a tenant's personal decision whether they would like to disclose this information to their landlord. The medical professional should discuss this with the tenant in the context of potential stigma that may be associated with certain medical conditions.

If the tenant does not wish to disclose their diagnosis, the accommodation letter should focus on the tenant's practical limitations or impairments, and potential accommodation options. For example, the tenant may have mobility restrictions due to a progressive degenerative disease. If the tenant does not wish to reveal their diagnosis, then the focus of the letter should be on the restrictions or challenges that they face, and on potential accommodations that would be suitable, such as the installation of grab bars. Providing accommodation options is not required but may be beneficial for both the tenant and landlord.

If the tenant chooses to disclose their medical diagnosis in the letter, the medical professional may do so, but it is still important that they highlight the specific restrictions the tenant faces and describe possible accommodations that may meet their needs.

There are various benefits and risks to a tenant disclosing their diagnosis. While it may help the landlord to sympathize with or better understand the tenant's needs, disclosing a diagnosis could lead to the tenant being stigmatized by the landlord and others if the landlord does not maintain the confidentiality of the information.

## Follow-up accommodation letters

Occasionally, medical professionals are asked to provide follow-up letters to further explain a tenant's disability-related limitations. This might occur if the original letter is insufficiently specific, or if the tenant modifies their accommodation request. When this happens, it is appropriate to work with tenants to satisfy good faith requests from the landlord for more information.

It is possible that the tenant may start legal proceedings against their landlord if their accommodation request is rejected. In these circumstances, a medical professional's letter may serve as evidence of the tenant's disability and that their landlord received notice of that disability. If a tenant chooses to bring legal proceedings against their landlord, they may call their medical providers as witnesses. The [Canadian Medical Protective Association \(CMPA\)](#), the [Canadian Nurses Protective Society \(CNPS\)](#) and the [College of Physicians and Surgeons of Ontario \(CPSO\)](#) all provide guidance to medical professionals about the roles and responsibilities of an expert witness.

# Sample accommodation letters

The following sample letters can be used as a template for medical professionals to draft an accommodation letter to a landlord or building manager.

## Sample Letter 1

[DATE]

[NAME OF LANDLORD / BUILDING MANAGER]  
[ADDRESS]

Dear [LANDLORD / BUILDING MANAGER NAME]:

### Re: Reasonable Accommodation for Disability

My name is [NAME] and I am a [PRACTICE] at [LOCATION]. [NAME OF PATIENT] is a patient under my care [or “has been under my care for TIME”].

#### **Option A – including diagnosis**

[PATIENT NAME] has [DIAGNOSIS] for [ENTER PERIOD OF TIME IF NECESSARY]. [DIAGNOSIS] is ... [ENTER SHORT DESCRIPTION OF CONDITION]

#### **Option B – not including diagnosis**

[PATIENT NAME] suffers from a physical/mental health condition for which he/she is receiving treatment.

#### **Option A or B continued**

The consequences of this medical condition are that [PATIENT NAME] has been unable to [STATE RESTRICTIONS].

Patient would benefit from modifications to their home to promote their independence and improve accessibility.

Overall, these accommodations will promote the safety and independence of [PATIENT NAME] and ultimately improve their quality of life.

Please do not hesitate to contact me if you have further questions or concerns.

Sincerely,

*Signature*

[MEDICAL PROFESSIONAL’S NAME & CONTACT INFO]

## Sample letter 2

November 1, 2022

Landlord Company,  
123 Anywhere St.  
Toronto, ON M1B 1B1

To whom it may concern,

Re: Letter of Recommendation for Accommodation of Disability

My name is John Doe and I am a practicing Occupational Therapist at 456 Main Street. Your tenant, Jane Doe, is a patient of mine who suffers from a physical condition for which they are receiving treatment.

Ms. Doe currently relies on the use of a wheelchair and/or rollator for mobility. They are at high risk of falls and are not able to climb stairs or move over elevated thresholds safely. Due to their need for mobility aid devices, Ms. Doe has relied on their nephew for assistance in exiting their apartment, receiving their mail, and obtaining groceries along with other essential needs. They are currently unable to pass over the one-inch threshold at their unit door and the steps leading out of the front entrance of the rental building.

Ms. Doe would benefit from improved accessibility in their apartment. Specifically, possible accommodations that may meet their needs include the following:

- a) Thresholds: adding angled thresholds to Ms. Doe's unit doorway to allow them to pass this threshold in a wheelchair.
- b) Wheelchair accessibility ramp: adding a wheelchair ramp to allow them passage across the building's front steps.

Adding these accommodations will promote the safety and independence of Ms. Doe and ultimately improve their quality of life.

Please do not hesitate to contact me if you have further questions or concerns.

Sincerely,

*John Smith,*  
[johnsmith@email.me](mailto:johnsmith@email.me)  
123-456-7890

# Resources for medical professionals

The resources listed below offer additional information for both medical professionals and tenants to understand tenants' rights in rental housing, disability accommodations in rental housing, the role of medical professionals in supporting accommodation requests, and what tenants can do when facing discrimination due to a disability in rental housing.

- The Canadian Centre for Housing Rights (CCHR)
  - [Human rights and rental housing in Ontario: A self-advocacy toolkit](#)
  - [Ontario Housing Law Basics: Accessible Housing](#)
  - [The Ontario Renters' Guide](#)
- [The Canadian Medical Protective Association \(CMPA\)](#)
- [The Canadian Nurses Protective Society \(CNPS\)](#)
- [The College of Physicians and Surgeons of Ontario \(CPSO\)](#)
- Ontario Human Rights Commission
  - [Ontario Human Rights Code](#)
  - [Code Grounds: Disability](#)
  - [Social Areas: Housing](#)
  - [Policy on ableism and discrimination based on disability \(2016\)](#)

# Endnotes

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<sup>1</sup> Ontario Housing Law Basics, The Canadian Centre for Housing Rights, accessed December 6, 2022, <https://housingrightscanada.com/resources/ontario-housing-law-101-accessible-housing/>

<sup>2</sup> Accommodating persons with disabilities (fact sheet), Ontario Human Rights Commission, accessed December 6, 2022, <https://www.ohrc.on.ca/en/accommodating-persons-disabilities-fact-sheet>

<sup>3</sup> The Ontario Human Rights Code, Ontario Human Rights Commission, accessed December 6, 2022, <https://www.ohrc.on.ca/en/ontario-human-rights-code>

<sup>4</sup> Ontario Housing Law Basics: Accessible Housing, The Canadian Centre for Housing Rights, accessed December 6, 2022, <https://housingrightscanada.com/resources/ontario-housing-law-101-accessible-housing/>

<sup>5</sup> Policy on ableism and discrimination based on disability (2016), [Ontario Human Rights Commission](https://www.ohrc.on.ca/en/policy-ableism-and-discrimination-based-disability), p. 8, accessed December 6, 2022, <https://www.ohrc.on.ca/en/policy-ableism-and-discrimination-based-disability>

<sup>6</sup> Policy on human rights and rental housing. The duty to accommodate, Ontario Human Rights Commission, part 7, accessed December 6, 2022, <https://www.ohrc.on.ca/en/policy-human-rights-and-rental-housing/vi-duty-accommodate>

<sup>7</sup> Ibid

<sup>8</sup> Policy on human rights and rental housing. The duty to accommodate, Ontario Human Rights Commission, part 8.1, accessed December 6, 2022, <https://www.ohrc.on.ca/en/policy-human-rights-and-rental-housing/vi-duty-accommodate>

<sup>9</sup> Ibid





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