



FORT PAYNE HOUSING AUTHORITY

“ASSISTANCE ANIMAL POLICY”

(adopted 3-04-2019)

Board Resolution # 19-02

Assistance animals that are needed as a reasonable accommodation for persons with disabilities are not considered pets, and thus, are not subject to HA pet policies.

The resident must register the animal with the HA on an annual basis. Registration includes the **certification from a licensed veterinarian of required pet inoculations**, information to identify the animal, and the name and address of the animal owner and the name and address of a responsible party to care for the animal if the owner is unable to. **The resident shall also furnish the HA information, at each reexamination, as to the status of the animal, the continued need for the animal.**

All animals must wear the “Tag” you received at the Veterinarian offices certifying the animal has had its required vaccination at all times. Tenant agrees to comply with Assistance Animal Policy, any animal not wearing the “Tag”, will be a violation of the policy and grounds for removal of the animal, and/or termination of the animal owner’s tenancy.

All authorized animals must be under the control of an adult. An unleashed animal tied to a fixed object, is not considered to be under the control of an adult. Animals which are unleashed, or leashed and unattended, on HA property may be impounded and taken to the local Humane Society. It shall be the responsibility of the Tenant to reclaim the pet at the expense of the Tenant. Also, if a member of the HA staff has to take a pet to the Humane Society the Tenant will be charged \$50 to cover the expense of taking the animal to the Humane Society.

The Tenant shall have the animal restrained so that maintenance can be performed in the apartment. The Tenant shall, whenever an inspection or maintenance can be scheduled, either be at home or shall have all animals restrained or caged. If a maintenance person enters an apartment where an animal is not restrained, maintenance shall not be performed, and the Tenant shall be charged a fee of \$25.00.

Assistance animals are animals that work, provide assistance, or perform tasks for the benefit of a person with a disability, or animals that provides emotional support that alleviates one or more identified symptoms or effects of a person’s disability. Assistance animals - often referred to as “service animals,” “assistive animals,” “support animals,” or “therapy animals” perform many disability-related functions, including but not limited to the following:

- * Guiding individuals who are blind or have low vision;
- * Alerting individuals who are deaf or hearing impaired;
- * Providing minimal protection or rescue assistance;
- * Pulling a wheelchair;
- * Fetching items;
- * Alerting persons to impending seizures; or
- * Providing emotional support to persons with disabilities who have a disability-related need for such support.

The HA may not refuse to allow a person with a disability to have an assistance animal merely because the animal does not have formal training. Some, but not all, animals that assist persons with disabilities are professionally trained. Other assistance animals are trained by the owners themselves and, in some cases, no special training is required. The question is whether or not the animal performs the assistance or provides the benefit needed by the person with the disability.

The HA's refusal to modify or provide an exception to a "no pets" rule or policy to permit a person with a disability to use and live with an assistance animal would violate Section 504 of the Rehabilitation Act and the Fair Housing Act unless:

- There is reliable objective evidence that the animal poses a direct threat to the health or safety of others that cannot be reduced or eliminated by a reasonable accommodation;
- There is reliable objective evidence that the animal would cause substantial physical damage to the property of others;
- The presence of the assistance animal would pose an undue financial and administrative burden to the provider; or
- The presence of the assistance animal would fundamentally alter the nature of the provider's services.

If the animal should become destructive, create a nuisance, represent a threat to the safety and security of other persons, or create a problem in the area of cleanliness and sanitation, the Housing Manager will notify the tenant, in writing, that the animal must be removed from the Public Housing Development, within 10 days of the date of the notice from the HA. The Tenant may request a hearing, which will be handled according to the HA's established grievance procedure. The pet may remain with the tenant during the hearing process unless the HA has determined that the pet may be a danger or threat to the safety and security of other persons. If this determination has been made by the HA, the pet must be immediately removed from the unit upon receipt of the notice from the HA.

Assistance animals are a means to provide a reasonable accommodation for an individual with a disability, but a person with a disability is not automatically entitled to have an assistance animal. Reasonable accommodation requires that there is a relationship between the person's disability and his or her need for the animal. The HA should verify that the individual requesting the assistance animal is a person with a disability and that the animal is needed to assist with the disability. The HA must also verify that the person is capable of taking care of the animal, or has made suitable arrangements for care of the animal in a sanitary manner which is consistent with the Pet Policy of the HA. As with all other disability-related inquiries, the HA may not ask about the nature or severity of the resident's disability. The HA may ask for third party verification.

Name of Animal Owner(s): _____

Address: _____

Type of Animal: _____

Responsible Party if Tenant is unable to care for animal:

Name: _____

Address: _____

Phone: _____

Signature: _____ Date: _____

