



Support Animals In Housing – A Guide for Tenants With Disabilities

Your Right to Keep a Support Animal in Housing.

Both Federal and State laws allow a tenant with a disability to possess a service, assistance or emotional support animal even if there is a no-pet policy in force. (While most laws refer only to service animals, federal and state court cases and administrative rulings have expanded legal protection to assistance and emotional support animals.) Under the Federal Fair Housing Act (FHA) and the California Fair Employment and Housing Act (FEHA) it is unlawful for any person to refuse to make reasonable accommodations in rules, policies, practices and services, when such accommodations may be necessary to afford a person with a disability equal opportunity to use and enjoy a dwelling unit, including public and common areas. These laws apply to all types of housing — permanent, transitional and emergency. Under the Fair Housing laws, support animals must be allowed in a residential dwelling when they affirmatively enhance a disabled tenant’s quality of life by ameliorating the effects of their disability. Helpful Definitions: A person with a disability is someone with a physical or mental impairment that limits one or more major life activities. A support animal is an animal that provides assistance to a person with a disability, including but not limited to, mobility, hearing, guide, seizure alert and emotional support. By law, a support animal is not considered a pet, and is not required to be professionally trained.

A Support Animal is Not a Pet!

The granting of a reasonable accommodation is based on the specific circumstances of each individual situation. A landlord may ask a tenant to provide written proof from his/her medical provider stating that the tenant is disabled, and that the animal is needed to aid the tenant in living with their disability. A landlord may not, however, inquire as to the specific nature of a tenant’s disability. A housing provider must grant a tenant’s reasonable accommodation request to reside with a support animal, unless it would cause the housing provider an undue financial or administrative burden. Undue burdens are hard to prove. A housing provider may exclude support animals that are a direct threat to others, and can require a tenant to adhere to reasonable rules related to clean up, noise and control in common areas. A housing provider may not charge a tenant fees or deposits for keeping an assistance animal, but may hold a tenant liable for any damage his or her animal causes to the property.

How to Request Reasonable Accommodation.

If:

- You are a person living with a disability
- You have an animal that provides you support (physical or emotional)
- There is a “No Pets” policy where you live, or
- You are interested in moving where they don’t allow pets Here are the steps to follow:
- Speak with your medical provider (physician or other medical professional familiar with your medical history), and ask for a prescription or written statement that you are a person with a disability, and that the animal provides you support that helps you live better with your disability. You don’t need to disclose any details of your disability.
- Fill out a “Request For Reasonable Accommodation” form, and submit it to your landlord or manager, along with a copy of the medical provider document.
- Reassure your landlord that you are a responsible animal guardian, and will keep your animal under your control at all times. Sample forms are available at www.pawsla.org/programs

Be a Responsible Animal Guardian!

- Spay or neuter your animals
- Maintain current vaccinations
- Keep your animal on a leash when in public
- License your animals according to local law
- Attach an ID tag to your animal’s collar, including your name, address & phone number
- Keep your animal indoors with the rest of the family
- Always clean up after your animal and dispose of the waste properly
- Prohibit prolonged dog barking
- Provide your animal with fresh water, food and exercise daily
- Maintain a file with records of your animal’s vaccinations, spay or neuter and information About who will care for your animal in an emergency

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150 W. 24th Street Los Angeles, CA 90007 | www.pawsla.org | 213.741.1950