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ASSISTANCE ANIMALS

For some persons with disabilities, an assistance animal may be necessary to afford them equal housing opportunity.

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What Is an Assistance Animal?

An assistance animal is an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or that provides emotional support that alleviates one or more identified effects of a person's disability. An assistance animal is not a pet.

Obligations of Housing Providers

Individuals with a disability may request to keep an assistance animal as a reasonable accommodation to a housing provider's pet restrictions.

Housing providers cannot refuse to make reasonable accommodations in rules, policies, practices, or services when such accommodations may be

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necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling.

The Fair Housing Act requires a housing provider to allow a reasonable accommodation involving an assistance animal in situations that meet all the following conditions:

- A request was made to the housing provider by or for a person with a disability
- The request was supported by reliable disability-related information, if the disability and the disability-related need for the animal were not apparent and the housing provider requested such information, and
- The housing provider has not demonstrated that:
 - Granting the request would impose an undue financial and administrative burden on the housing provider
 - The request would fundamentally alter the essential nature of the housing provider's operations
 - The specific assistance animal in question would pose a direct threat to the health or safety of others despite any other reasonable accommodations that could eliminate or reduce the threat
 - The request would not result in significant physical damage to the property of others despite any other reasonable accommodations that could eliminate or reduce the physical damage

Examples

A reasonable accommodation request for an assistance animal may include, for example:

- A request to live with an assistance animal at a property where a housing provider has a no-pets policy or
- A request to waive a pet deposit, fee, or other rule as to an assistance animal.

Filing a Complaint

If you believe you have been unlawfully denied a reasonable accommodation for an assistance animal or have otherwise experienced discrimination in housing, you can file a complaint (/program_offices/fair_housing_equal_opp/online-complaint) with FHEO.

Additional Resources

Notice FHEO-2020-01:

Assessing a Person's Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act (January 28, 2020)

(<https://www.hud.gov/sites/dfiles/PA/documents/HUDAsstAnimalNC1-28-2020.pdf>)

Joint Statement of HUD and DOJ on Reasonable Accommodations Under the Fair Housing Act

(</sites/documents/huddojstatement.pdf>)

Reasonable Accommodations and Modifications

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