How to Know Whether to Grant a Reasonable Accommodation for a Service or Assistance Animal

A Guide for Housing Providers | Part I: Service Animals

START HERE: Has the individual (or someone acting on their behalf) requested a reasonable accommodation?

Yes

Is the animal a dog that is required because of a disability and that is trained to perform work or tasks (other than emotional support)?

Yes

It may be readily apparent that the dog is trained to work or perform tasks if the dog:

• Is observed guiding an individual who is blind or has low vision.
• Is pulling a wheelchair.
• Is providing stability or balance to someone with an observable mobility disability.

No

Further inquiries are unneeded and inappropriate as this is a service animal. You should grant the request.

Yes, & it does tasks

No/none

This may not be a service animal; however, it may be an assistance animal. Please continue on to Part II to determine if it is appropriate to grant the reasonable accommodation.

Remember!

Act promptly on reasonable accommodation requests, as an undue delay may be deemed as a failure to provide a reasonable accommodation.

No

You are not required to grant the reasonable accommodation if a reasonable accommodation has not been requested.

Yes

Is it readily apparent that the dog is trained to work or perform tasks for someone with a disability?

Yes

They do not have to use your form, and you cannot force them to do so. The request can be oral or in writing, and by the person themselves or someone who is asking on their behalf, and it can be requested at any time, before or after obtaining the animal.

No

How can I tell?

Ask 2 questions:

1. Is the animal required because of a disability?
2. What work/tasks (other than emotional support) is the animal trained to perform?

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.
Has the person requesting the accommodation provided information which reasonably supports that the animal does work, performs tasks, provides assistance, and/or provides therapeutic emotional support with respect to the individual’s disability? Property managers only have the right to request verification when a disability related need for an assistance animal is not obvious. (Note: you are not entitled to know an individual’s diagnosis, only that they qualify as having one under the Fair Housing Act and that the animal can assist with it.)

You are not required to grant the accommodation unless this information is provided, but you may not deny the accommodation on the grounds that the person requesting the accommodation has not provided this information until the requester has been provided a reasonable opportunity to do so. Please enter an interactive process with the individual.

Is the animal commonly kept in households? Examples include dog, cat, small bird, rabbit, hamster, gerbil, other rodent, fish, turtle.

You should grant them the reasonable accommodation.

Remember, you can not charge a fee for a reasonable accommodation request, and a building’s pet policy (such as breed or weight restrictions) does not apply to service or assistance animals. You can not charge a pet fee or deposit for service or assistance animals.

Exceptions: Reasonable accommodations may be necessary when the need for a unique animal involves unique circumstances, such as:

- The animal is individually trained to do work or perform tasks that cannot be performed by a dog.
- Information from a healthcare professional confirms that allergies prevent the person from having a dog.
- Information from a healthcare professional confirms that without the animal, the symptoms or effects of the person’s disability will be significantly increased.
- The individual seeks to keep the animal outdoors at a house with a fenced-in yard where the animal can be appropriately maintained.

Questions? Contact us.
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