



Companion Animals



What is a Companion Animal?

- A companion animal, unlike an assistive animal, is one with no special training in helping an individual cope with a disability.
- Companion animals are used for company, amusement, psychological support, extrovert display and all of the other functions that humans need to share with animals of other species.
- The individual claiming to have companion animal must meet the definition of disabled/handicap. The Fair Housing law states that with respect to a person, a physical or mental impairment which substantially limits one or more major life activities; a record of such and impairment; or being regarded as having such an impairment.
- If a tenant isn't disabled, the animal is not a companion animal.



How to Know That You Need a Companion Animal

- The need for a companion animal must come from a doctor or other professional (e.g. psychologist). The form you send should ask if the animal is necessary to cope with the disability and what functions it performs. Its been medically proven that animals can lower blood pressure, help a depressed individual cope, etc. Again, is it required? If the doctor says a dog will encourage the individual to get out and exercise, it's not serving the required purpose. Anyone can walk without a dog. Motivation is not related to a disability. Helping prevent loneliness is a good thing but anyone can be lonely. Loneliness by itself is not a disability, therefore the animal that is helping prevent the "condition" is not a companion animal by law.



What is Considered a Companion Animal

- Dogs
- Cats
- Pleasure Horses
- Birds
- Mice
- Guinea pigs
- And more exotic species kept by humans



Service Animal vs. Companion Animal

- A Service Animal is defined as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.
- A service dog must be individually trained to perform work or tasks directly related to the handler's disability, while a therapy and emotional support dog merely provides comfort to an individual in some fashion. Therapy dogs are often the pets of the therapist or psychiatric personnel of the particular institution or hospital where they bring comfort. Therapy and emotional support dogs are allowed in housing under the Fair Housing Act (FH), but are not permitted in public places as are service dogs.
- Companion animals are not individually trained to perform specific kind of task. Instead, the principle service that companion animals provide is simply that-companionship. While service animals are trained to behave flawlessly in public, companion animals may or may not be as well-behaved. As a result, companion animals are virtually indistinguishable from the family pet.

Are Assistance Animals Subject to MFH Project “Pet” Rules?

Assistance animals are permitted occupancy under the Fair Housing Act and are defined as follows:

- Assistance animals are not pets. These are animals that work, provide assistance, or perform tasks for the benefit of a person with a disability or animal that provides emotional support that alleviates one or more identified symptoms or effects of a person's disability. Assistance animals – often referred to as “service animals,” “support animals,” “therapy animals” or “companion animals” perform many disability-related functions including but not limited to:
 1. Guiding individuals who are blind or have low vision
 2. Alerting individuals who are deaf or hard of hearing to sounds
 3. Providing minimal protection or rescue assistance
 4. Pulling a wheelchair
 5. Fetching items
 6. Alerting persons to impending seizures
 7. Providing emotional support to persons with disabilities who have a disability-related need for such support



Verification of the Need for an Assistance Animal

Some applicants or residents may require the use of assistance animals as a reasonable accommodation for a disability.

- A. An owner may verify that the applicant or resident has a disability and that there is a disability-related need for the requested accommodation, in this case the assistance animal.
- B. The owner may require the applicant or resident to provide documentation of the disability and the need for the animal from an appropriate third party, such as a medical provider, mental health provider, or other professional in a position to provide this verification. For example, if a tenant or applicant seeks a reasonable accommodation for an assistance animal that provides emotional support, that individual may be required to provide documentation from a physician, psychiatrist, social worker, or other mental health professional that the animal provides support that alleviates one or more of the identified symptoms or effects of an existing disability
- C. The owner must implement its policy related to inquiries consistent for all applicants requesting permission to keep an assistance animal. However, a tenant or applicant should not be required to provide documentation of the disability or the disability-related need for the assistance animal if the disability is or the need is readily apparent or already known to the provider. For example, a blind tenant should not be required to provide documentation of his or her disability and the need for a guide dog.

Scenario

Situation

John has been diagnosed with severe depression and is disabled as defined by the Fair Housing Act. His doctor prescribes John a dog to help alleviate some of his symptoms. John asks his landlord if he can have a dog as a reasonable accommodation for his disability. His landlord says yes, but tells John he'll need to pay a \$250 pet deposit and must provide proof that the animal is trained.

**Question: Did John's landlord correctly handle John's request under the Fair Housing Act?
What if John wanted a cat or ferret instead?**

Questions?
