



ASSISTANCE ANIMALS AT A GLANCE

- **Fair housing laws require housing providers to make reasonable accommodations for residents with disabilities, and that includes accommodations for assistance animals or service animals.**
- **Assistance or service animals are not pets and rental owners must provide the accommodation even if they have a no pet policy.** Housing providers' conditions or rules pertaining to pets, such as pet deposits and fees, cannot be applied to assistance or service animals. It is okay to require proof of local animal licenses and vaccinations.
- **Fair housing laws do not require assistance animals to have specialized training.** But see below for requirements for verification that the person requesting an accommodation has a disability-related need for an assistance animal.
- **Emotional support animals, also known as companion animals, are a type of assistance animal.** Companion animals don't have to be trained in any special task. As with any assistance animal, no pet policies and rules or conditions about pets apply to emotional support animals. It is ok to require proof of local animal licenses and vaccinations.
- **Most service or assistance animals are dogs but they can be other domestic animals too.** The Americans with Disabilities Act (ADA) limits service animals to any dog that is trained to do work or perform tasks, not including emotional support. But the ADA only pertains to places on properties where the public is allowed, such as leasing offices or business offices.
- **Request verification regarding the need for an assistance animal only when an accommodation is requested and the need for the assistance animal is not apparent.** Verification can come from a doctor or other medical professional, or other qualified third party who, in their professional capacity, has knowledge about the person's disability and the need for reasonable accommodation. The requested documentation is sufficient if it establishes that an individual has a disability and the animal in question will provide some type of disability-related assistance or emotional support. But the housing provider may not ask to see extensive information about the person's physical or mental impairments, such as medical records. Housing providers may ask the person to use a request form prepared by the housing provider, but the provider may not require the person to use a particular form.
- **All service or assistance animals must always be under the care and control of their owner.** Rules such as requiring no threatening behavior and leashes may be enforced. Additionally, housing providers may require the animal's owner to cover the costs of repairs for any property damage caused by the animal, exclusive of normal wear and tear. Housing providers may also ask a resident to remove a service animal from a common area for particular reasons, such as when the animal is unruly, destructive or unreasonably disruptive to business.
- **Animals may be removed if they pose a direct threat to others or disrupt the ability of other residents to enjoy the premises.** But decisions will be made on a case-by-case basis, which rely on an individualized assessment and objective evidence about the specific animal's actual conduct. In Pennsylvania one must have a permit to harbor exotic wildlife. And check local municipal rules about inherently dangerous animals. Local law may have some restrictions in that regard. If there are restrictions, consider additional lease agreement regarding liability. Consult your attorney.

This summary is meant as a general guide, not as legal advice. As always, rental owners are urged to discuss their particular situations with a qualified attorney.