



Quick Reference Guide to Service and Assistance Animals

Federal protections for individuals living with a disability* permit them to use service and assistance animals, enabling them to participate in mainstream life

Service Animals

Assistance Animals

<i>Which federal laws apply?</i>	<ul style="list-style-type: none"> The Americans with Disability Act of 1990 Section 504 of the Rehabilitation Act of 1973 	<ul style="list-style-type: none"> The Fair Housing Amendments Act of 1988 Section 504 of the Rehabilitation Act of 1973
<i>What animals are covered?</i>	<ul style="list-style-type: none"> Dogs of any breed or size Miniature horses 	Animals of any breed or size
<i>Where does this law apply?</i>	<ul style="list-style-type: none"> Places of public accommodation Programs & housing receiving federal funds 	<ul style="list-style-type: none"> Nearly all types of housing with a few exceptions Resident common areas Programs receiving federal funds
<i>What are the training requirements?</i>	<ul style="list-style-type: none"> The animal must be trained to work or perform a task for an individual with a disability Work performed must be directly related to the person's disability No special certification or registration is necessary 	<ul style="list-style-type: none"> The animal does not need to be trained Must provide a benefit directly related to the individual's disability No special certification or registration is necessary
<i>What pet rules apply?</i>	<ul style="list-style-type: none"> Breed, size restrictions don't apply May not be charged an access fee, pet fee or deposit 	<ul style="list-style-type: none"> Breed, size, number restrictions don't apply Not subject to a pet fee, pet rent or extra pet security deposit
<i>Any registration requirements?</i>	<ul style="list-style-type: none"> There is no government sanctioned registration or certification for service animals 	<ul style="list-style-type: none"> There is no government sanctioned registration or certification for assistance animals
<i>How does is a service or assistance animal verified?</i>	<p>If the disability or need for animal is not obvious, can ask 2 questions:</p> <ul style="list-style-type: none"> Is this service animal required because of a disability? What work or task has the dog been trained to perform? 	Only if disability or need for animal is not obvious, can request reliable documentation of the person's disability and related need for assistance animal
<i>Under what circumstances may the request be denied or rescinded?</i>	<ul style="list-style-type: none"> The request causes an undue financial or administrative burden The individual cannot satisfactorily answer the two above questions The animal poses a direct threat to the health or safety of others The animal isn't under control The animal causes damage or creates a nuisance (odor, incessant barking, not housebroken) The request "fundamentally alters" the nature of the services provided to the public 	<ul style="list-style-type: none"> The housing isn't subject to FHA The animal's owner can't provide reliable documentation of disability or need for AA The request causes an undue financial or administrative burden The animal poses a direct threat to the health or safety of others The animal isn't under control The animal causes damage or creates a nuisance The request "fundamentally alters" the nature of the services to residents The owner doesn't follow local licensing, registration, public health requirements for the AA

*An individual with a disability is defined as a person who has a physical or mental impairment that substantially limits one or more major life activities or the operation of a major bodily function. Examples of "major life activities" include caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working as well as many others. 24 CFR 100.201



Additional Reading

- Joint Statement of HUD and DOJ: Reasonable Accommodations Under the Fair Housing Act
 - Provides an excellent explanation of the process for requesting a reasonable accommodation
 - <https://www.hud.gov/offices/fheo/library/huddojstatement.pdf>
- HUD Service Animals & Assistance Animals for People with Disabilities in Housing & HUD-Funded Programs
 - Provides a comprehensive explanation of the regulations for service and assistance animals as well as housing providers' obligations when multiple laws apply
 - https://portal.hud.gov/hudportal/documents/huddoc?id=servanimals_ntcfheo2013-01.pdf
- DOJ Guidance on Service Animals
 - Provides a helpful overview on service animals rules
 - https://www.ada.gov/service_animals_2010.htm
- Frequently Asked Questions about Service Animals and the ADA
 - Provides a full description of the service animal guidelines
 - https://www.ada.gov/regs2010/service_animal_qa.html