

Emotional Support and Service Animals in Public Housing

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Service Animal?

A dog that is:

1. individually trained
2. to perform work or tasks
3. that benefit a person with a disability, including a physical, sensory, psychiatric, intellectual, or other type of mental disability.

Emotional Support Animal?

Any animal that:

1. eases the effects
2. of a person's disability
3. by providing comfort or support.

NOTE: A service animal may be trained by a professional, a friend, a family member, or the person with a disability.

	Service Animal	Emotional Support Animal
Shelters (overnight)	YES	YES , if negotiated as a reasonable accommodation
Shelters (dayroom)	YES	NO
Businesses, coffee shops, restaurants, libraries, hospitals	YES	NO
Hotels	YES	NO

Do I need current vaccines?	YES	YES
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Do I need a vest, certificate, etc. to identify my animal as an assistance animal?	NO	NO
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NOTE: see “Rights to Service and Emotional Support Animals in Housing and Public Places – FAQs” for more detailed information.

Questions that may be asked when accessing a public place, or housing with a service animal (unless disability related need is readily apparent):

1. Does the person have a disability-related need for the animal?
2. What work or task has the animal been trained to perform?

Questions that cannot be asked:

1. What is the nature of the person’s disability? Or what is their diagnosis?
2. Can the person provide access to medical records to prove their disability?
3. Has the animal has been certified, trained, or licensed as a service animal?

When a service animal can be denied access to abovementioned locations:

1. The animal poses a direct threat to others.
2. The animal is not under the handler’s care and control and/or housebroken.
3. The animal’s presence would fundamentally alter the nature of the goods, services or programs.

Unless disability related need is readily apparent, when accessing housing with an emotional support animal (through a reasonable accommodation request) a housing provider may ask for documentation that:

1. you have a disability and
2. a disability-related need for the animal.

NOTE: may not ask for access to medical records.

Reasonable accommodation requests may be denied if the animal:

1. Is not necessary because of the handler's disability,
2. Poses a direct threat to other people or property,
3. Is not under the handler's care and control and/or housebroken,
4. Imposes an undue financial or administrative burden, or
5. Fundamentally alter the nature of the services that the landlord or homeowner's association provides.

NOTE: direct threats must be based on an individual assessment of that animal that relies on evidence of that animal's specific conduct, not on fear, speculation, or past experiences with other animals. Breed, size, and weight limitations may not be applied.