

# Law requires landlords to provide accommodations for companion/service animals for the disabled

## Contributed article

Special Section

The Federal Fair Housing Act prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, familial status, and disability. One type of disability discrimination prohibited by the Act is the refusal to make reasonable accommodations in rules, policies, practices or services when such accommodations may be necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling. Below we explore the issue of providing reasonable accommodations to keep companion/service animals.

### Why do disabled individuals need companion/service animals?

Disabled people often need companion/service animals to help them perform daily activities. Such animals help the disabled cope with blindness, hearing loss, breathing difficulties, epilepsy, the inability to walk, and other

mobility impairments.

Companion/service animals may even be needed to lend comfort and/or emotional support. For example, a person suffering from depression may need a cat, a bird, or even fish to comfort them when they're feeling down. By allowing companion/service animals, fair housing laws allow the disabled resident an equal opportunity to use and enjoy housing as the non-disabled resident.

### What kinds of properties are affected by these fair housing laws?

The simple answer is almost all properties. Fair housing laws apply to practically all owners and staff of private or conventional and federally-assisted housing.

### What is a landlord required to do under these laws?

The law requires landlords to accommodate disabled individuals in a variety of ways. An individual with a physical disability may require a companion/service animal. Let's suppose the land-

lord doesn't allow pets in the rental property. However, the law requires that:

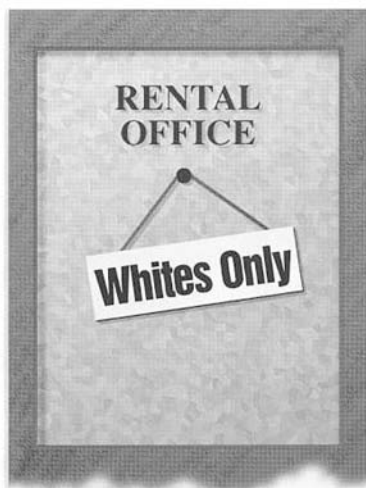
- if a current resident, or an applicant who is otherwise qualified to rent from the landlord asks to keep a companion/service animal to help with a disability; and
- proves that he or she is disabled; and
- proves that he or she needs the companion/service animal because of their disability;
- then the landlord must let them keep the companion/service animal, even if doing so would otherwise violate the lease or community rules;
- unless the companion/service animal would cause the landlord a large financial or administrative burden; or
- the companion/service animal would expose the landlord or residents to the threat of harm;

The law protects both residents and applicants. But only residents and applicants who ask to keep a companion/service animal. Remember, unless a resident or applicant requests a reasonable

accommodation to keep a companion/service animal, no special right to keep one arises.

The landlord has a right to know if the person requesting the companion/service animal is, in fact disabled. It is acceptable for a landlord to request reliable disability-related information, such as a letter from a doctor to establish that the companion/service animal is required. However, a landlord cannot unreasonably pry into the person's medical history. Typically, verification of the need for the companion/service animal can be provided by the individual himself or herself. A doctor or other medical professional, a peer support group, a non-medical service agency or a reliable third party who is in a position to know about the individual's disability may also provide verification of a disability.

*For additional information about reasonable accommodations for disabled individuals, including accommodations for companion/companion/service animals, contact the Miami Valley Fair Housing Center at (937) 223-6035.*



## It's never this clear.

Instead, you'll hear things like: "Sorry, we just rented the last apartment." "There are several applications ahead of you."

"We seem to have misplaced your application."

Learn the signs of discrimination and fight back.

If you suspect unfair housing practices, contact your local Fair Housing Center. Everyone deserves a fair chance.

Miami Valley Fair Housing Center



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