

Consumer Factsheet

Modifying Rental Properties: Legal and Practical Considerations for Tenants with Disabilities

This topic offers guidance on tenant rights, landlord obligations, and practical tips for making home modifications in rental housing in Australia.

Introduction

For many people living with a disability, home modifications are essential for daily comfort, independence, and safety. Home modifications can remove everyday barriers—like steps, tight doorways, or unsafe spaces—so people can move around their home with more freedom and confidence. This not only supports independence but also gives family and carers peace of mind, knowing their loved one is safer and more comfortable.

However, if you are renting, making these changes can sometimes feel difficult or confusing. Tenants may worry about what is allowed, how to approach landlords, and who to get help for costs or repairs.

This factsheet is designed to help tenants with disabilities, as well as their families and carers, understand their rights, responsibilities, and the practical steps involved in modifying a rental property.

What Are Home Modifications?

Home modifications are changes made to improve accessibility, safety, or ease of use for people with disabilities. They can be:

- **Minor:** handrails, hand-held showers, portable ramps, lever taps, non-slip flooring.
- **Major:** widened doorways, stairlifts, accessible bathrooms, fixed ramps, structural alterations.

Legal Considerations

Anti-Discrimination Laws

In Australia, the Disability Discrimination Act 1992 (DDA) prohibits landlords from discriminating against tenants on the basis of disability. This includes refusing to rent, treating tenants differently, or imposing additional requirements because of a disability.

The DDA requires landlords to consider reasonable adjustments to accommodate tenants with disabilities, unless doing so would cause unjustifiable hardship for the landlord.

Your Rights as a Tenant to Modify a Rental Property

Tenants with disabilities have the right to request modifications that improve accessibility and independence, such as installing ramps, grab rails, or widening doorways.

Landlords must reasonably consider these requests and cannot unreasonably refuse them, especially if the modifications are necessary for the tenant's daily living.

Each state and territory also has tenancy laws that may include guidelines around making modifications, such as:

- Requiring landlord consent
- Clarifying responsibilities for cost and reinstatement
- Timeframes for responses

Tenants cannot be refused modifications without good reason, especially when changes are necessary for health, safety, or independence.

Getting Permission from Your Landlord

Even though you are legally allowed to ask for changes, it is important to approach the landlord or property manager in the right way. Here are some tips:

- **Make a written request:** Make a formal, written request for modifications, explaining what changes are needed and why.
- **Provide supporting evidence:** Include a letter or report from an occupational therapist or a health professional to support the necessity of the changes.
- **Be clear about reinstatement:** Offer to return the property to its original condition if needed.

Landlords may require details of the proposed work, assurance of compliance with building codes, and proof that modifications will be completed professionally.

Who Pays for the Modifications?

Typically, tenants are responsible for the costs of modifications and may be required to restore the property to its original condition at the end of the tenancy, unless the modification does not affect future tenants' use of the property.

In some cases, costs may be shared or supported by government programs. There are several options for government funding:

- **National Disability Insurance Scheme (NDIS):** If you have NDIS funding, home modifications can be included under Capital Support.
- **My Aged Care (CHSP or HCP):** Older Australians may be eligible for minor home modifications through aged care programs.
- **State-based programs:** Some states offer targeted funding for safety-related or disability-related home changes.

Landlords may also agree to co-fund or fully fund changes that improve the property's long-term value.

Practical Considerations

Types of Modifications: Minor vs. Major

Some changes may not require approval, particularly if they are non-permanent. For example:

Usually don't require landlord approval:

- Portable ramps
- Non-slip mats
- Shower chairs
- Pressure-mounted grab bars

Usually require landlord approval:

- Fixed grab rails or showerheads
- Structural ramps
- Widening doorways
- Permanent alterations to kitchens or bathrooms such as lowering counters and adjusting fixtures

Negotiation and Communication

Open communication between tenant and landlord is vital—better to have a clear agreement than risk breaching the lease. Both parties should discuss the scope, timing, and funding of modifications, as well as plans for restoration if required. Documentation and clear agreements help prevent disputes.

Restoring the Property (Reinstatement)

Some landlords may request that the home be returned to its original condition when the lease ends. This can include:

- Removing grab rails or ramps
- Repairing walls or doors
- Repainting or restoring original fittings

It is a good idea to document any agreement about this before work starts. In many cases, landlords may agree to keep the modifications, especially if they improve the property's value.

Working with Professionals

To ensure the modifications are safe, suitable, and approved for funding:

- **Occupational therapists** can assess your needs and write professional recommendations.
- **Home modification specialists** can design solutions and manage approvals.
- **Licensed tradespeople** should always be used to carry out the work.

Involving professionals adds credibility to your request and ensures the work meets safety standards.

Where to Get Help: Assistance and Advocacy

If you are unsure about your rights, or if you face discrimination or unreasonable refusal, you can contact:

- Your local **tenancy advice service** or **tenant union**
- **Disability advocacy organisations**
- Government bodies such as the **Australian Human Rights Commission (AHRC)**
- **NDIS support coordinators**
- **HMinfo Clearinghouse** for resources and referrals

Key Takeaways

- Tenants with disabilities have a legal right to request reasonable modifications to rental properties to ensure accessibility and independence.
- Landlords must not unreasonably refuse these requests but can require restoration and professional standards for modifications.
- Open negotiation, clear documentation, and awareness of support services are crucial for successful outcomes.
- Always get landlord consent in writing, especially for permanent changes.

- Minor, non-structural changes may not need approval.
- Funding may be available through NDIS, My Aged Care, or state programs.
- Seek professional advice and support to make the process smoother.

Where can I find more information?

- National Disability Insurance Scheme (NDIS)
 - [Home modifications explained](#)
 - [Providing home modifications](#)
 - [Home modifications](#)
- NSW Fair Trading
 - [Making changes to a rental property](#)
 - [Residential tenancy agreements](#)
 - [Discrimination against prospective tenants](#)
 - [Landlord ending a tenancy](#)
- NSW and Australian Government Legislation
 - [Anti-Discrimination Act 1977 No 48](#)
 - [Disability Discrimination Act 1992](#)
 - [Residential Tenancies Act 2010 No 42](#)
 - [Residential Tenancies Regulation 2019](#)
- Other home modification resources on the HMinfo website: www.homemods.info
 - [DIYmodify Factsheet: Home Modifications in rental and strata title properties](#)
 - [Arranging Home Modifications, Ed. 2](#)
 - [DIYmodify Factsheet: Home Modification Quotes](#)

- Home automations for older people and people with disability

***This information was correct at time of printing.*