

# Service, Assist, Therapy, Support?



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NAAEI Facilitator**

**Specifically trained to perform tasks that mitigate a handler's disability.**

**Trained to bring comfort and joy to those in a hospital, school or other group care environments**

**Provides support and emotional comfort to a handler with a mental illness**

Service Dog



Therapy Dog



Emotional Support Animal



**I am not an attorney**

**I do not work for HUD, any association or the vendors of this class**

**This information is based on my opinion and study of fair housing laws**

**It is not to be considered legal advice**

**Effective the date of presentation this information is correct to the best of my knowledge. Fair Housing rulings/guidelines change occasionally Stay educated!**



# Facts regarding guide/assist/support/service animals

**The Americans With Disabilities Act states that the service animal must be canine/minature horse and trained. It applies to public areas like restaurants, airports/planes, and other commercial areas. It does not apply to housing of those with disabilities.**

**You may not apply ‘canine and trained’ to assist/support animals who live in the apartment with the resident.**

**A guide/assist/service animal is not considered a pet, as directed by ADA. Therefore a pet deposit or pet rent is not required or allowed by law. You may require certification that the animal is in fact a guide or assist animal or is trained (especially if the disability is not obvious.)**

**The law states that you may consistently apply many of the same rules that you have for pets:**

**Noise issues**

**Leash requirements**

**Vaccinations**

**Sanitation IE Poop!**

**The term “Pets”**

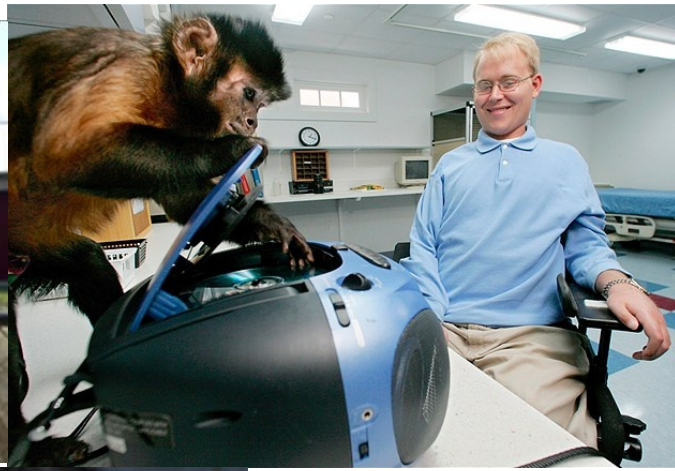
**Animals considered/presented as pets are not protected class and you may charge deposits, have pet agreements and breed restrictions.**

**Sometimes people refer to their assist animal as their ‘pet’. This may require more information and clarification.**

**HUD/Fair Housing clearly states that you may not consider the breed**

**Be very clear that a companion/comfort/emotional support animal falls in the category “assist animals”. Same status as ‘service’ animals.**









# Please Don't Pet Me<sup>SM</sup>

Promoting Widespread Understanding and Respect for Service Dog Teams





Official Service Dog Registry (don't let the name fool you--there's nothing "official" about them)

20+ sites on the internet

Note: Not a single service listed tests the dogs they certify, register, or ID. They do nothing to verify the dog's training or the owner's disability.

All that is required is that the purchaser fill out a form with the information for the certificate and where to mail it, and include payment ranging from \$35 to over \$200 depending on the package being purchased. **SCAM; and we are on to them!**

# Question? What Can We Do About Fake Service/Support Animal Claims?

Official Service Dog Registry (don't let the name fool you--there's nothing "official" about them) 20 sites on the internet.. **SCAM**



19 states are cracking down and applying fines for faking it!

## Is anybody listening?

Yes. For EXAMPLE The Colorado House just passed a bill under which fake service animal requests would be criminalized, in a similar manner in that taking a disabled parking space is punished – a \$33 surcharge along with a fine of \$350 to \$1,000 for a first offense and higher fines for repeat offenders.

Again, these false certifications do a real disservice to those disabled Americans with legitimate service and companion animals. If your animal is a pet and you want to live in my apartment community, just pay the pet fee. Don't try to scam the system. It is just not worth it. And if this Colorado bill passes the state Senate, it will be against the law.

Check your state laws!

If the disability is not readily apparent, you may consistently require documentation that the assist animal owner is indeed handicapped/disabled and requires the animal.

Do Not request the nature or severity of the disability.

2004 ruling changed in 2013; you can request a document from a ‘knowledgeable 3<sup>rd</sup> party, health, medical related/care professional.’



Please note:

The following is an example form. It is not legal advice nor should it be used without company permission.

Edit to meet company approval:



**Service/Companion/Assist Animal Information**

**Date** \_\_\_\_\_

**Resident/Prospective Resident Name** \_\_\_\_\_


**Address** \_\_\_\_\_

**Telephone/s** \_\_\_\_\_

**Email** \_\_\_\_\_

**When a disability is not visible or we do not understand the necessity for a service/companion/assist animal, it is our policy to send a form to a local or most current (within past 3 years) knowledgeable 3<sup>rd</sup> party / medical / healthcare provider.**

**Please provide us with the contact information and we will request that the attached information be provided. We will get this processed/completed as quickly as possible, and will encourage a prompt response from your health care/3<sup>rd</sup> party provider. If you have a document acquired from the internet or from another source, we require additional information on our form from your knowledgeable 3<sup>rd</sup> party / healthcare provider.**





**From:** \_\_\_\_\_

**Date** \_\_\_\_\_

**Notice to the health services provider/knowledgeable 3<sup>rd</sup> party, licensed therapist or doctor who has an established relationship with**

**This person has applied for an apartment at** \_\_\_\_\_

**And is requesting permission to have a service/companion/assist animal, specifically (insert type, breed, size/weight of the animal, name)** \_\_\_\_\_

**We are not asking for the nature or severity of the disability. Please do not provide that information to us.**

**Please give a brief explanation of how this animal may aid / provides support to this person.**

**Your response can be provided on your letterhead or if you prefer on the bottom of this email/letter and returned to us at (address/email** \_\_\_\_\_

**“I assist or have recently assisted in the health care of** \_\_\_\_\_

**1. This person meets the definition of a person with a disability as described in the Fair Housing Act as amended September 13, 1988.**

**Yes** \_\_\_\_\_ **No** \_\_\_\_\_

**Because of such disability, this person needs the above referenced animal to live with them and add to their well-being at our apartment community.**      **Yes** \_\_\_\_\_ **No** \_\_\_\_\_

**My signature certifies that I have knowledge of and have provided for this person AND, in the event I would be asked to do so, I am willing to testify in a court of law to the above representations.**

**Signature** \_\_\_\_\_

**Credentials** \_\_\_\_\_

**Date** \_\_\_\_\_

**Contact Information:** \_\_\_\_\_

Please don't try to  
pass your pet off as  
a service animal

### **Fake Service Dogs**

can hurt the  
reputation and  
acceptance of  
valid service dogs  
and the disabled  
persons who truly  
need those dogs  
to assist them.



# Remember

You may not consider a service/support/assist animal a pet

You may not charge 'fees' or pet rent

You must not treat every person requesting accommodation as a cheater and a liar

You do have the right to question authenticity of documents

If the resident CANNOT attend a party where food is being served without their animal, the animal can attend

The service animal can enter the pool area, but not enter the pool. The animal can also go in the fitness center.

You can require that the disabled person 'scoop\or have scooped, the poop

You MUST NOT consider the breed of a service animal.

If your insurance company says no service Pit Bulls, get a new insurance company



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