

[Date]

[Landlord's Name]

[Landlord's Address]

Re: Reasonable Accommodation Request for Emotional Support Animal

Dear [Landlord],

This letter serves as a reasonable accommodation request on behalf of [Tenant], an individual with disabilities, to allow him/her/them to keep their [dog/cat/other species of animal] as an emotional support animal.

Because of his/her/their disabilities, [Tenant] requires an emotional support animal to alleviate the symptoms of his/her/their disabilities. [If helpful, provide Tenant's symptoms, but try not to provide specific diagnoses]. [Provide examples of how the emotional support animal alleviates Tenant's symptoms. For example, Tenant's emotional support animal may help him/her/them feel calm, safe, and comforted. Another example is, Tenant's emotional support animal helps him/her/them focus on tasks or provides the structure Tenant needs to manage his/her/their disabilities.]

[Tenant's] emotional support animal is especially necessary during COVID-19. Many people are currently experiencing stress, fear, worry, and anxiety related to the outbreak.¹ Individuals with mental health disabilities are at an increased risk of stress due to COVID-19, which could aggravate their disabilities. [If helpful, provide examples of how COVID-19 is affecting and aggravating Tenant's disability]. But emotional support animals can help people cope with the social isolation caused by shelter in place orders. Thus, it is crucial that [Tenant] be allowed to keep his/her/their emotional support animal in their home.

As a housing provider that operates multi-family housing, [Landlord] is subject to the Federal Fair Housing Act (FHAA), and the California Fair Employment and Housing Act. Both federal and state fair housing laws make it unlawful for a housing provider to discriminate against people with disabilities. See 42 U.S.C. § 3604; Cal. Gov't Code §§ 12927, 12955. The

¹ <https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/managing-stress-anxiety.html>

FHAA requires housing providers to “make reasonable accommodations in rules, policies, practices, or services” in order to grant a person with disabilities “equal opportunity to use and enjoy a dwelling.” 42 U.S.C. § 3604(f)(3)(B); 24 C.F.R. § 100.204(a); *Giebeler v. M & B Assocs.*, 343 F.3d 1143, 1146 (9th Cir. 2003). Specifically, the FHAA “imposes an affirmative duty upon landlords reasonably to accommodate the needs of [people with disabilities],’ not only with regard to the physical accommodations” but also with regard to the “administrative policies governing rentals,” such as policies governing pets in rental properties. *Giebeler*, 343 F.3d at 1146-1147; *Auburn Woods I Homeowners Assn. v. Fair Employment & Hous. Com.*, 121 Cal. App. 4th 1578, 1593 (2004) (“But it is clear that...allowing a pet despite a no-pets policy may constitute a reasonable accommodation.”)

In granting [Tenant’s] reasonable accommodation, [Landlord] “[c]annot charge a fee or require an additional deposit or financial contribution as a condition of receiving, processing, or granting a reasonable accommodation.” Cal. Code Regs. tit. 2, § 12180; See also *Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Accommodations Under the Fair Housing Act*, p. 9, n. 11 (May 17, 2004) (“Housing providers may not require persons with disabilities to pay extra fees or deposits as a condition of receiving a reasonable accommodation.”) Nor can [Landlord] require [Tenant] to pay “[a]ny pet fee, additional rent, or other additional fee, including additional security deposit or liability insurance” in connection with the emotional support animal. Cal. Code Regs. tit. 2, § 12185(d)(2). “No breed, size, and weight limitations may be applied...” to an emotional support animal either. Cal. Code Regs. tit. 2, § 12185(d)(5).

[Moreover, per the City of Los Angeles’ Ordinance No. 186585, “No Owner shall exercise an eviction during the Local Emergency Period based on the presence of unauthorized occupants, pets or nuisance related to COVID-19.”²]

[Tenant] is a person with a disability, and the accommodation[s] requested, the request that [Tenant] be allowed to keep his/her/their emotional support animal in their home is necessary and reasonable. We urge [Landlord] to consider [Tenant’s] request and engage in the interactive

² http://clkrep.lacity.org/onlinedocs/2020/20-0147-S19_ORD_186585_03-31-2020.pdf

process with us to reach a solution. Please contact me at [phone number or email address] to discuss this matter further.

[Closing]