

SERVICE ANIMAL POLICY

BACKGROUND

Service animals are prescribed to assist people with disabilities in the activities of independent living. The Americans with Disabilities Act (ACT) defines service animals as any animal individually trained to do work or perform tasks for the benefit of an individual with a disability. If an animal meets this broad definition, it is considered a service animal. It does not have to be licensed or certified by state or local government or a training program. Federal, state and local fair housing laws require that a modification be made to a “No Pet” policy to permit the use of a service animal by an individual with a disability, unless doing so would result in an unreasonable financial or administrative burden. This policy differentiates “service animals” from “pets,” describes types of service animals, provides guideline for staff and tenants for the acceptance of service animals, and sets behavioral guidelines for service animals.

DEFINITIONS

Disability: A tenant must meet the statutory definition of having a disability under federal, state and local fair housing laws. These statutes recognize the following categories or disabilities:

- A sensory, mental, or physical impairment that substantially limits one of more major life activities (such as walking, seeing, working, learning, dressing, ect.)
- A sensory, mental or physical condition that is medically cognizable or diagnosable

Service/Companion Animal: Any animal individually trained to do work or perform tasks for the benefit of a person with a disability. Service animals are usually dogs, but may be any animal designated by the tenant and his or her treatment provider. Service animals are not considered to be pets. A person with a disability uses a service animal as an auxiliary aid similar to the use of a cane, crutches or wheelchair.

Examples include:

- A guide animal, trained to serve as a travel tool by a person who is legally blind.
- A hearing animal, trained to alert a person with significant hearing loss or who is deaf when a sound occurs, such as a knock on the door.
- A service animal, trained to assist a person who has a mobility or health disability.
- A companion animal or emotional support animal that assists persons with psychological disabilities. Emotional support animals can help alleviate symptoms such as depression, anxiety, stress and difficulties regarding social interactions, allowing tenants to live independently and fully use and enjoy their living environment.

GUIDELINES FOR TEANTS WITH SERVICE ANIMALS

REQUEST FOR A SERVICE ANIMAL ACCOMMODATION

The tenant must submit a request in writing to have a service/companion animal, as an accommodation for the tenant's disability.

VERIFICATION FOR DISABILITY AND NEED FOR A SERVICE ANIMAL

The tenant must provide written verification that he/she has a disability from a licensed medical professional that is registered through the state of Georgia and that an accommodation is necessary to give the person equal opportunity to use and enjoy the community. However, as defined by the law above, the tenant need not disclose the nature of the disability.

The tenant's healthcare or mental health provider must submit a signed letter on professional letterhead to the property manager answering the following questions:

- Is the person disabled as defined by the fair housing laws described above?
- In the health care provider's professional opinion, does the person need the requested accommodation to have the same opportunity as a non-disabled person to use and enjoy the community?

SUPERVISION

The animal must be supervised, and the tenant/handler must retain full control of the animal at all times. This includes ensuring the animal is not making excessive noise or otherwise interfering with the right to quiet enjoyment of neighbors or another tenant.

CLEANUP RULE

- Never allow the service animal to defecate on any property, public, or private, except the tenant's own property.
- Always carry equipment sufficient to clean up the animal's feces whenever the service animal is in the common areas or off the tenant's property.
- Properly dispose of waste and/or litter.
- Contact staff if arrangements are needed to assist with cleanup.

FEES

A service animal is not a pet. Regardless of whether your property allows pets or not, the tenant is not required to make a pet deposit or pay pet-related move-in cleaning fee. The tenant may be charged a general cleaning or damage deposit charged to all tenants. The tenant is liable for any damage the animal actually causes.

REMOVAL OF A SERVICE ANIMAL

When a service animal presents a physical treat or health hazard to other tenants, or when the animal is disruptive in a manner that interferes with the quiet enjoyment of surrounding tenants and/or neighbors, the property manager may require the tenant to take significant steps to mitigate the behavior. Mitigation can include refresher training for both the animal and the tenant. If the behavior is not resolved, the tenant may be removed from the property.

AREAS OFF LIMITS TO SERVICE ANIMALS

Management may designate certain areas off limits to service animals, such as in the swimming pool or any other area where a significant health or safety hazard may exist. Such designations should not infringe upon the right of a person with disabilities to fully enjoy the amenities of the community.

Americans with Disabilities Act (ADA) Information Line

U.S. Department of Justice

Voice: 800-514-0301

TTY: 800-514-0383

<http://www.usdoj.gov/crt/ada/animal.htm>