



High Plains Fair Housing Center

How to Request a Reasonable Accommodation for Service or Assistance Animal | A Guide for Tenants

Part I: Service Animals

Do you have a disability as described by the Fair Housing Act **AND** is your animal required because of your physical or mental disability?

Under the Fair Housing Act, a disability is defined as:

- (1) individuals with a physical or mental impairment that substantially limits one or more major life activities
- (2) individuals who are regarded as having such an impairment
- (3) individuals with a record of such an impairment.

The term "physical or mental impairment" includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, Human Immunodeficiency Virus infection, mental retardation, emotional illness, drug addiction (other than addiction caused by current, illegal use of a controlled substance) and alcoholism.

No

Only those who have a disability as defined by the Fair Housing Act and have a disability related need for an accommodation can obtain a Reasonable Accommodation.

Your animal is a service animal. No other inquiries by your landlord are appropriate, and they are obligated to promptly allow the request once you have requested it. Remember, assistance/service animals are not considered pets, so pet fees and any pet restriction policies that your landlord might have do not apply to you.

Yes

Is your animal trained to work or do tasks that assist you with your disability, other than emotional support? This is normally a dog.

Yes

Is it readily apparent that the animal is trained to do work or tasks to assist with your disability? (Such as guiding an individual who is blind or has low vision, pulling a wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability.)

No

Are you able to describe the work and task the animal is trained to perform based on a disability related need?

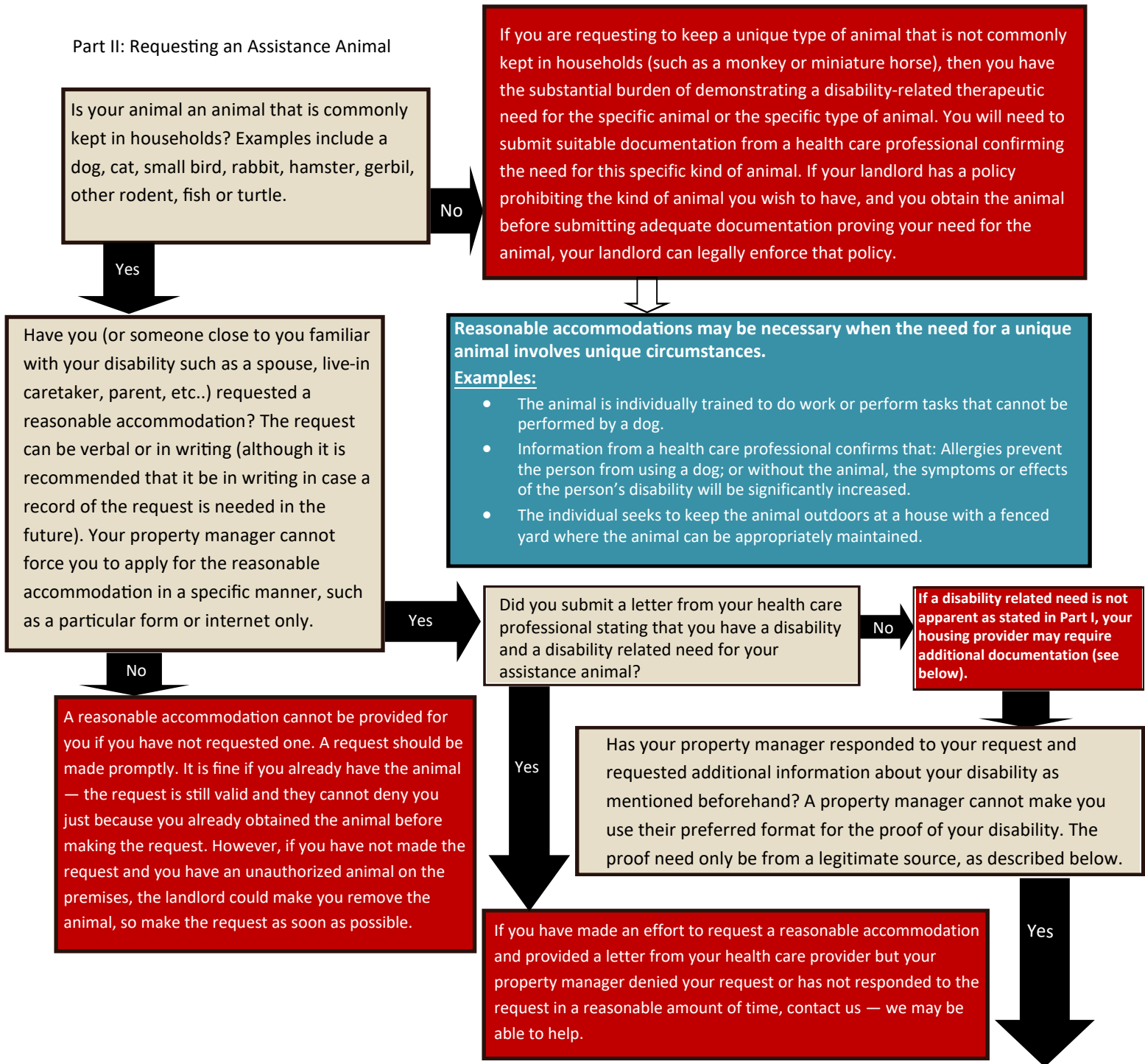
No

Your property manager has a right to request proof from someone knowledgeable about your disability (such as your doctor, social worker, therapist, etc..) that you have a disability and that the animal can assist with it. However, they are **not** entitled to know about your specific diagnosis or to have access to any of your medical records. Please continue on to **Part II** to learn how to request the reasonable accommodation for an assistance animal.

All information in this infographic is courtesy of HUD's FHEO-2020-01 "Assessing a Person's Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act," released January 28, 2020.

Questions? Please contact us at 701-203-1077 or visit our website at highplainsfhc.org.

Part II: Requesting an Assistance Animal



Submit a Legitimate Form of Documentation to Your Property Manager and Wait for a Response

Be aware that there are numerous for profit sites on the internet that offer to draft letters for the purpose of requesting a reasonable accommodation. They usually, for a fee, interview you for a short period of time and then issue you a letter indicating the need for the assistance animal. **Letters obtained from one of these types of websites are not legitimate. You do not need to pay for a letter, and the letters issued from these sites are commonly rejected by property managers.** However, there are some forms of documentation obtained over the internet that are acceptable. For example, a letter from a legitimate primary care physician that you are a patient of that remotely provides you services through telehealth would suffice. Other good forms of documentation would be a note from your physician or other medical professional that works with you, a social worker or other professional at a non-medical care agency, peer support group, or a reliable third party who knows about your disability.

After you submit your documentation to your property manager, they should respond ideally within a couple weeks. A lack of a response for a prolonged period of time could possibly be interpreted as a failure to grant the reasonable accommodation. Please contact us if your landlord has not responded in an inordinate amount of time.