



Support Animals FAQs

- [What are support animals?](#)
- [What kind of animals can be support animals?](#)
- [What is considered a disability?](#)
- [What is a reasonable accommodation?](#)
- [Can my landlord charge me extra fees or deposits for allowing my support animal as a reasonable accommodation?](#)
- [What do I do if I or a family member needs a support animal but my apartment has a no pet policy?](#)
 - [Request a reasonable accommodation letter from your healthcare provider](#)
 - [Request a reasonable accommodation from your housing provider](#)
- [Can my regular doctor provide me with an SA letter?](#)
- [What happens if my housing provider rejects my request?](#)
 - [Filing a Complaint or Lawsuit](#)
- [What do I do if I have received a notice of eviction because of my pet or support animal?](#)
- [Does my pet have to be licensed/spayed/neutered?](#)
- [Does my pet need to wear a special vest/tag as an SA?](#)
- [Where can I bring my SA?](#)
- [Does my pet need to have special SA training?](#)
- [Should I have liability insurance for my SA?](#)
- [Should I have pet insurance for my SA?](#)
- [Do I have to provide my landlord with updated documentation every year?](#)
- [How do I get SA documentation remotely during COVID-19?](#)
- [How much does an SA letter cost?](#)
- [Can I get an SA letter online?](#)
- [How long will the process take?](#)
- [I moved, is my SA letter still valid at another address/state?](#)
- [What if I do not have health insurance?](#)

Tenants with disabilities should feel empowered to request a reasonable accommodation from their housing provider or landlord to have their service animal or support animal live with them. People with disabilities have fought for the right to have fair access to housing through reasonable accommodations which have been enacted into Federal law through the [Fair Housing Act](#), [Americans with Disabilities Act](#), and [Section 504 of the Rehabilitation Act of 1973](#). HEART LA works alongside tenants with disabilities to protect their rights when they are challenged by housing providers. In this way, HEART LA can help protect people, pets, and their homes.

What are support animals?

Support animals are not pets. They are **assistance animals** that alleviate one or more identified effects of a person's disability. **In other words, a support animal is an animal that helps a person cope with their disability and manage their symptoms.**

What kind of animals can be support animals?

Whereas, under the **Americans with Disabilities Act**, service animals must be either a trained dog, or in rare circumstances a trained miniature horse, there are **no restrictions** on what type of animal can be a support animal as long as the animal alleviates one or more effects of a person's disability. The most common support animals are dogs and cats, but many other animals can provide support. **A support animal does not need to be specially trained.**

What is considered a disability?

Under the Fair Housing Act, a person with a disability is a person with a physical or mental impairment that substantially limits one or more major life activities. Simply put, a person has a disability, if an impairment makes it difficult for them to carry out daily activities, such as seeing, hearing, walking, breathing, performing manual tasks, caring for one's self, learning, and speaking. **There are many more daily activities outside of this list that would meet the definition.** Thus, this definition is very broad and would include many mental disorders such as depression, anxiety, post traumatic stress disorder, bipolar disorder, etc.

What is a reasonable accommodation?

A reasonable accommodation is a change, exception, or adjustment to a rule, policy, or service that may be needed for a person with disabilities to have an equal opportunity to use and enjoy a dwelling, including public and common spaces.

People with disabilities have a right to a reasonable accommodation. Reasonable accommodations remove some of the barriers that prevent people with disabilities from participating fully in housing and enjoying their home.

- **Example:** A tenant in an apartment complex who has anxiety requires a support animal to decrease the symptoms of their anxiety and to feel safe during the evenings. The landlord has a no pet policy. A reasonable accommodation would allow the tenant to keep the support animal as an exception to the no pet policy.

Can my landlord charge me extra fees or deposits for allowing my support animal as a reasonable accommodation?

No. And a reasonable accommodation can be requested so a tenant does not pay a pet deposit in “pet-friendly” housing. A landlord is not able to charge extra fees or deposits or place any extra conditions or requirements on a tenant that needs a reasonable accommodation. The right to a reasonable accommodation is designed to achieve equal access to housing not to require people requesting reasonable accommodation to take on extra costs.

What do I do if I or a family member needs a support animal but my apartment has a no pet policy?

If the disability and disability-related need for a support animal are not apparent, the housing provider may request information from a healthcare provider. You and your healthcare provider **do not** need to provide any information on what your disability is, but only that you have a disability and the animal alleviates one or more symptoms of that disability. Below is a sample letter you can have your healthcare provider fill out and a sample letter that you can use to notify your housing provider.

- 1) Request a reasonable accommodation letter from your healthcare provider

Sample Letter From Service Provider:

Name of Professional

License No.

[Date]

To [Landlord, Housing Authority, and Homeowners Association]:

I am the [physician/psychiatrist/psychologist/therapist/social worker/occupational therapist] for [patient's name], and am familiar with [his/her/their] condition and can confirm that she/he/their indeed meets the definition of disability under the American with Disabilities Act, the Fair Housing Act, and the Rehabilitation Act of 1973.

Due to [his/her/their] disability, [first name] has certain limitations and is not able to enjoy certain major life activities. An assistance animal is necessary for [patient's name] to live in the community and be able to enjoy one or more of these major life activities.

Thank you for providing this reasonable accommodation for [patient's name]. If you have any further questions, please feel free to contact me at [redacted]

Sincerely,

[Name and Title]

2) Request a reasonable accommodation from your housing provider

Sample Letter to Housing Provider Requesting Assistance Animal

[Date]

Dear [Landlord, Housing Authority, Homeowners Association]

I am writing to request an assistance animal as a reasonable accommodation for my disability/disabilities.

I live at/am applying to rent your property at [address]. Because of my disability, I need to keep an assistance animal as a reasonable accommodation.

My [physician/psychiatrist/psychologist/therapist/social worker/occupational therapist /describe other individual] has deemed this accommodation necessary in light of my disability. Please see the attached letter from [doctor or professional's name].

Federal and state law require that a housing provider reasonably accommodate tenants/occupants and applicants who have disabilities. Please respond to this request by [date]. Feel free to contact me at [your phone number and/or e-mail address] if you have any questions. Thank you.

Sincerely,

[Your name]

[Your address]

Can my regular doctor provide me with a SA letter?

A healthcare physician, a mental health physician, or social worker can provide you with a SA letter.

What happens if my housing provider rejects my request?

Your housing provider must not reject your request without attempting to find a solution that meets the tenant's needs. This is called an interactive process. If your housing provider rejects your request for a reasonable accommodation after you have made your request and provided your documentation, the housing provider must demonstrate that:

- 1) Making the accommodation would impose an **undue financial and administrative burden**. (The majority of support animals should not impose much, if any, financial and administrative burdens on a housing provider.)
- 2) The accommodation would **change the services** provided by the housing provider

(For example - Once you have a support animal, asking a landlord to feed, walk, or clean up after the support animal might be a fundamental alteration to the housing services a landlord provides.)
- 3) The support animal would be a **direct threat** to the **health or safety of others** despite any other reasonable accommodations that could eliminate or reduce the threat

(A direct threat can only be determined by an individual assessment of the support animal's behavior. The housing provider **cannot** determine whether a support animal is a threat based on a **stereotype about the breed.**)

- 4) The request would result in **significant physical damage** to the property of others despite any other reasonable accommodations that could eliminate or reduce the physical damage

(It would be unlikely for a support animal to cause significant physical damage to property)

Filing a Complaint or Lawsuit

If the housing provider is unable to show that they are substantially affected by any of these four points, the housing provider is violating the **Fair Housing Act** by not providing the accommodation.

If a landlord, condominium association or other housing provider refuses to allow your assistance animal as a reasonable accommodation, you can **file a lawsuit or an administrative complaint.**

You can file an administrative complaint with the California Department of Fair Employment and Housing (DFEH) within one year of the most recent date of discrimination. Information on how to file a complaint with DFEH can be found at <https://www.dfeh.ca.gov/filing-a-complaint-online/>, or by calling (800) 884-1684 (voice) or (800) 700-2320 (TTY).

You can file an administrative a complaint with U.S. Department of Housing and Urban Development (HUD) under the Fair Housing Amendments Act, also within one year after the discrimination. Information on how to file a HUD complaint can be found at 1-800-669-9777 or:

https://portal.hud.gov/hudportal/HUD?src=/topics/housing_discrimination.

Violations of the laws discussed above may also be enforced through private lawsuits. Please be aware that statutes of limitations restrict the timeframe for filing litigation and that you could potentially lose claims if you do not act within the applicable statute of limitations. These deadlines can be as short as two years from the date of discrimination. If you are interested in pursuing litigation, you should consult with an attorney as soon as possible.

<https://www.disabilityrightsca.org/publications/fact-sheet-rights-to-assistance-animals-in-housing>

What do I do if I have received a notice of eviction because of my pet or support animal?

Contact an attorney immediately. Here is a link where you can find legal help

<https://www.stayhousedla.org/>. Contact your local [tenants union](#) and [tenant organizers](#). Tell your family. Tell your friends. Organize.

Does my pet have to be licensed/spayed/neutered?

Most local laws require licensing and spay/neutering of animals. We recommend that companion animal owners comply with all applicable local and state laws.

Does my pet need to wear a special vest/tag as a SA?

No. Unlike a service animal, support animals are not trained to perform specific tasks for an individual with a disability or require special vests/tags. See our graphic below to differentiate between support and service animals.

KNOW THE DIFFERENCE

EMOTIONAL SUPPORT ANIMALS

- ★ Any animal or multiple animals that provide a therapeutic benefit to a person with a disability, including those with mental health issues like anxiety or depression.
- ★ Must be permitted in housing without additional costs as a "reasonable accommodation", under California's Fair Employment and Housing Act.
- ★ Must be allowed on planes, except unusual animals like reptiles, rodents, and spiders, under the Air Carriers Access Act
- ★ The only documentation required is a letter from a doctor, mental health professional, or social worker.
- ★ Other than these rights, ESAs are treated the same as pets; they have no access rights to public or private locations.



SERVICE ANIMALS

- ★ An animal that is trained to perform tasks for an individual with a disability, including invisible disabilities and mental health disabilities.
- ★ Must be a dog or miniature pony; however there are no size, weight, or breed restrictions allowed.
- ★ Must be permitted in employment, school, and housing, as a "reasonable accommodation" with a letter from a doctor as the only documentation required.
 - * This may be denied by employers if they can show it causes them an undue hardship, other than allergies.
- ★ Service Animals are allowed "public access rights", which permits the disabled person to bring them anywhere the public is allowed, including private establishments.



- * For public access, a person may only ask if the animal is required due to disability and what tasks it is trained to perform; no other questions or documentation are allowed.
- * A service animal may be removed if it is out of control or is not housebroken.

Where can I bring my SA?

Other than housing and flying rights for people with a disability, SAs have no access rights to public or private locations. SAs are treated the same as pets.

Does my pet need to have special SA training?

No, support animals are not service animals. As such, a support animal does not require any additional training or “registration”.

Should I have liability insurance for my SA?

According to the Housing Act, p. 9, n. 11 (May 17, 2004), “Housing providers may not require persons with disabilities to pay extra fees or deposits as a condition of receiving a reasonable accommodation.” Owners cannot require tenants with disabilities to pay “[a]ny pet fee, additional rent, or other additional fees, including additional security deposit or liability insurance” in connection with the support animal. Cal. Code Regs. tit. 2, § 12185(d)(2).

Should I have pet insurance for my SA?

While pet insurance is not a requirement for housing, it may help cover veterinary expenses.

Do I have to provide my landlord with updated documentation every year?

Unless your health condition has changed, you are not required to provide your landlord with updated information. Nonetheless, if you are able to, ask your healthcare provider to supply you with an updated letter if necessary.

How do I get SA documentation remotely during COVID-19?

An SA letter is the only documentation that can qualify a pet as a SA. Obtaining one may be difficult during the COVID-19 pandemic but not impossible. **Keep all documents related to your pet and housing in a folder or binder in a place you will remember so they are easy to access.**

How much does a SA letter cost?

- If you have health insurance, there should be no additional cost outside of your regular co-pay. If you do not have health insurance, a doctor at a local clinic may be able to provide you with one upon evaluation. These letters typically cost about \$200 depending on the clinic.

Can I get a SA letter online?

HEART LA strongly recommends against obtaining an SA letter online. The most credible letter will come from a physician, mental health care professional, or social worker that has an in-depth knowledge of your medical history. Beware of internet scams when it comes to online SA letters.

How long will the process take to obtain a SA letter?

This depends on your provider and their availability but typically a letter can be provided within a week's time.

I moved, is my SA letter still valid at another address/state?

There is no requirement under Fair Housing rules that a support animal letter be issued at the same address where the tenant is requesting accommodation from their landlord. Presenting your landlord with a SA letter should be sufficient.

What if I do not have health insurance?

If you do not have health insurance, there are a number of clinics that are able to provide you with a letter. [The Good Neighbor Clinic](#) in the Crenshaw neighborhood provides SA letters for people without health insurance.

Additional information:

- (https://www.hud.gov/program_offices/fair_housing_equal_opp/assistance_animals,
- <https://www.disabilityrightsca.org/publications/fact-sheet-rights-to-assistance-animals-in-housing>)