

Landlord Limitations

When a person with a disability asks permission to have an assistance animal in the unit, the landlord may not:

- Refuse to grant the request, unless granting the request would impose an undue burden or hardship, or fundamentally alter the nature and type of services provided.
- Refuse to grant a request for an Assistance Animal because of the breed of the animal.
- Deny a request for an Assistance Animal without offering a suitable alternative.
- Require a person with a disability to provide specific health information to prove the need for the animal.
- Require the person with the disability to complete a specific form in order to have the request considered.
- Demand certification for the Assistance Animal.
- Without proper cause, limit the number of Assistance Animals that a tenant may have.

The Fair Housing Project

West Tennessee Legal Services is available to provide information concerning a person's rights under the Federal Fair Housing Act. If you believe you are a victim of discrimination in housing, contact us at 800.372.8346 or 731.423.0616 for assistance. When necessary, staff can assist you in filing a complaint with the U.S. Department of Housing and Urban Development (HUD) or other appropriate administrative or judicial bodies.

If you believe that you have been discriminated against in a housing situation, please contact one of the offices listed below. A housing counselor will discuss the situation with you and help you to decide what to do next. Your response to us will be kept confidential.

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For more information or to apply for assistance:

West Tennessee Legal Services
www.wtls.org
Toll Free: 1-800-372-8346 ext. 250
Fax: 731-423-2600
Email: wtls@wtls.org

Memphis Fair Housing Center
www.malsi.org
200 Jefferson Ave. Suite 1075
Memphis, TN 38103
901-432-4663

Legal Aid Society of Middle Tennessee & the Cumberland
www.las.org
1321 Murfreesboro Pike, Suite 400
Nashville, TN 37217
615-244-6610

Legal Aid of East Tennessee
www.laet.org
607 W Summit Hill Dr. SW Knoxville, TN 37902
865-637-0484.



**WEST TENNESSEE
LEGAL SERVICES**

**Assistance
Animals
Your Rights and
Responsibilities Under
the Fair Housing Act**

The Federal Fair Housing Act provides protection for individuals with disabilities who need assistance animals to have an equal opportunity to use and enjoy a dwelling and the common areas where the dwelling is located.

What are assistance animals?

Assistance animals are animals that **"assist, support or provide services to persons with disabilities."**

For Fair Housing Act purposes, the term Assistance Animal includes:

- Service Dogs and Service Horses
- Emotional Support Animals
- Therapy Animals
- Companion Animals
- Support Animals

Assistance Animals are not Pets!

An **Assistance Animal** is:

- An extension of the person with the disability.
- No different than any other prescriptive aid that a person with a disability may use (like a cane, walker, or an inhaler).

Tenant Rights

When a tenant is prescribed an **assistance animal**, the tenant has the right to request a reasonable accommodation to

- Waive a "No Pet" Policy to accommodate the need for the assistance animal.
- Request a waiver of a "Pet Deposit" requirement.
- Request an exemption from housing policies that restrict the size, weight and breeds of animals allowed on the premises.
- Have more than one assistance animal if more than one is prescribed.
- Provide written verification from **any reliable third party** who is familiar with the condition and need of the person requesting the assistance animal (not just a doctor).

A tenant may make a request for a reasonable accommodation for an assistance animal at any time during the tenancy-including when an eviction proceeding is pending.



Tenant Responsibilities

When the landlord grants an accommodation for an **assistance animal**, the tenant has a duty to:

- Follow all other terms and conditions of the lease-especially those that apply to the animal.
- Control the animal at all times.
- Clean up behind the animal-inside the unit and wherever the animal makes a mess.
- Follow all laws and ordinances that pertain to owners of animals (such as leash laws).
- Pay for any damage caused by the **assistance animal** in the dwelling unit or other common areas.
- When required, to show the connection between the request for each **assistance animal** and the disability with which the animal provides assistance.

If you experience discrimination because of your Assistance Animal

A landlord discriminates when he refuses (without proper cause) to permit a person with a disability to have an **Assistance Animal**, upon request. If you have been treated differently in a housing-related transaction because of your **Assistance Animal** you can:

- File a Housing Discrimination complaint with HUD or the Office of Civil Rights Enforcement.
- File a lawsuit in federal or state court.