

Service and Companion Animals Reasonable Accommodation Questions and Answers

Source: Joint Statement of The Department of Housing and Urban Development and the Department of Justice. "Reasonable Accommodation Under the Fair Housing Act" May 14, 2004.

What is a service animal?

Any animal individually trained to perform tasks for the benefit of a person with a disability.

There is no national standard regarding the training or performance of a service animal, including guide dogs.

What is a companion animal?

Also referred to as an assistive or therapeutic animal, it is an animal typically for persons with mental or emotional disabilities. It assists with depression or anxiety and provides emotional support.

There is no national standard regarding the training or performance of a companion animal.

Why must one allow an animal when there is a "no pets" policy?

Under Federal and State Fair Housing laws, tenants may ask their housing provider to make a reasonable accommodation in the "no pets" policy.

Once the need for the animal is verified by a qualified professional (such as a doctor), the exception must generally be made.

What information may one request from tenants regarding service animals?

One may ask the tenant to provide documentation from a qualified professional regarding the need for a service animal or companion animal.

One may not ask the tenant to provide any details regarding the nature of the disability, medical records, proof of training, or insurance coverage for the animal.

What about a pet deposit?

No.

However, the tenant is responsible for the actions of the service animal. The tenant can be held accountable for any damage to property. The tenant must comply with established policies regarding maintenance and cleaning; leash policies, and noise guidelines.

What if other tenants complain about the exception being made to the pet policy?

State that "The owner/manager complies with fair housing laws," but provide no information about the disabled tenant's situation. One may also refer the inquiring party to the Nebraska Fair Housing laws.

What is the tenant's responsibility regarding the service animal or companion animal?

The tenant is required to supervise and maintain control of the animal at all times.

The tenant is required to immediately remove animal waste from common areas.

Where must one allow the animal on the property?

The service animal or companion animal must be allowed to accompany the tenant at all times, and everywhere on the property except where animals are specifically prohibited.

Areas where animals may post significant health or safety hazards, such as swimming pools, may be designated as off-limits to service animals or companion animals. Such designations may not interfere with the disabled person's right to fully enjoy the amenities.

Can certain animals be forbidden due to size or breed?

Generally no. An animal can be forbidden if that specific animal has been shown to be a danger through its own actions, but not merely because of the reputation of its species or breed.

How We Can Protect Ourselves from Predatory Lenders

There are a few simple steps that homeowners can take to protect themselves.

1. Follow the basic rule of buyer beware; never sign a contract or any piece of paper without reading it;
2. Carefully and fully understand what it obligates you to do; if possible, get an attorney or trusted financial advisor to review it before you sign it.
3. Don't agree to a loan if you don't think you can make the payments;
4. For any loan, make sure you understand all of the terms before you sign it;
5. If the annual percentage rate of the loan is a lot higher than the interest rate quoted on the loan, there may be unnecessary fees attached; compare the APR and interest rate on your loan with the APR and interest rate offered by conventional bankers;
6. Shop around, don't let anyone rush you into a decision on a loan or home improvement contract; go first to a conventional bank if you need a loan;
7. Don't agree to a loan without knowing the amount of closing cost, fees and other upfront costs;

These are simply a few of the things you can do; there are a lot more. Education is the key to avoid becoming the victim of a predatory lender.