



SUPPORT ANIMALS IN HOUSING

A Guide For Tenants With Disabilities

Both Federal and State laws allow a tenant with a disability to possess a service, assistance or emotional support animal even if there is a no-pet policy in force. (While most laws refer only to service animals, federal and state court cases and administrative rulings have expanded legal protection to assistance and emotional support animals.)

Under the Federal Fair Housing Act (FHA) and the California Fair Employment and Housing Act (FEHA) it is unlawful for any person to refuse to make reasonable accommodations in rules, policies, practices and services, when such accommodations may be necessary to afford a person with a disability equal opportunity to use and enjoy a dwelling unit, including public and common areas. Under the Fair Housing laws, support animals must be allowed in a residential dwelling when they affirmatively enhance a disabled tenant's quality of life by ameliorating the effects of their disability.

A person with a disability is someone with a physical or mental impairment that limits one or more major life activities.

A SUPPORT ANIMAL IS NOT A PET!

A support animal is an animal that provides assistance to a person with a disability, including but not limited to, mobility, hearing, guide, seizure alert and emotional support. By law, a support animal is not considered a pet, and is not required to be professionally trained.

The granting of a reasonable accommodation is based on the specific circumstances of each individual situation. A housing provider may ask a tenant to provide written proof from his/her medical provider stating that the tenant is disabled, and that the animal is needed to aid the tenant in living with their disability. A housing provider may not, however, inquire as to the specific nature of a tenant's disability.

A housing provider must grant a tenant's reasonable accommodation request to reside with a support animal, unless it would cause the housing provider an undue financial or administrative burden. Undue burdens are hard to prove.

A housing provider may exclude support animals that are a direct threat to others, and can require a tenant to adhere to reasonable rules related to clean up, noise and control in common areas.

A housing provider may not charge a tenant fees or deposits for keeping an assistance animal, but may hold a tenant liable for any damage his or her animal causes to the property.



ADDITIONAL RESOURCES

CA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING
1055 West 7th Street, Suite 1400 Los Angeles, CA 90017
800-884-1684 --www.dfeh.ca.gov

HOUSING RIGHTS CENTER
520 S. Virgil Ave., Suite 400 Los Angeles, CA 90020
800-477-5977 --www.hrc-la.org

INNER CITY LAW CENTER
1309 E. 7th St., Los Angeles, CA 90021
213-891-2880 – www.innercitylaw.org

BE A RESPONSIBLE ANIMAL GUARDIAN

- Spay or neuter your animals
- Maintain current vaccinations
- Keep your animal on a leash when in public
- License your animals according to local law
- Attach an ID tag to your animal's collar, including your name, address & phone number
- Keep your animal indoors with the rest of the family.
- Always clean up after your animal and dispose of the waste properly.
- Prohibit prolong dog barking
- Provide your animal with fresh water, food and exercise daily
- Maintain a file with records of your animal's vaccinations, spay or neuter and information on who will care for your animal in an emergency.

For assistance with Support Animal questions, contact
Steve Wayland, Director of Programs
swayland@pawsla.org
213.741.1950 x 113

PAWS/LA
2121 S Flower Street
Los Angeles, CA 90007
213.741.1950 – 213.741.1640 (fax)
www.pawsla.org

PAWS/LA is a non-profit organization dedicated to assisting people living with disabilities keep and care for their support animals.