**Quick Reference Guide to Service and Assistance Animals**

Federal protections for individuals living with a disability* require access for service and assistance animals in places where pets are not allowed, enabling those individuals to participate in mainstream life.

### Public Spaces

<table>
<thead>
<tr>
<th>Type of animal granted access</th>
<th>An assistance animal works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person’s disability. Assistance animals must work or perform a task that alleviates a symptom or effect of the disability, but do not need to be trained. An emotional support animal is one type of assistance animal.</th>
</tr>
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### Housing

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<tr>
<th>Which federal laws apply?</th>
<th>What animals are covered?</th>
<th>Where does this law apply?</th>
<th>What are the training requirements?</th>
<th>What pet rules apply?</th>
<th>Any registration requirements?</th>
</tr>
</thead>
</table>
| • Title III of the ADA (ADA)  
• Section 504 of the Rehabilitation Act of 1973 | • Trained dogs of any breed or size  
• Trained miniature horses | • Public spaces (retail stores, restaurants, etc.)  
  • Programs receiving federal funds  
  • Example: Leasing office in a residential building | • The work or task the animal is trained for must alleviate a symptom or effect of an individual’s disability  
• No certification or registration is needed | None, service animals aren’t pets. For example:  
• Breed and size restrictions don’t apply  
• Not subject to an access fee or other pet fee | • There is no government approved registration or certification for service animals |

### Airplanes

| Air carriers must permit service animals to accompany a passenger with a disability. | NOTE: The DOT has proposed new regulations under the ACAA that excludes “emotional support animals” from special access in the cabin. As of May 28, 2020, the new regulations have not yet been implemented, but they are expected to soon. |
### How is a service or assistance animal verified?

- Only if the disability or need for animal is not obvious, can ask 2 questions:
  - Is this service animal required because of a disability?
  - What work or task has the dog been trained to perform?

### Under what circumstances may the request be denied or rescinded?

- The request causes an undue financial or administrative burden
- The individual cannot satisfactorily answer the two above questions (e.g., an emotional support animal that isn’t trained & assists with an individual’s well-being isn’t a service animal & not permitted public access)
- The animal poses a direct threat to the health or safety of others
- The animal isn’t under control
- The animal causes damage or creates a nuisance (odor, incessant barking, not housebroken)
- The request “fundamentally alters” the nature of the services provided to the public

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<td>• What work or task has the dog been trained to perform?</td>
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<td>Only if disability or need for animal is not obvious, housing provider can request reliable documentation of the person’s disability and related need for assistance animal</td>
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<td>• The documentation must be reliable; doesn’t necessarily need to be from a health care provider</td>
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<td>• Resident does not need to reveal the diagnosis</td>
<td>The request “fundamentally alters” the nature of the services to residents</td>
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<td>• Housing provider cannot require access to the applicant’s medical records or the medical provider – this could be a HIPAA violation if the medical provider divulges private information to the housing provider</td>
<td>The owner doesn’t follow local licensing, registration, public health requirements for the assistance animal</td>
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- The owner doesn’t follow local licensing, registration, public health requirements for the assistance animal

### Airplanes

- Standardized health, behavior, and training forms
- Flights over 8 hours need confirmation that the dog won’t relieve itself on the airplane or can do so in a sanitary way
- Passenger should arrive at least 1 hour earlier to check in the service animal
- No disability or related need for the animal
- No reliable documentation
- Disruption of cabin service
- Direct threat to health and safety of others
- Too large or heavy to be accommodated safely in the cabin

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*An individual with a disability is defined as a person who has a physical or mental impairment that substantially limits one or more major life activities or the operation of a major bodily function. In practice, this means that the impairment makes it more difficult for an individual to perform an activity of daily living than the average person. Note that this is a very broad definition with a low standard to meet. In fact, according to the Center for Disease Control and Prevention, about 1 in 4 individuals are living with a disability.*