



Service Animals and Rentals

What is a service animal?

A Service Animal in the rental context is an animal that assists you in some function that is otherwise affected by a disability. This can be anything from an animal that helps you move around due to impaired vision, to a companion animal that helps you cope with depression or anxiety.

Under the law, a service animal is not a “pet” and should not be treated as a pet by your landlord.

Can my landlord deny me the right to a service animal?

No. Building policies which prohibit animals are not enforceable against service animals. Neither your landlord, nor the building association, nor the neighborhood, nor the city can pass rules prohibiting you from keeping a service animal in your home.

What should I do if I need a service animal?

Talk to your doctor about writing a letter stating that you require the animal to meet, mitigate, or manage a disability. Your doctor does not need to tell your landlord what your disability is, anything about your medical history, or how the animal addresses the disability. Only that you do have a disability and that the animal is necessary for your daily living.

My landlord wants to charge me a pet fee?

A service animal is not a pet. Your landlord is not permitted to charge you a pet deposit or pet fee to keep your service animal.

Can my landlord ever deny me a service animal?

Under the fair housing act, you are entitled to a service animal if you need one. The landlord cannot deny you a service animal because:

- The landlord doesn't like that breed of dog. Breed restrictions, even if codified in your city's ordinances, are not enforceable against service animals.
- You had an animal before and that other animal caused problems.
- You are behind on your rent (although you could still be evicted for non-payment)
- You already have a service animal - if your doctor will confirm you need a second or third service animal, or if both you and your spouse or you and your child need separate service animals, the number of animals alone is not grounds to deny a reasonable accommodation request.

But a landlord can insist on the removal of a SPECIFIC animal if your specific animal is a threat to the safety of the housing complex. This has to be based upon the actions or condition of your specific animal, not a generalization about the breed.

This information is based on current Landlord-Tenant laws, which are subject to change.

For free help contact:

The Legal Aid Society of Columbus

Call (740) 383-2161 or Toll-Free 1-888-301-2411

www.columbuslegalaid.org

150 Oak Street, Marion, OH 43302

Office Hours: 9 a.m.- 4:30 p.m. Monday-Friday

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