

Is it a Service Animal, Assistance Animal (includes Emotional Support Animals), or a Pet?

Is the animal a dog or a miniature horse AND trained to perform a specific task to help with a disability?

YES OR NO



SERVICE ANIMAL

A service animal is any dog or miniature horse that is individually trained to perform tasks for the benefit of someone with a disability.

The tasks performed can include pulling a wheelchair, alerting a person to sounds, reminding a person to take medication, alerting to an impending seizure, or guiding somebody with a visual impairment, among countless others.

Service animals are permitted access to dwellings and short-term housing under the ADA, FHA, and RHA.



Is the animal a species that is a common type of pet*?



YES OR NO



Does the animal alleviate a symptom or effect of a disability?

YES OR NO



ASSISTANCE ANIMAL

An assistance animal can include any type of common household pet that alleviates a symptom or effect of the individual's disability and does not need to be trained to perform their benefit.

Emotional Support Animals are one type of assistance animal, but animals can be used as an aid for limitless disabilities, such as ADHD, epilepsy, cancer, heart disease, depression, etc.

Assistance animals are not protected in public accommodation, but are covered under the Fair Housing Act and Rehabilitation Act, so they have access to nearly all types of dwellings and many short-term dwellings.

Does an exception apply?

YES OR NO

And does the animal alleviate a symptom or effect of a disability?

ASSISTANCE ANIMAL



PET

A pet is an animal that has no special training or specific role in directly helping an individual cope with a disability or condition.

While pets can provide emotional support and stability, the primary purpose of a pet is to provide companionship. Pets are not covered by the ADA, FHA, or RHA.



A verification requirement is necessary for assistance animals when the disability/related need is not obvious.

This includes a letter establishing that the person is living with a disability (general about the disability, specific about the symptoms) & has a related need for the animal (ie, the animal alleviates a symptom or effect of the disability).



NOTES

"If the individual is requesting to keep a unique type of animal that is not commonly kept in households as described above, then the requestor has the substantial burden of demonstrating a disability-related therapeutic need for the specific animal or the specific type of animal."

U.S. Dept. of Housing and Urban Development
Office of Fair Housing and Equal Opportunity
Notice FHEO-2020-01
"Assistance Animal Notice"

<https://www.hud.gov/sites/dfiles/PA/documents/HUDAsstAnimalNC1-28-2020.pdf>
pages 12, 13

ADA = Americans with Disabilities Act

FHA = Fair Housing Act

RHA = Rehabilitation Act

BY LAW, IF IT IS NOT OBVIOUS THAT THE DOG IS A SERVICE ANIMAL, STAFF MAY ASK ONLY TWO SPECIFIC QUESTIONS:

- 1 Is the dog a service animal required because of a disability?
- 2 What work or task has the dog been trained to perform?

Staff cannot request any documentation for the dog, require that the dog demonstrate its task, or inquire about the nature of the person's disability.

GENERAL NOTE:

- Certification documents are NOT required for assistance or service animals.
- Assistance or service animals do NOT need to wear any form of identification.

DEFINITIONS:

*Common Household Pet: dog, cat, small bird, rabbit, hamster, gerbil, other rodent, fish, turtle.

Disability: a physical or mental impairment that substantially limits one or more major life activities.

CONTACT US

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SERVICE, ASSISTANCE, AND COMPANION ANIMALS



What's the difference?
A guide for service providers and the general public