

Do You Have a No Pets Policy?



“If not for The Fair Housing Center and the Ability Center who have made me aware of my rights, I would not be allowed to have my assistance animal.”

– Anonymous

The Fair Housing Center

Vision

The Fair Housing Center will be a leading visible force in preventing and correcting discriminatory practices.

Mission

The Fair Housing Center is a non-profit civil rights agency dedicated to the elimination of housing discrimination, the promotion of housing choice and the creation of inclusive communities of opportunity.

To achieve our mission, the Center engages in education and outreach, housing counseling, advocacy for anti-discriminatory housing policies, research and investigation and enforcement actions.



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**SERVICE & ASSISTANCE
ANIMALS ARE NOT PETS**



**Creating Inclusive Communities
of Opportunity**

The Fair Housing Act

The Fair Housing Act (FHA) prohibits discrimination in the sale or rental of housing because of a person's disability. The FHA requires a housing provider to make "reasonable accommodations" in rules, policies, practices, or services when such accommodations may be necessary to afford a person with a disability full use and enjoyment of their dwelling. An assistance animal can be a reasonable accommodation to pet related policies.

Assistance Animal Defined

An assistance animal is not a pet. It is an animal that works as an assistive aid for a person with a disability. The definition of an assistance animal under the FHA differs from that in the Americans with Disabilities Act (ADA). The ADA limits the definition of "service animal" to dogs and excludes emotional support animals. Unlike the ADA, the FHA does not require an assistance animal to be individually trained or certified. The ADA's requirements do not apply to assistance animals under the FHA.



Assistance Animals in Housing

Under the FHA, an assistance animal can be any animal and is not limited by size or breed. "No pets" policies do not apply to assistance animals, nor may a housing provider require an individual to pay pet deposits or fees for their assistance animal. If the animal causes damage to the apartment, a housing provider may hold the animal's owner responsible.

A housing provider may also require the following:

- Tenant cares for and supervises the animal at all times.
- Assistance animal is well-behaved when in the presence of others.
- Tenant promptly cleans and disposes of animal waste.



Housing Provider Rights & Obligations

A housing provider has a duty to comply with the regulations of the FHA and the ADA.

Disability-related information may be requested, including:

- Verification of the qualified disability
- Description of the needed accommodation
- Relationship between the disability and the need for the accommodation

This information should only be requested if either the disability, or the need for the accommodation, is not known or obvious.

In most cases, a housing provider may not ask an individual to provide medical records, or inquire about the nature or severity of one's physical or mental impairment.

A reasonable accommodation is not required if it causes:

- An undue administrative or financial burden; or
- A fundamental alteration of the provider's operations