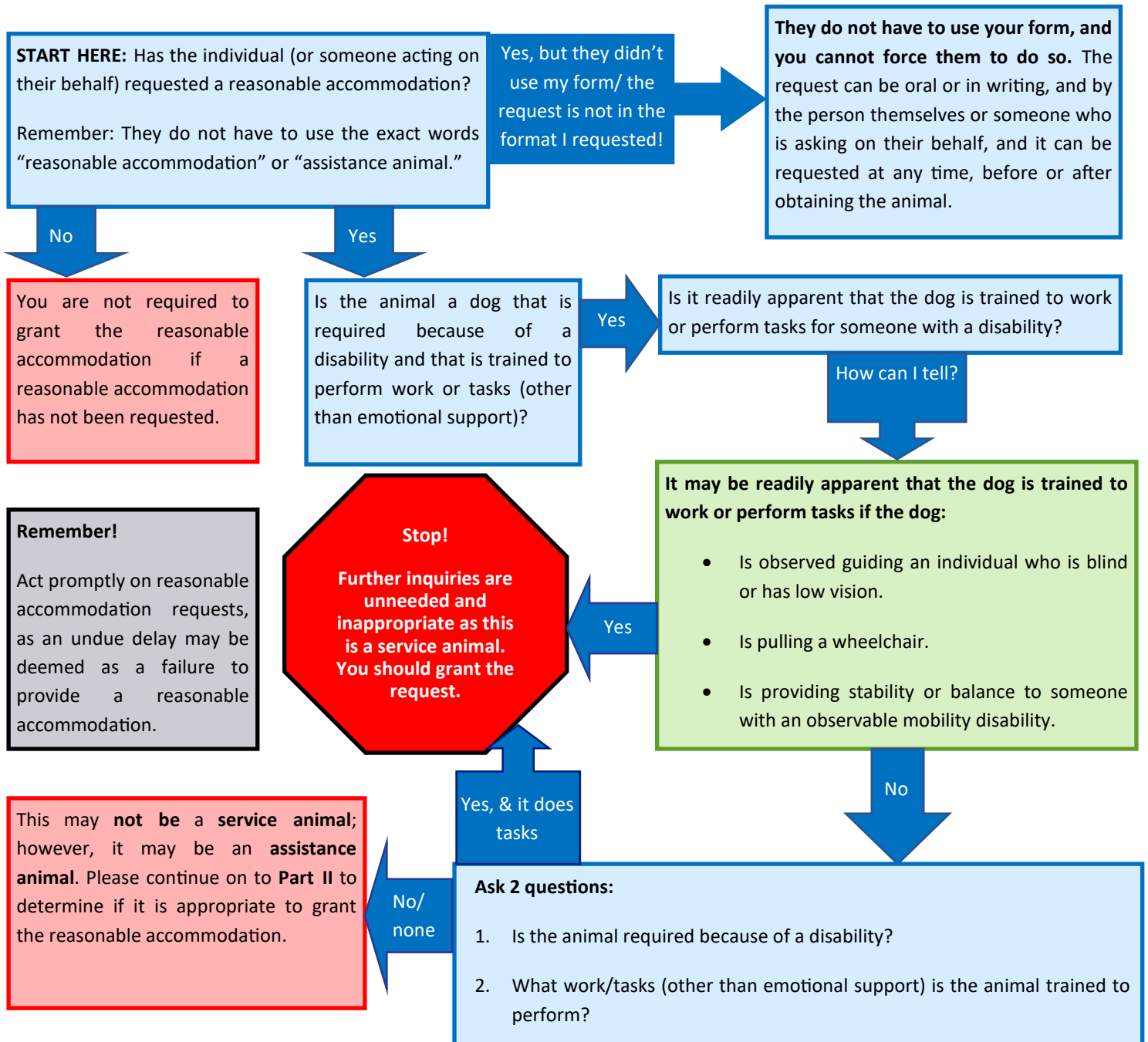




High Plains Fair Housing Center

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

A Guide for Housing Providers | Part I: Service Animals



Part II: Assistance Animals

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.)

No

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.

Yes

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

Yes

No

You might not have to grant the reasonable accommodation.

However, there are exceptions. Before denying the request, you should enter into a good faith interactive process with the tenant.

?

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.

Documentation from the Internet

Under the Fair Housing Act, a housing provider may request reliable documentation when an individual requesting a reasonable accommodation has a disability and a disability-related need for an accommodation that are not obvious or otherwise known. Some websites sell certificates, registrations, and licensing documents for assistance animals to anyone who answers certain questions or participates in a short interview and pays a fee. In HUD's experience, such documentation obtained from the internet is not, by itself, sufficient to reliably establish that an individual has a non-observable disability or disability-related need for an assistance animal. By contrast, many legitimate, licensed health care professionals provides services remotely, including over the internet. One reliable form of documentation is a note from a person's health care professional that confirms a person's disability and/or need for an animal when the provider has personal knowledge of the individual.

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.



Questions? Contact us.

Ph: 701-203-1077

Web: highplainsfhc.org