



“No Pets” Rental Policies & Your Service Dog

You’re looking for an apartment to rent and you have a service dog. You see the following apartment listing in the newspaper:

One bedroom for rent: Near downtown, downstairs apartment in duplex.

Has gas heat, one bath, carpet/vinyl, stove, refrigerator, w&g paid, small yard.

It seems perfect for your needs until you read the rest of the ad:

.....will consider small pet (under 20 lbs) w/higher deposit. \$575 w/o pet or \$600 w/pet, plus \$800 deposit w/out pet, \$900 deposit w/pet. Vacant now.

See “NO PETS” on page 4

Did You Know.....

That the City of Eureka offers some grant money for residential wheelchair ramps? **See page 5.**

Former State Senator Wes Chesbro of Arcata dropped by at TCIL’s Holiday Open House, held at the TCIL offices on December 14. The event attracted about 25 area consumers, service providers and others who came to learn about our services, and enjoy some refreshments and friendly conversation. Pictured (left to right) are Consumer Advocate Jene L. McCovey; TCIL’s Systems Change Advocate, Cindy Calderon; TCIL Executive Director, Chris Jones; and Wes Chesbro.



Chesbro at TCIL Holiday Open House Event

See more pics on page 15

MiCASSA Bill Needs Support

The Medicaid Community Attendant Services and Supports Act (MiCASSA) is proposed Federal legislation that supports people with disabilities so they can continue living in their communities. It frees up more Medicaid dollars for this purpose by providing equal access to community based attendant services and supports. The latest version of the bill is S401 and HR 910 and few California legislators have signed on to them yet. Be sure to give them your views on this bill!

Vermont Offers Choice of Home Care

The State of Vermont, in October 2005, initiated a program called "Choices for Care" which gives seniors and disabled residents greater support for living at home and out of institutions. Vermont offers pay of about \$10 an hour to family members or friends to care for loved ones at home and, according to State officials, over 200 Vermonters have been able to stay at home since the program's start. They report the need for 156 fewer nursing home beds, which, they say, cost an average of \$156 a day versus just \$80 a day for home care.

NW Committee Award Nominations

The Northwest Committee for Employment of People with Disabilities (NCEPD) is currently accepting award nominations for its 14th Annual Recognition Luncheon, scheduled for 11:45 a.m. to 1:30 p.m., Thursday, May 3 at the Red Lion Hotel in Eureka.

This event recognizes individuals and organi-

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RespectAbility

RespectAbility is a publication of Tri-County Independent Living (TCIL) and is intended for all people with disabilities and their families. It provides news and information on disability issues and services provided by our Center.

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TCIL Welcomes New Employees

TCIL would like to welcome two new employees--Independent Living Specialist, Timothy "Matt" Brennan, and Administrative Assistant, Kendra Calderon.



Matt recently moved to Eureka from Mount Vernon, Washington. He had been employed for over eight years with the Millionair Club Charity in Seattle, which provides various services and programs for homeless adults, including a day labor program. Matt, a California native, attended Mt. San Antonio Junior College in Walnut, California, was employed for seven years with the West Covina Unified School District, and worked in street outreach and HIV prevention education for two years in New Orleans and Austin,

Texas before heading to the Northwest.

In his spare time Matt likes to swim, hike, garden, read, cook and create various forms of art work.

Kendra is a Humboldt County native who comes to the agency after more than a year as a Liaison at St. Joseph's Hospital in Eureka. Prior to that she was employed as Office



Manager with Richard Miller's Honda in Eureka. A Eureka High School graduate, Kendra enjoys writing short stories and poetry in her spare time, as well as spending time with her son.

Thank you for your generosity!

Donations Received Between November 18, 2006 and February 4, 2007

\$100.00 to \$249.00--Frances Allen Rapin;
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“Uh-oh,” you think. “\$575 was stretching my limited budget and \$600 is just too much. And I can’t come up with that extra \$100 deposit. Oh well! My service dog is way over 20 pounds anyway, and a diet won’t make any difference.”

This listing is actually based on those found in local property management web sites as well as in the newspaper classifieds. They could be discouraging for anyone looking for a place to rent if you have a service animal. And they are fairly typical.

However, you need to remember that **it’s illegal to deny someone an apartment because of a service dog and it’s illegal to charge them more if they have one.**

Rights for people with service dogs are protected at the Federal level primarily by the 1968 Fair Housing Act (FHA), amended in 1988 to specifically cover people with disabilities. California State law also offers even tighter coverage. So don’t give up on such apartment rentals.

The FHA covers you if three conditions are met, including: 1) you have a disability, 2) the animal serves a function directly related to your disability, and 3) the request to have the service animal is reasonable. If those conditions are a go, then the Act requires a

landlord to allow tenants with disabilities to make reasonable and practical accommodations to their policies and operations to afford people with disabilities equal opportunities.

Furthermore, at the State level, the California Fair Employment and Housing Act of 1990 provides that:

“Disabled individuals have the right to rent, lease, or buy housing [bold added] accommodations free from discrimination by anyone who rents or sells housing, financial institutions and persons making, printing or publishing advertisements. Allows a disabled individual to keep a service dog, even if pets are not ordinarily allowed in the residence...”

But are service animals **“reasonable exceptions”** according to the FHA you may ask? If so, then why do the rental ads say such things as *“no pets”* or *“cats only considered”* or *“will consider dogs under 20 pounds only?”*

Well, according to the FHA service dogs (animals) are not defined as “pets,” so are not subject to the same restrictions. The Act also does not distinguish between certified service animals, non-certified ones, those which provide psychological support, and service animals in training that are with the people for whom they’ll

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City of Eureka Offers **Grants for Residential Wheelchair Ramps**

Tri-County Independent Living is currently researching the possibility of a developing a residential ramp construction program in the area. In the meantime, if you live in Eureka you should know that the City Redevelopment Agency does offer a residential wheelchair ramp grant program.

This effort was approved by the Eureka City Council back in 2003 and currently has \$5,000 a year budgeted for residential wheelchair ramp construction. According to their guidelines, which are available from the City or from TCIL, the maximum amount that any individual property owner can apply for is \$1,500. It is a one-time grant and any amount over that is the applicant's responsibility. Commercial properties are not eligible.

The income requirement is that the residential property owner must have a household income that is 120% of the

Humboldt County median income (adjusted for household size) as determined by the U.S. Dept. of Housing & Urban Development. Currently that is \$41,250 for a single person, \$47,100 for two, and \$58,900 (family of four). All work must be done by a licensed contractor chosen by the applicant.

There is a waiting list for funds based on a first-come, first-serve basis. The Redevelopment Department has indicated that the demand for funds has not been that high and the City has budgeted accordingly. If that is due to a lack of awareness, then it would serve individuals in Eureka who do need residential wheelchair ramps to apply for funds. The least this would do is let the City of Eureka know, during budget time, that there is a need for increased funding for the program.

To receive a copy of the guidelines from TCIL call 445-8404.

Volunteers Needed

Tri-County Independent Living continues to research the possibility of developing a residential wheelchair ramp program. One thing we will need to accomplish this is a strong volunteer base--particularly people who are capable of doing the carpentry work necessary for constructing wheelchair ramps. If you know of anyone who would like to participate in such a worthwhile and greatly needed effort, call us at 707-445-8404.

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be working. Therefore, if an ad says “no pets” it does NOT apply to your service animal.

Shouldn't the ads/listings make a note of this fact? Well, the landlords are gearing the ad for people who do not have service animals and are not going to list all of the exceptions to the rule. They can also charge extra to such individuals for the pets that are not service animals or not allow them at all.

Still, you may want reassurance that you won't be charged extra because of your service animal. Should you then call and ask specifically about that? This appears to be a double-edged sword. You are NOT required to mention service dogs during the application process, but the subject will probably have to come up if you're approved and working out the lease. Landlords **can** require you to fix damages caused by a pet and they can set certain restrictions.

Landlords **cannot** make specific inquiries about your disability according to the FHA, but can ask you to provide some reliable professional documentation (not medical records) that confirms the disability and that the accommodation is needed for the person to reside in the housing.

If they do say “hey, I need to charge an extra amount in the security deposit (or rent) because pets cause all sorts of problems and can damage my place,” then they **ARE** breaking the law according to the FHA! This is also specified in California (Civil Code SS54.1):



“.....it is unlawful housing discrimination to refuse the rental of housing [emphasis added] accommodations to (1) an individual who is blind or visually impaired on the basis that the individual uses the services of a guide dog, (2) an individual who is deaf or hearing impaired on the basis that the individual uses the services of a signal dog, or (3) an individual with any other disability on the basis that the individual uses the services of a service dog. Nor may a landlord refuse to permit such an individual to keep a guide, signal or service dog on the premises or require an additional security deposit for such dogs.”

As mentioned, that does NOT mean that you are not responsible for any damage caused by the service animal. It also doesn't prevent the landlord from “reasonably” regulating the dog's presence on the premises by including terms in the lease. The

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key is for both parties to be reasonable. If your dog tears apart the carpeting or pees on it repeatedly, then you are responsible for replacing or cleaning the carpet, just as any good tenant is expected to fix such damage.

What if you are approved for a rental, divulge that you have a service animal and then there is a change in the rent or security deposit amounts from what was originally stated in the ads/listings? In this case, the landlord is violating the law.

So, this law doesn't allow landlords to charge extra for a security deposit. However, it doesn't say anything about charging more for rent if you have a service animal. So does that mean they can charge you a higher rent for having a service animal?

No...because that would be discrimination according to the FHA and California laws as well. They require a landlord to allow tenants with disabilities to make reasonable and practical accommodations to their policies and operations to afford people with disabilities equal opportunities. Service animals clearly qualify as "***reasonable exceptions***" that are necessary to give people with disabilities "equal opportunities" to rent a dwelling.

Finding a place to rent is a difficult process in itself and those with service dogs should not have to face the addi-

tional stress of wondering "will they let me have my dog there?" Remember that you are legally protected. Usually landlords will know this too but if not, then they'll need a gentle reminder...at first.

If you're experiencing any problems with trying to rent due to your service animals, be sure to give TCIL a call!

Board Members Wanted

Would you like to have a say in the operation of your Independent Living Center or make a difference in the lives of people with disabilities? Do you have some time to give to promote the philosophy of independent living?

TCIL needs dedicated and motivated Board members to help us grow in new directions and better meet the needs of our consumers. Are you willing to join us and take up this challenge? Call Tri-County Independent Living at (707) 445-8404.

*"Feet, what do I need you for
when I have wings to fly?"*

--Frida Kahlo, Mexican painter (1907-1954) and individual living with a disability.

Arcata Artist Wins National Award

Mandi Ziino Explores Emotions & Nature Through Digital Photography, Painting & Poetry

Mandi Ziino's digital photographs harmonize with their subject matter. That's why simple titles suffice for them, such as "Eye," "Light," and "Storm." They brighten with the light, wander behind the eye, gather with the storm.

They represent her experience as an individual. One who just happens to live with a disability. They are also gaining her recognition as an artist, as is evidenced by a recent award she received.

Mandi, currently a Arcata resident was recently recognized in 2006 for her photography through a \$2,000 Award of Excellence from VSA Arts—an affiliate of the John F. Kennedy Center for the Performing Arts—and Volkswagen of America. VSA Arts is an international, non-profit organization founded in 1974 by Ambassador Jean Kennedy Smith to create a society where all people with disabilities learn through, participate in and enjoy the arts. The contest was aimed at artists with disabilities aged 16 to 25 and winning works were on display at the S. Dillon Ripley Center of the Smithsonian Institute in Washington through Nov. 30, 2006.

The exhibit, called Destination Anywhere, is currently touring the county and can be viewed on-line (including Mandi's work) at www.vsarts.org. Mandi's honored piece is a digital photo called "Hidden."



Arcata's Mandi Ziino in front of her painting, "Mental Chaos," on display in the MDA's Art Collection.

In addition Mandi, who has spinal muscular atrophy (a form of muscular dystrophy) has an oil painting called "Mental Chaos" in the MDA Art Collection. This can be viewed on-line at www.mda.org. Her photo, "Mind's Eye," has also been on exhibit at the Kennedy Center.

Mandi has always had an interest in art, particularly in painting. She says that after taking a photography class at the University of Montana, her interest in that medium grew. She ended up receiving her Bachelor of Fine Arts in photography with a minor in media arts. Currently, Mandi's art is

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featured on Experimental Artists (www.experimentalartists.com) along with the music of her husband, Robert Ziino.



Mandi's winning photograph: "Hidden."

"Art has always a been my sanctuary," she says. "I'm unsure what it is like or what I'd be like without my disability. I've never been without it. I do know that I am the person I am because of it and for that I am grateful. My art calms my soul and allows me to process the reality I am in."

This is very clear in her photographs. They are condensed to the essence of what she perceives in these things. They capture the feel of movement, the richness of color, the balances of nature. She immerses herself in the subject matter.

Mandi's paintings seem to push that sensory reality further, mixing in her unique perspective, intensifying colors as with emotion, and infusing them with an energy of movement that translates into swirls and twists and collisions.

"My inspiration is taken from my emotions/mind when I paint. With photography It's whatever catches my eye. I explore my emotions or release them—

whatever I feel."

She is also, like so many artists, not afraid to take chances and to experiment in order to express herself.

"I think experimental art is hard to understand for many people," she says. "They want to be able to grab on to something that is familiar. It is scary at times to visit the unfamiliar, but I think people need to get out of their comfort zone and realize there is more than the norm out there. Art helps people to understand the differences in all of us and give them the opportunity to experience different realities."

Mandi feels that art can be a positive outlet for anyone whether they live with a disability or not.



"Mental Chaos"

"In my opinion, it only becomes a crutch when people dwell on the negative aspects of their disability," she says. "I really do art for my soul and do not need to do it for any other reason."

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zations in Humboldt County that have gone the extra mile in working with, and employing, people living with disabilities. It also recognizes outstanding employees living with a disability at these organizations as well as individuals with a disability, whether they are employed or not, who are involved in community activities. Awards will be given to in the categories of employers, service providers, the media and people with disabilities.

Official nomination forms and criteria are available from the NCEPD, Department of Rehabilitation, 310 Third Street, Eureka, 95501 or by calling Michael Proulx at (707) 445-6659.

RCAA Offers Home Repair/Rehab Loans

Are you a low-income homeowner or renter living with a disability? The Redwood Community Action Agency's (RCAA) Housing Rehabilitation Program in Eureka may be able to assist you with low-interest and deferred loans for needed repairs and/or necessary modifications. The RCAA has funding from the California Dept. of Housing & Community Development for assistance in the cities of Eureka, Blue Lake, Arcata and Rio Dell, as well as in unincorporated areas of Humboldt County. The program also applies to landlords willing to sign a rent limitation agreement.

For further information and the status of currently available programs, contact RCAA at 707-269-2033. You can also check out their web site at www.rcaa.org.

Berkeley Recognized as Most Accessible City

The National Organization on Disability recently awarded the birthplace of the disability rights movement-- Berkeley--as the nation's most accessible city for people with disabilities. San Francisco was also recognized among the top ten. Berkeley received particular accolades for its affordable housing complex for people with disabilities, a low-cost taxi service for people with disabilities, accessible parks and disaster preparedness plan for the disabled, and emergency attendant services funded by a city tax.



Woo-hoo Cindy!!!

Everyone connected with Tri-County Independent Living and affiliated organizations knows that our Systems Change Advocate, Cindy Calderon, is an enthusiastic, caring and tireless advocate for the rights of people living with disabilities. She was recently recognized by her peers at the SCNetwork's statewide, annual all-advocates meeting as co-winner of the Spirit of the Advocate Award. Congratulations Cindy!

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good example of this is the Capitol Action Day organized by the California Foundation for Independent Living Centers (CFILC). Groups of individuals living with disabilities, as well as other supporters of disability rights, travel to Sacramento to spend a day knocking on the doors of their legislators, speaking with legislators about disability issues/legislation, and making their presence known in the state capitol in LARGE numbers.

To see the faces/reality behind an issue can have a powerful effect on legislators. During these action days it's typical for groups of people to visit their legislators and in so doing, you're reminding them that you are constituents and VOTERS as well. But it's the human stories that legislators need to hear and which can move them as well. Don't be afraid to tell them exactly what you've experienced and how it has affected you.

Raising advocacy to the next level can also involve targeting specific bills in the legislature and tracking them. Of course, this can be complicated and time-consuming for the typical citizen, especially if you do not have internet access. There are organizations that devote time to tracking issues of interest, although the level of resources they may have for such efforts will vary according to the budgets of those organizations.

If you do have internet access, it's another story.

"It is easier to get involved these days if you have a computer," notes T.R. Wilson, who has been active on disability issues since the 1980's. "There are so many web sites connected to groups and to government. You can research and become knowledgeable on so many issues."

The internet allows you to regularly check out the California State Senate and State Assembly web sites to track bills. Such information may also be accessed at the California Foundation for Independent Living Centers site and you can often sign-up for email alerts about legislative activity. Without internet access you may have to network with individuals that do have it, call organizations such as TCIL that attempt to track relevant legislation, or get on a snail-mail mailing list. Events can often happen fast and furious in Sacramento and it can be frustrating to try and keep up with them.

"I find it useful to visit committee people, knock on doors, and identify the staff who deal with aspects of disability, health and environmental issues," notes McCovey. "Become acquainted with those staff, send them letters, and follow them up with phone calls."

Once again, the squeaky wheel gets the grease. At the very least, someone who didn't notice the squeak before may now be aware of it.

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If there is legislation that you feel strongly about, consider testifying at committee hearings on that legislation. If you are at all active, then advocacy groups are always looking for people who can do this and provide the real stories behind the language contained in that legislation. For instance, if a proposed budget cut will affect your public transportation, then legislators should hear that you won't be able to get to your job or get groceries if that happens.

At the local level, city hall is much more (physically) accessible and it's your right to attend public meetings of such elected groups as the city council. There is always time reserved for public comments and this is your opportunity to give the politicians an earful...within reason. If you don't know when your elected body meets, check out the community's web site for meeting agendas, give city hall a call, look in your local newspaper, or call us at TCIL.

Another thought is to hand out flyers on your issue at a public meeting or other event. You can also volunteer to staff an information table/booth at an event such as the North County Fair. These provide excellent opportunities to communicate with the general public, who may know little or nothing about your cause.

Repeated appearances at city hall or letters to Sacramento, of course, may not have satisfactory results for your cause.

After a while, your voice may fall on deaf ears or officials may dismiss the same faces if they see them too often and not anyone else. At that point, how can you get them to pay attention? Once again, as Patti Smith says: "*git 'em with the numbers.*"

"Find people who have life energy, who have the same or similar goals, find them and work with them and walk with them," advises McCovey. "You feed off their energy and the collective mind is made bigger because you share. It's calming to know you're not alone, that there are other people who share your cause. It helps you stop wasting your own energy too because others can take up the slack."

This advice is particularly appropriate for direct actions such as pickets/protests, sit-ins or group visits to issue-relevant individuals, businesses or organizations. You can feel lonely and vulnerable holding a sign that says "*End discrimination!*" while standing in front of the court house and not everyone is brave enough to do that by themselves. In a group, however, there's a sense of shared purpose, moral support, and empowerment. For those who have marched in a large protest, attended a rally or walked a picket line, you know what a rush of positive energy and sense of support they can provide.

City hall should, at the very least, acknowledge the numbers. They're also

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quite noticeable to the press, who can draw more attention to your cause, as well as the general public. They will then attach faces to your issues. The saying “out of sight, out of mind” is certainly an appropriate one, so you want to use direct actions to be both “right-in-sight” and “in-mind!”

If you can't make it to Sacramento (or DC), but want to participate in a direct action with your State and National elected leaders, they usually operate local offices somewhere closer. A protest at the Eureka office of a Congressman, for instance, may not be witnessed by that person, but his/her aides and the

press will certainly pass on the word!

Okay. Sit-ins. Civil disobedience. The disability rights movement has been built on them. I think we're out of time for that one, folks. We'll continue this discussion in a future issue. Then, of course, there's the whole subject of taking someone to court.

In the meantime, think about going to a City Council meeting and speaking your mind on an issue you feel strongly about. Or sign up for Capitol Action Day. You may be surprised at how good it makes you feel to speak out. Or as Jene L. McCovey says:

“Take courage and take care of what's important to you!”



Disability Capitol Action Day!!

May 23, 2007 Sacramento

People with disabilities from all corners of California will come together to let our voices be heard! We will be prepared to protect the services and issues that are important to us. Please contact TCIL for more information. Some scholarships will be offered to attend this event. Be a part of the decisions being made by YOUR elected officials. Join us for a day lobbying YOUR legislators and rallying i support of issues important to you.

Contact TCIL at (707) 445-8404 for more information or if you'd like to attend this event.





Consumer Advocate, Jene L. McCovey (left) & TCIL's Cindy Calderon (right).

Some pics from our Holiday Open House back on Dec. 14, 2006.



TCIL Exec. Director, Chris Jones (l) & Senator Wes Chesbro (r).



Above: Patrick Cross (l) & TCIL's Ind. Living Specialist Program Manager, Mari Dorenstreich (r).



TCIL's Assistive Tech. Advocate, Brett Pritchett (l), a visitor & TCIL's Mari Dorenstreich (r).



Above: Vashti Picolovich & TCIL Board President, Bob Van Fleet (r).

David Hensler, former TCIL Independent Skills Specialist holds up one of his farewell gifts.



TRI-COUNTY INDEPENDENT LIVING

955 Myrtle Avenue
Eureka, CA 95501



Care-A-Van Dial-A-Ride

The Humboldt Community Access & Resource Center recently expanded Dial-a-Ride/Dial-a-Lift services. They are available to residents living in the following areas: Humboldt Hill, Ridgewood Heights, King Salmon, Fields Landing, Samoa/Manila, and Old Arcata Road. Eligibility guidelines, maps and applications are available at Humboldt Transit Authority (443-0826). You can obtain tickets at Humboldt Transit Authority, Eureka City Hall, and Arcata Transit.

Be sure to take advantage of the increased opportunities for community access. For more information call Richard Farfan, HCAR Transportation Coordinator, (707) 443-7077.