

FACT SHEET: SUPPORTING REQUESTS FOR ASSISTANCE ANIMALS IN HOUSING

Reasonable Accommodations

Under the Fair Housing Act, a reasonable accommodation is a change or exception to any rule, policy, procedure, or service needed in order for a person with a disability to be able to have equal access to and full enjoyment of their home, such as allowing an assistance animal where there is a no pet policy, or allowing a live-in caregiver when a housing policy states “no over-night guests”. **This Fact Sheet only addresses reasonable accommodation requests for assistance animals**; however the Fair Housing Center has other guidance to assist in other kinds of accommodation requests or requests for modifications, such as ramps or grab bars.



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See sample support letter on reverse.

Supporting Documentation

A person with a disability may be asked to provide proof of the presence of a disability and/or verification of a disability-related need when a reasonable accommodation is requested from their housing provider/landlord. The documentation may require verification that the requester:

- **has a physical or mental impairment (as defined below),**
- **the physical or mental impairment(s) substantially limit at least one major life activity or major bodily function, AND**
- **needs the animal(s) because it does work, provides assistance, or performs at least one task that benefits the patient because of his or her disability, or because it provides therapeutic emotional support to alleviate a symptom or effect of the disability (and not as a pet).**

Housing providers/landlords do not need to know the details related to the disability, the requester’s diagnosis, or their health history; only that a disability is present and that their request is needed because of that disability. When documentation is provided, words such as “**necessary**”, “**essential**”, and “**prescribed**” should be used to describe the requester’s need for a reasonable accommodation or reasonable modification. According to HUD, housing providers may not require a health care professional to use a specific form, provide notarized statements, make statements under penalty of perjury, or provide detailed information about the requester’s impairments.

The Fair Housing Act defines a person with a disability to include (1) individuals with a physical or mental impairment that (2) substantially limits one or more major life activities. Major life activities include walking, breathing, communicating, seeing, hearing, thinking, learning, caring for oneself, and beyond. **Disabilities include, but are not limited to:** Mental or emotional disabilities, developmental disabilities, cancer, auto-immune deficiencies like HIV, autism, cerebral palsy, multiple sclerosis, heart disease, diabetes, asthma, paraplegia, major depression, recovery from an addiction, and many long-term medical conditions.

Assistance Animals

An assistance animal is not a pet. There are two types of assistance animals: (1) *service animals* (limited to dogs or sometimes miniature horses), and (2) other trained or untrained animals that do work, perform tasks, provide assistance, and/or provide therapeutic emotional support for individuals with disabilities (a “*support animal*”). Support animals do not need to be trained, certified or licensed by any entity or program but they, along with service animals, must be kept under control at all times.

Assistance animals perform many disability-related functions, such as guiding individuals who are blind or have low vision, alerting individuals who are deaf or hard of hearing to sounds, providing protection or rescue assistance, pulling a wheelchair, fetching items, alerting persons to impending seizures, or providing emotional support to persons with disabilities who have a disability-related need for such support. Assistance animals can significantly enhance a person’s ability to live independently.

If the animal prescribed is not a dog, cat, small bird, rabbit, hamster, gerbil, other rodent, fish, turtle, or other small, domesticated animal that is traditionally kept in the home, it may be helpful to provide additional information on the patient’s need for that particular type of animal.

What is Fair Housing?

Federal and Michigan fair housing laws protect people from illegal discrimination in housing based on race, color, religion, national origin, sex, familial status, **disability**, marital status, and age.

Sample Support Letter for Assistance Animal Requests

- Should be on letterhead, provide contact information, and any professional licensing information
- Should accomplish the following:
 - Verify that the person has a physical or mental impairment (need not mention specific diagnosis, but must be clear that the person's condition rises to the level of a disability)
 - Verify that the impairment(s) substantially limit at least one major life activity or major bodily function,
 - Show the relationship between the person's disability and the need for the requested accommodation
 - May be written by a health care professional, such as a physician, optometrist, psychiatrist, psychologist, physician's assistant, nurse practitioner, or nurse.

Date

Dear (*Housing Provider*):

(*Name of client*) is my client/patient, and has been under my professional care since (*date*) involving the provision of health care **OR** disability-related services and therefore I am familiar with his/her history and disability-related functional limitations. She/he has a physical or mental impairment that substantially limits at least one major life activity or major bodily function as defined by the Fair Housing Act.

To enhance his/her ability to live independently and to have full use and enjoyment of his/her dwelling, (*Name of client*) needs (*insert need*)

Example 1: a support dog, cat, bird, etc. (be as specific as possible about the kind of animal(s) needed and mention if the patient has the animal(s) already) that will assist (*name of client*) with the functional limitations associated with his/her disability.

Example 2: a service dog (mention if the patient has the dog(s) already) that will assist (*name of client*) with the functional limitations associated with his/her disability.

Specifically, (*please provide information demonstrating how the accommodation is needed or necessary to alleviate one or more identified symptoms or effects of an existing disability or how the disability will be exacerbated in the absence of the accommodation*)

Example 1: the support animal (dog, cat, bird, etc.) is necessary to prevent or interrupt impulsive or destructive behaviors OR calm a person with post-traumatic stress disorder (PTSD) during an anxiety attack OR assist in dealing with disability-related stress or pain OR assist to leave the isolation of home OR assist to interact with others OR provide a reason to live OR provide emotional support that alleviates at least one identified symptom or effect of a physical or mental impairment, etc. (*If animal is not a traditional domesticated animal, please justify the patient's need for the particular animal or type of animal(s)*)

Example 2: the service dog is necessary to alert (*name of client*) to an upcoming seizure OR pull a wheelchair OR retrieve necessary objects/summon emergency assistance, etc.

While honoring HIPAA and/or other patient/client confidentiality laws, I am available to answer questions you may have concerning my verification of (*name of client*)'s request.

Sincerely,

Signature and Printed Name of Professional, Credentials

**TIP: USE
OFFICE LOGO or
LETTERHEAD**

Form developed by the Fair Housing Center of West Michigan • www.fhcwm.org

Please note this fact sheet, including the sample request letter, is not intended to be used as legal advice.