

## SERVICE/SUPPORT ANIMALS ADDENDUM:

Rental Agreement Dated: \_\_\_\_\_

Property Address: \_\_\_\_\_

Under the Fair Housing Act (FHA), there are two types of assistance animals: (1) Service animals, and (2) Support animals which are trained or untrained animals that do work, perform tasks, provide assistance, and/or provide therapeutic emotional support for individuals with disabilities.

Under the American Disabilities Act (ADA) service animal means 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. The work or tasks performed by a service animal must be directly related to the individual's disability. If the individual identifies at least one action the dog is trained to perform, which is helpful to the disability, the dog is considered a service animal and the Landlord should not make further inquiries. If the disability is apparent, **NO** documentation is required.

If no specific work or task is identified, the dog should not be considered a service animal but may be another type of animal for which a reasonable accommodation may be required. The animal must be a commonly kept household animal such as a dog, cat, small bird, rabbit, mouse, rat, fish, turtle or other small domesticated animal.

A reasonable accommodation is a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have equal opportunity to use and enjoy a dwelling.

If the tenant has a disability and disability-related need for an accommodation that is not obvious or otherwise known, the tenant must request a reasonable accommodation (oral or written) for a support animal and a landlord may request reliable documentation. Landlords are not entitled to know an individual's diagnosis. Supporting documentation often consists of information from a licensed health care professional – e.g., physician, optometrist, psychiatrist, psychologist, physician's assistant, nurse practitioner, or nurse. A relationship or connection between the disability and the need for the support animal must be provided. If the tenant submits proper documentation to support the reasonable accommodation, the Landlord under FHA must allow the animal.

A tenant cannot be charged a higher security deposit, higher monthly rent, or be required to obtain liability insurance for a service/support animal. However, the tenant can be held accountable for any damage (interior or exterior), and must comply with established policies regarding maintenance, noise or any other reasonable restriction of the property. The tenant must leave the housing accommodation in the condition it was prior to the tenant's occupancy (except for reasonable wear and tear).

Landlords may establish reasonable restrictions on the use of an assistance animal. Examples are:

- 1) Observing applicable state and county laws, including leash and pick-up laws;
- 2) Observing applicable association regulations – except where conflicting with FHA mandates;
- 3) Assuming responsibility for any damage caused by the animal;
- 4) Having the dwelling cleaned upon vacating, by fumigation, deodorizing, professional carpet cleaning, or other appropriate methods, at tenant's expense;
- 5) Cleaning up of the animal's waste;
- 6) Having the animal licensed with the county, if required;
- 7) Having the animal vaccinated, with documentation of vaccinations;
- 8) Having the animal under the control of its handler, by use of a harness, leash, tether, cage or other physical control. If the nature of the person's disability makes physical control impracticable, or if physical control would interfere with the assistance that the animal provides, the landlord may require that the animal be otherwise under the control of its handler, by voice control, signals, or other effective means.
- 9) Having the animal meet minimum sanitary standards.