

SERVICE AND EMOTIONAL SUPPORT ANIMALS

Service animals are dogs trained to work or perform tasks for a person with a disability, such as a guide dog for a person with a vision impairment.

Emotional support animals assist a person with a physical or mental impairment (not limited to dogs). Service and support animals are not pets.

Housing providers and property managers with a “no pets” policy are required to make reasonable accommodations to allow persons with a physical or mental disability to keep a service or emotional support animal and cannot charge fees, deposits or additional rent to a person who requires the assistance of a service or emotional support animal. REALTORS® should address this topic with the property owners and be prepared to work with and accept any tenant with a service or emotional support animal. Refusal to accept tenants with these types of animals can result in charges for violating the law.

Housing providers cannot ask about the nature or extent of a person’s disability and may not demand proof that a service animal is certified. However, if it is not apparent that a dog is in service, two questions can be asked: (1) “Is the animal required because of a disability?”; and (2) “What work or task has the animal been trained to perform?”

If the disability of a person with an emotional support animal is not apparent, you can ask for a letter from a physician, social worker or psychologist stating that the person requires an emotional support animal. However, you cannot request to see their medical records or ask them to define the emotional support issue or explain their disability.

A service or emotional support animal must also be allowed to accompany a client or customer to an open house or showing. When the animal enters the open house, licensees can obtain the contact information of the animal’s owner so that there can be recourse in case any damage occurs. These animals must also be allowed inside real estate offices and other places of business.

