



Assistance Animal/~~Service Animal~~ Policy

[\[FHEO 2020-01\]](#)

The terms of this policy apply to the City of Chandler Housing and Redevelopment Division (COCHRD) Public Housing Program.

This policy applies to assistance animals that are used to assist, support or provide service to persons with disabilities. Assistance animals include service animals and support animals that live in or visit public housing developments.

[This policy should be read in conjunction with FHEO 2020-01, "Assessing a Person's Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act," the City of Chandler Public Housing Admissions and Continued Occupancy Policy \(ACOP\), Section 504 of the ADA.](#)

[Notice FHEO 2020-01 replaces Notice FHEO 2013-01.](#)

[This guidance is meant to help distinguish between a person with a non-obvious disability who has a legitimate need for an assistance animal, and a person without a disability who simply wants to have a pet or avoid the costs and limitations imposed by housing providers' pet policies, such as pet fees or deposits.](#)

[I. BACKGROUND](#)

[Persons with disabilities may request a reasonable accommodation for service animals and other types of assistance animals, including support animals, under the Fair Housing Act \(FHA\).](#)

[This procedure is meant to provide guidance with compliance with the FHA when assessing requests for reasonable accommodations for an assistance animal in housing, including what information the COCHRD may need to know from a health care professional about an individual's need. The Assistance Animal Permit is attached to the end of this procedure.](#)

[This procedure is written in accordance with FHEO 202-01. It provides guidance for the review of a reasonable accommodation request for an assistance animal in Chandler public housing. \(Housing providers may be subject to the requirements of several civil rights laws, including but not limited to the FHA, Section 504 of the Rehabilitation Act \(Section 504\), and the Americans with Disabilities Act \(ADA\).\)](#)

[II. Assistance animals](#)

[There are two types of assistance animals: \(1\) service animals, and \(2\) support animals. These are assistance animals that do work, perform tasks, provide assistance, and/or provide therapeutic emotional support for individuals with disabilities \(i.e., support animals\).](#)

Assistance animals are generally an animal commonly kept in the household.

Assistance animals, including service and support animals, are not pets, and thus, are not subject to the COCHRD's pet policies [24 CFR 5.303; 960.705; Notice FHEO 2020-01].

While most requests for reasonable accommodations involve one animal, requests sometimes involve more than one animal (for example, a person has a disability-related need for both animals, or two people living together each have a disability-related need for a separate assistance animal).

The decision-making process can be used for all requests for exceptions or modifications to COCHRD's rules, policies, practices, and/or procedures so persons with disabilities can have assistance animals where they reside.

Assessing a Request for an Animal as a Reasonable Accommodation under the FHA

The FHA makes it unlawful for a housing provider to refuse to make a reasonable accommodation that a person with a disability may need in order to have equal opportunity to enjoy and use a dwelling. One common request for housing providers is a reasonable accommodation to pet or no-animal policies so that individuals with disabilities are permitted to use assistance animals in housing including public and common use areas.

Assistance animals are not pets. They are animals that do work, perform tasks, assist, and/or provide therapeutic emotional support for individuals with disabilities.

Persons with disabilities may request a reasonable accommodation for service animals and other types of assistance animals, including support animals, under the FHA.

A resident may request a reasonable accommodation either before or after acquiring the assistance animal.

An accommodation may also be requested after a housing provider seeks to terminate the resident's lease or tenancy because of the animal's presence, although such timing may create an inference against good faith on the part of the person seeking a reasonable accommodation.

However, under the FHA, a person with a disability may make a reasonable accommodation request at any time, and the COCHRD must consider the reasonable accommodation request even if the resident made the request after bringing the animal into housing.

The request for an assistance animal may be oral or written. It may be made by others on behalf of the individual, including a person legally residing in the unit with the requesting individual or a legal guardian or authorized representative.

While it is not necessary to submit a written request or to use the words "reasonable accommodation," "assistance animal," or any other special words to request a reasonable accommodation under the FHA, persons making a request should be encouraged to do so in order to avoid miscommunication.

The COCHRD will maintain a list of reasonable accommodation requests, to include name, date of request, date of determination, and the final determination (approved/denied).

**** Note: Assistance animals are not interchangeable.**

The animal that is approved is the animal that is allowed to live in the assisted unit. If the family replaces it for a different animal, the approval process must start from the beginning.

Assistance Animal Permit

It is important that the COCHRD is able to physically identify the animal requested to be approved as a

service or support animal. The request MUST include the following:

- Type and description of animal;
- Evidence that the ~~pet~~-animal has been spayed or neutered, as applicable;
- All inoculations and licenses required by or local law; and
- One photograph of the assistance animal.

Registration must be renewed annually and will be coordinated with the annual reexamination date.

Observable and Non-Observable Disabilities

Under the FHA, a disability is a physical or mental impairment that substantially limits one or more major life activities. While some impairments may seem invisible, others can be readily observed.

Observable impairments include blindness or low vision, deafness or being hard of hearing, mobility limitations, and other types of impairments with observable symptoms or effects, such as intellectual impairments (including some types of autism), neurological impairments (e.g., stroke, Parkinson's disease, cerebral palsy, epilepsy, or brain injury), mental illness, or other diseases or conditions that affect major life activities or bodily functions. Observable impairments generally tend to be obvious and would not be reasonably attributable to non-medical causes by a lay person.

Non-Observable impairments are those that may not be seen, and therefore, may form the basis for a request for an emotional support animal.

*** In the instance where the disability is not observable, the COCHRD will request information regarding both the disability and the disability-related need for the animal. Housing providers are not entitled to know an individual's diagnosis.

A. Service Animals

Under the ADA, "service animal" means any **dog** that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.

The work or tasks performed by a service animal must be directly related to the individual's disability.

Although a miniature horse is not a service animal, DOJ has determined that the same type of analysis is applied to determine whether a miniature horse should be provided access, although additional considerations, beyond the scope of this guidance, apply. (See 28 CFR §§ 35.136(i); 36.302(c)(9))

It is important to start with the following questions if the request is for a service animal. You must know if the animal is a service animal, by definition:

Note:

Has the individual requested a reasonable accommodation — that is, has the tenant asked to get or to keep an animal in connection with a physical or mental impairment or disability?:

– If "yes," proceed to question #1.

- If “no,” the COCHRD will not grant a reasonable accommodation that has not been requested.

(The request for a reasonable accommodation with respect to an assistance animal may be oral or written. It may be made by others on behalf of the individual, including a person legally residing in the unit with the requesting individual or a legal guardian or authorized representative.)

1) Is the animal a dog?

- If “yes,” proceed to the next question.
- If “no,” the animal is not a service animal but may be another type of assistance animal for which a reasonable accommodation is needed. Proceed to “Support Animal”, below. (Also see Unique Animals)

2) Is it **readily apparent that the dog is trained to do work or perform tasks for the benefit of an individual with a disability?**

- If “yes,” further inquiries are unnecessary and inappropriate because the animal is a service animal.
- If “no,” proceed to question #3.

**** It is “readily apparent” when the dog is observed:**

- guiding an individual who is blind or has low vision
- pulling a wheelchair
- providing assistance with stability or balance to an individual with an observable mobility disability

3) In regards to a Service Animals (not a Support Animal) and in accordance with FHEO 2020-01, the COCHRD will limit its inquiries to the following two questions:

- “Is the animal required because of a disability?” and
- “What work or task has the animal been trained to perform?”

In regards to a Service Animal (not a Support Animal), the COCHRD will not ask about the nature or extent of the person’s disability, and will not ask for documentation. The COCHRD requires the attestation for truth and accuracy of information be provided during the approval process. The COCHRD will provide a form for tenant’s signature.

Providing false information for the purpose of keeping a dog in the unit is grounds for termination of assistance.

- If the answer to question (a) is “yes” and work or a task is identified in response to question (b), grant the requested accommodation, if otherwise reasonable, because the animal qualifies as a service animal.
- If the answer to either question is “no” or “none,” the animal does not qualify as a service animal under federal law but may be a support animal or other type of assistance animal that needs to be accommodated.

Performing “work or tasks” means that the dog is **trained** to take a specific action when needed to assist

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the person with a disability. If the individual identifies at least one action the dog is **trained** to take which is helpful to the disability **other than emotional support**, the dog should be considered a service animal and permitted in housing, including public and common use areas.

If the answers to the above questions sufficiently resolve the validity of the request for a Service Animal, the COCHRD will not make further inquiries for Service Animals.

If no specific work or task is identified, the dog should **not** be considered a service animal but may be another type of animal for which a reasonable accommodation may be required.

Emotional support, comfort, well-being, and companionship **are not** a specific work or task for purposes of analysis under the ADA.

If the animal does not qualify as a service animal, the COCHRD must next determine whether the animal would qualify as a support animal (See Support Animals).

A.B. Support Animals (Assistance Animals other than Service Animals)

Other trained or untrained animals that do work, perform tasks, provide assistance, and/or provide therapeutic emotional support for individuals with disabilities (referred to in this guidance as a “support animal”).

For an animal to be eligible for consideration as a support animal, it must be one that is commonly kept in homes, such as a dog, cat, small bird, rabbit, hamster, gerbil, other rodent, fish, turtle, or other small, domesticated animal.

FHEO 2020-01 does not consider as common household animals reptiles (other than turtles), barnyard animals, monkeys, kangaroos, and other non-domesticated animals. Someone may request a “unique” animal as a support animal but must provide extra documentation—~~as described in the Notice~~ (See Unique Animals).

III. Analysis Of Reasonable Accommodation Requests for Assistance Animals Other Than Service Animals

The COCHRD will ask the following questions to better understand the request and to help make a decision when the animal does not meet the definition of service animal.

4) Has the individual requested a reasonable accommodation — that is, has the tenant asked to get or to keep an animal in connection with a physical or mental impairment or disability?:

– If “yes,” proceed to Part IV, “Criteria for Assessing Whether to Grant the Requested Accommodation”.

– If “no,” the COCHRD will not grant a reasonable accommodation that has not been requested.

Note: The request for a reasonable accommodation with respect to an assistance animal may be oral or written. It may be made by others on behalf of the individual, including a person legally residing in the unit with the requesting individual or a legal guardian or authorized representative.

IV. Criteria for Assessing Whether to Grant the Requested Accommodation

The COCHRD will ask the following questions to better understand the request and to help them assess whether to grant the requested accommodation.

5) Does the person have an observable disability or does the COCHRD already have information giving them reason to believe that the person has a disability? (See page 3 for guidance on observable and non-observable disabilities)

- If “yes,” skip to question #7 to determine if there is a connection between the person’s disability and the animal.
- If “no,” continue to question #6.

6) Does the request provide information that reasonably supports that the person seeking the accommodation has a disability?

The COCHRD requires the attestation for truth and accuracy of information be provided during the approval process. The COCHRD will provide a form for tenant’s signature.

- If “no,” the COCHRD will not grant the accommodation unless this information is provided.

** If the person requesting the accommodation has not yet submitted required information, the COCHRD will not deny the request until the deadline for submittal has past.

** To assist the tenant to understand what information is necessary, the COCHRD will provide the tenant a copy of the *“Guidance on Documenting an Individual’s Need for Assistance Animals in Housing”*, FHEO 2020-01. This referral will also help ensure that the correct disability-related information necessary to make a reasonable accommodation decision is received.

V. Types of Documentation

Information About A Disability May Include-

- A determination of disability from a federal, state, or local government agency.
- Receipt of disability benefits or services (Social Security Disability Income (SSDI)), Medicare or Supplemental Security Income (SSI) for a person under age 65, veterans’ disability benefits, services from a vocational rehabilitation agency, or disability benefits or services from another federal, state, or local agency.
- • Eligibility for housing assistance or a housing voucher received because of disability.
- Information confirming disability from a health care professional – e.g., physician, optometrist, psychiatrist, psychologist, physician’s assistant, nurse practitioner, or nurse.

** Note that a determination that an individual does not qualify as having a disability for purposes of a benefit or other program does not necessarily mean the individual does not have a disability for purposes of the FHA, Section 504, or the ADA.

Under DOJ’s regulations implementing the ADA Amendments Act of 2008, which HUD considers instructive when determining whether a person has a disability under the FHA, some types of impairments will be, in virtually all cases, found to impose a substantial limitation on a major life activity resulting in a determination of a disability.

Examples include deafness, blindness, intellectual disabilities, partially or completely missing limbs or

mobility impairments requiring the use of a wheelchair, autism, cancer, cerebral palsy, diabetes, epilepsy, muscular dystrophy, multiple sclerosis, Human Immunodeficiency Virus (HIV) infection, major depressive disorder, bipolar disorder, post-traumatic stress disorder, traumatic brain injury, obsessive compulsive disorder, and schizophrenia.

This does not mean that other conditions are not disabilities. It simply means that in virtually all cases, these conditions will be covered as disabilities.

While the COCHRD most likely will be unable to observe or identify some of these impairments, individuals with disabilities sometimes voluntarily provide more details about their disability than the COCHRD actually needs to make decisions on accommodation requests. When this information is provided, the COCHRD will consider it.

Documentation from the Internet

Some websites sell certificates, registrations, and licensing documents for assistance animals to anyone who answers certain questions or participates in a short interview and pays a fee.

Under the FHA, the COCHRD will request reliable documentation when an individual requesting a reasonable accommodation has a disability and disability-related need for an accommodation that are not obvious or otherwise known.

In HUD's experience, such documentation from the internet is not, by itself, sufficient to reliably establish that an individual has a non-observable disability or disability-related need for an assistance animal.

By contrast, many legitimate, licensed health care professionals deliver services remotely, including over the internet. One reliable form of documentation is a note from a person's health care professional that confirms a person's disability and/or need for an animal when the COCHRD has personal knowledge of the individual.

7) Has the person requesting the accommodation provided information which reasonably supports that the animal does work, performs tasks, provides assistance, and/or provides therapeutic emotional support with respect to the individual's disability?

– If "yes," proceed to Part V, "**Types of Animals**". The COCHRD requires the attestation for truth and accuracy of information be provided during the approval process. The COCHRD will provide a form for tenant's signature.

– If "no," the COCHRD will not grant the accommodation unless this information is provided, but will not deny the accommodation on the grounds that the person requesting the accommodation has not provided this information until the requester has been provided a reasonable opportunity to do so.

** To assist the tenant to understand what information is necessary, the COCHRD will provide the tenant a copy of the "**Guidance on Documenting an Individual's Need for Assistance Animals in Housing**", FHEO 2020-01. This referral will also help ensure that the correct disability-related information necessary to make a reasonable accommodation decision is received.

Information Confirming Disability-Related Need for an Assistance Animal

• Reasonably supporting information often consists of information from a licensed health care professional – e.g., physician, optometrist, psychiatrist, psychologist, physician's assistant, nurse practitioner, or nurse – general to the condition but specific as to the individual with a disability and the

assistance or therapeutic emotional support provided by the animal;

- A relationship or connection between the disability and the need for the assistance animal must be provided. This is particularly the case where the disability is non-observable, and/or the animal provides therapeutic emotional support;

- For non-observable disabilities and animals that provide therapeutic emotional support, the COCHRD will ask for information that is consistent with that identified in the *"Guidance on Documenting an Individual's Need for Assistance Animals in Housing"* (*see Questions 6 and 7) in order to conduct an individualized assessment of whether it must provide the accommodation under the FHA. The lack of such documentation may be reasonable grounds for denying a requested accommodation.

VI. Types of Animals

The COCHRD may come across requests for accommodation that involve animals other a service dog, or common household animals used as assistance animals. In this case, the COCHRD will have to make the determination whether to approve a unique animal. To do so, the following question must be asked:

8) Is the animal commonly kept in households?

- If "yes," the reasonable accommodation should be provided under the FHA unless the general exceptions described below exist.
- If "no," a reasonable accommodation need not be provided, but note the very rare circumstances described below.

Animals commonly kept in households

If the animal is a dog, cat, small bird, rabbit, hamster, gerbil, other rodent, fish, turtle, or other small, domesticated animal that is traditionally kept in the home for pleasure rather than for commercial purposes, then the reasonable accommodation should be granted because the tenant has provided information confirming that there is a disability-related need for the animal.

For purposes of this assessment, reptiles (other than turtles), barnyard animals, monkeys, kangaroos, and other non-domesticated animals are not considered common household animals.

Unique animals

If the individual is requesting to keep a unique type of animal that is not commonly kept in households as described above, then the requestor has the substantial burden of demonstrating a disability-related therapeutic need for the specific animal or the specific type of animal.

The individual is encouraged to submit documentation from a health care professional confirming the need for this animal, which includes information of the type set out in the *Guidance on Documenting an Individual's Need for Assistance Animals in Housing*.

While this guidance does not establish any type of new documentary threshold, the lack of such documentation in many cases may be reasonable grounds for denying a requested accommodation.

As the COCHRD enforces a policy prohibiting animals based on weight at adulthood and limiting all pets to common household animals, the COCHRD will take reasonable steps to enforce the policy if the requester obtains the animal before submitting reliable documentation from a health care provider that reasonably supports the disability-related need for the animal.

COCHRD will make a determination within 10 days of the receipt of the request.

Reasonable accommodations may be necessary when the need for a unique animal involves unique circumstances

Examples:

- The animal is individually trained to do work or perform tasks that cannot be performed by a dog.
- Information from a health care professional confirms that:
 - Allergies prevent the person from using a dog; or
 - Without the animal, the symptoms or effects of the person's disability will be significantly increased.
 - The individual seeks to keep the animal outdoors at a house with a fenced yard where the animal can be appropriately maintained.

Example: A Unique Type of Support Animal

- An individually trained capuchin monkey performs tasks for a person with paralysis caused by a spinal cord injury. The monkey has been trained to retrieve a bottle of water from the refrigerator, unscrew the cap, insert a straw, and place the bottle in a holder so the individual can get a drink of water. The monkey is also trained to switch lights on and off and retrieve requested items from inside cabinets. The individual has a disability-related need for this specific type of animal because the monkey can use its hands to perform manual tasks that a service dog cannot perform.

VII. General Considerations

COCHRD includes the following additional statements and requirements:

- COCHRD has the authority to regulate assistance animals under applicable federal, state, and local law (24 CFR §5.303(b)(3); 24 CFR §960.705(b)(3))
- The FHA does not require a dwelling to be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others. A housing provider may, therefore, refuse a reasonable accommodation for an assistance animal if the specific animal poses a direct threat that cannot be eliminated or reduced to an acceptable level through actions the individual takes to maintain or control the animal.
 - The animal may not be denied access to the ADA-covered facility unless: (1) the animal is out of control and its handler does not take effective action to control it; (2) the animal is not housebroken (i.e., trained so that, absent illness or accident, the animal controls its waste elimination); or (3) the animal poses a direct threat to the health or safety of others that cannot be eliminated or reduced to an acceptable level by a reasonable modification to other policies, practices and procedures.
 - A determination that a service animal poses a direct threat must be based on an individualized assessment of the specific service animal's actual conduct — not on fears, stereotypes, or generalizations.
 - The service animal must be permitted to accompany the individual with a disability to all areas of the facility where members of the public are normally allowed to go."

*** As COCHRD public housing grounds are all common area grounds, the COCHRD will not approve

an accommodation for an animal that must be kept outdoors in a corral-like or barn-like structure, or any other structure that would have to be built or allowed to be moved or placed on the grounds to accommodate the animal. As the summer temperatures are not conducive to any animal being kept outside, any such request will be rejected due to possible life-threatening conditions present in a desert environment. In addition, none of the public housing units have individual fenced yards or any private yard space to accommodate such a request, which would be considered a fundamental alteration, and will be denied. Scattered site units have backyards.

- COCHRD will not charge a fee for processing a reasonable accommodation request.
- COCHRD will not charge a deposit, fee, or surcharge for an assistance animal.
- Pet Related Damages During Occupancy: All reasonable expenses incurred by the City's Housing Office as a result of damages directly attributable to the presence of the pet in the property will be the responsibility of the resident, including but not limited to:
 - The cost of repairs and replacement to the resident's dwelling unit
 - Fumigation of the dwelling unit
 - Repairs to common areas of the property
 - Elimination of fleas
- Pet Waste Removal Charge: A separate pet waste removal charge of \$21.00 (a minimum labor charge) per occurrence will be assessed against the resident/pet owners who fail to remove pet waste in accordance to this policy.
- A person with a disability is responsible for feeding, maintaining, providing veterinary care, and controlling his or her assistance animal. The individual may do this on his or her own or with the assistance of family, friends, volunteers, or service providers. COCHRD staff will not be responsible for caring for or cleaning after the animal inside or outside. (24 CFR 5.303)
- Failure to adhere to this guidance does not necessarily constitute a violation by the COCHRD of the FHA or regulations promulgated thereunder.
- Before denying a reasonable accommodation request due to lack of information confirming an individual's disability or disability-related need for an animal, the COCHRD will engage in a good-faith dialogue with the requestor called the "interactive process."
- COCHRD will not insist on specific types of evidence if the information provided or is actually known to COCHRD meets the requirements of this guidance (except as provided above). Disclosure of details about the diagnosis or severity of a disability or medical records or a medical examination cannot be required.
- If a reasonable accommodation request, provided under the framework of this guidance, is denied because it would impose a fundamental alteration to the nature of the COCHRD's operations or impose an undue financial and administrative burden, the COCHRD will engage in the interactive process to discuss whether an alternative accommodation may be effective in meeting the individual's disability-related needs.
- An approved assistance animal will not be approved for an additional bedroom.

Tenant Responsibilities

- Understand that the assistance animal/service dog is not a pet.

- All permitted assistance animal/service dog shall remain inside the resident's unit, unless accompanying the resident.
- Residents shall not permit their assistance animal to disturb, interfere or diminish the peaceful enjoyment of neighbors.
- Complaints of disturbances or reactions of this nature shall constitute a violation of the lease and may result in the revocation of the assistance animal/service dog permit, termination of the lease agreement, or both.
- In addition, the assistance animal/service dog permit may be revoked if:
 - 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/service dog would pose an undue financial and administrative burden to the owner, or
 - The presence of the assistance animal/service dog would fundamentally alter the nature of the COCHRD services.
- Residents are solely responsible for cleaning up permitted assistance animal/service dog droppings inside the unit. All droppings will be cleaned up immediately. Droppings must be disposed of by being placed in a suitable covered trash container.
- Residents shall take adequate precautions and measures necessary to eliminate assistance animal/service dog odors within or around the unit and shall maintain the unit in a sanitary condition at all times.
- If the assistance animal/service dog is left unattended for a period of twenty-four (24) hours or more, the COCHRD may authorize entrance to the dwelling unit, removal of the assistance animal and transfer of the assistance animal by proper authorities, subject to provision of Arizona law and local ordinances. The COCHRD accepts no responsibility for the animal under such circumstances.
- Residents shall not alter their unit or unit area in order to create an enclosure for any assistance animal/service dog.
- Residents are responsible for all damages caused by their assistance animals/service dog, including and not limited to the cost of cleaning of carpets and draperies and/or fumigation of units.
- Resident assistance animal/service dog owners are responsible for the safety and health of their assistance animal, and to secure the animal during those scheduled occasions when the dwelling unit is being treated for control of pests.
- In the event of the death of an assistance animal/service dog, the resident shall properly and immediately remove and dispose of the remains. The remains shall not be placed in any container on the grounds of a COCHRD property or in a container on

COCHRD grounds. The resident will notify the COCHRD within 10 days of the change.

- Residents must identify an alternate custodian for the assistance animal in the event of resident illness or absence from the dwelling unit. This identification of an alternate custodian must occur prior to the COCHRD issuing an assistance animal registration permit.
- Residents will be responsible for compliance for all visiting assistance animals/service dogs to the property.
- While an assistance animal is not subject to the COCHRD Pet Policy, the tenant remains responsible for compliance with all other public housing rules and regulations, and federal and local policy. The right to have an assistance animal on COCHRD grounds can be revoked at any time, subject to complaints, maintenance orders, damages, or if the animal becomes destructive, a nuisance, a threat to the safety, health, quiet enjoyment and security of other residents, or creates a problem in the area of cleanliness and sanitation. If the COCHRD determines, on the basis of objective facts, supported by written statements, that the owner has violated a rule governing the owning or keeping of an assistance animal on public housing property, the COCHRD may serve a written notice of the violation on the owner in accordance with this policy. The notice can be for removal of the animal or termination of assistance for failure to comply.
- The COCHRD shall notify the tenant if the COCHRD refuses to register an assistance animal. The notice shall state the basis for COCHRD's action and shall be served on the tenant.

~~Prior to housing any assistance animal or service dog in a public housing unit, the resident shall apply to the COCHRD for an assistance animal or service dog permit which shall be~~

~~2. Beginning the Evaluation Process~~

~~To avoid possible ADA violations, COCHRD will apply the ADA service animal test first. This is because the COCHRD may ask only whether the animal is a service animal that is required because of a disability, and if so, what work or tasks the animal has been trained to perform. If the animal meets the test for "service animal," the animal must be permitted to accompany the individual with a disability to all areas of the facility where persons are normally allowed to go, unless (1) the animal is out of control and its handler does not take effective action to control it; (2) the animal is not housebroken (i.e., trained so that, absent illness or accident, the animal controls its waste elimination); or (3) the animal poses a direct threat to the health or safety of others that cannot be eliminated or reduced to an acceptable level by a reasonable modification to other policies, practices and procedures.~~

~~If the animal does not meet the ADA service animal test, then the COCHRD must evaluate the request for an assistance animal.~~

~~3. Evaluation of the Request for a Service Dog (HUD FHEO 2013-01)~~

~~To determine if an animal is a service animal, COCHRD shall not ask about the nature or extent of a person's disability, but may make two inquiries to determine whether an animal qualifies as a service animal. The COCHRD may ask:~~

- ~~a. Is this a service animal that is required because of a disability? and~~
- ~~b. What work or tasks has the animal been trained to perform?~~

~~COCHRD will not ask the above listed two questions when it is readily apparent that the animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).~~

~~4. Evaluation of the Request for an Assistance Animal (HUD FHEO 2013-01)~~

- ~~• While dogs are the most common type of assistance animal, other animals can also be assistance animals. COCHRD will evaluate a request for a reasonable accommodation to possess an assistance animal in a dwelling, using the general principles applicable to all reasonable accommodation requests. After receiving such a request, the COCHRD must consider the following:~~

- ~~i. Does the person seeking to use and live with the animal have a disability — i.e., a physical or mental impairment that substantially limits one or more major life activities?~~
- ~~ii. Does the person making the request have a disability-related need for an assistance animal? In other words, does the animal work, provide assistance, perform tasks or services for the benefit of a person with a disability, or provide emotional support that alleviates one or more of the identified symptoms or effects of a person's existing disability?~~

~~If the answer to either 1 or 2 is no, the request may be denied.~~

~~5. All residents permitted to keep an assistance animal or service dog under this policy shall comply with the following rules:~~

- ~~• Understand that the assistance animal/service dog is not a pet.~~
- ~~• All permitted assistance animal/service dog shall remain inside the resident's unit, unless accompanying the resident.~~
- ~~• Residents shall not permit their assistance animal to disturb, interfere or diminish the peaceful enjoyment of neighbors.~~
 - ~~i. Complaints of disturbances or reactions of this nature shall constitute a~~

~~violation of the lease and may result in the revocation of the assistance animal/service dog permit, termination of the lease agreement, or both.~~

~~ii. In addition, the assistance animal/service dog permit may be revoked if:~~

- ~~1. 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.~~
- ~~2. There is reliable objective evidence that the animal would cause substantial physical damage to the property of others,~~
- ~~3. The presence of the assistance animal/service dog would pose an undue financial and administrative burden to the pet owner, or~~
- ~~4. The presence of the assistance animal/service dog would fundamentally alter the nature of the COCHRD services.~~

- ~~• Residents are solely responsible for cleaning up permitted assistance animal/service dog droppings inside the unit. All droppings will be cleaned up immediately. Droppings must be disposed of by being placed in a suitable covered trash container.~~
- ~~• Residents shall take adequate precautions and measures necessary to eliminate assistance animal/service dog odors within or around the unit and shall maintain the unit in a sanitary condition at all times.~~
- ~~• If the assistance animal/service dog is left unattended for a period of twenty-four (24) hours or more, the COCHRD may authorize entrance to the dwelling unit, removal of the assistance animal and transfer of the assistance animal by proper authorities, subject to provision of Arizona law and local ordinances. The COCHRD accepts no responsibility for the animal under such circumstances.~~
- ~~• Residents shall not alter their unit or unit area in order to create an enclosure for any assistance animal/service dog.~~
- ~~• Residents are responsible for all damages caused by their assistance animals/service dog, including and not limited to the cost of cleaning of carpets and draperies and/or fumigation of units.~~
- ~~• Resident assistance animal/service dog owners are responsible for the safety and health of their assistance animal, and to secure the animal during those scheduled occasions when the dwelling unit is being treated for control of pests.~~
- ~~• In the event of the death of an assistance animal/service dog, the resident shall properly and immediately remove and dispose of the remains. The remains shall not be placed in any container on the grounds of a COCHRD property or in a container on COCHRD grounds. The resident will notify the COCHD within 10 days of the change.~~

- ~~Residents must identify an alternate custodian for the assistance animal in the event of resident illness or absence from the dwelling unit. This identification of an alternate custodian must occur prior to the COCHRD issuing an assistance animal registration permit.~~
- ~~Residents will be responsible for compliance for all visiting assistance animals/service dogs to the property.~~

6. ~~Denial of Reasonable Accommodation (HUD FHEO 2013-01)~~

- ~~The COCHRD may deny a reasonable accommodation for an assistance animal/service dog if the presence of the animal would:~~
 - i. ~~Pose a direct threat to the health or safety of others;~~
 - ii. ~~Result in substantial physical damage to the dwelling unit or property of others unless the threat can be eliminated or significantly reduced by reasonable accommodation;~~
 - iii. ~~Pose an undue financial and administrative burden; or~~
 - iv. ~~Fundamentally alter the nature of the City's operation.~~

- ~~The COCHRD may not deny a reasonable accommodation request because he or she is uncertain whether or not the person seeking the accommodation has a disability or a disability-related need for an assistance animal/service dog.~~
- ~~The COCHRD may ask individuals who have disabilities that are not readily apparent or known, to submit reliable documentation of a disability and their disability-related need for an assistance animal.~~
- ~~If the disability is readily apparent or known but the disability-related need for the assistance animal is not, the COCHRD may ask the individual to provide documentation of the disability-related need for an assistance animal.~~

~~For example, the COCHRD may ask persons who are seeking a reasonable accommodation for an assistance animal that provides emotional support to provide documentation from a physician, psychiatrist, social worker, or other mental health professional that the animal provides emotional support meant to alleviate one or more of the identified symptoms or effects of an existing disability.~~

~~Such documentation is sufficient if it establishes that an individual has a disability and that the animal in question will provide some type of disability-related assistance or emotional support.~~

~~The privilege of maintaining an assistance animal in a unit owned and/or operated by the COCHRD are subject to the rules set forth in paragraph ,C above. This privilege may be revoked at any time, subject to the COCHRD grievance procedures, if the animal~~

~~should become destructive, create a nuisance, represent a threat to the safety, health, quiet, enjoyment, and security of other residents, or create a problem in the area of cleanliness and sanitation. If the COCHRD determines, on the basis of objective facts, supported by written statements that the owner has violated a rule governing the owning or keeping of an assistance animal, the COCHRD may serve a written notice of the violation on the owner in accordance with this policy.~~

~~The COCHRD shall notify the owner if the COCHRD refuses to register an assistance animal. The notice shall be the basis for COCHRD's action and shall be served on the owner as required in Paragraph C of this regulation.~~



Assistance Animal/~~Service Dog~~ Policy Certification

I have an assistance animal/~~service dog~~ and I have received, read and understand the above policy provisions regarding the keeping of assistance animals and agree to abide by those provisions.

Please Print:

Name: _____

Address: _____

Phone #: _____

1

My signature below indicates that all information I have provided regarding an assistance animal is true and correct. I understand that submitting false or fraudulent information is cause for termination of my assistance.

Head of Household Signature

Date

Housing Administrative Supervisor

Date



Assistance Animal/~~Service Dog~~ Permit

Please Print:

Name: _____ Phone # _____

Address: _____

Application for ~~written~~ permission to keep the following type assistance animal/~~service dog~~ in a dwelling unit operated under the City of Chandler Housing and Redevelopment Public Housing program is hereby made:

Type and Description of Animal

I have attached the following:

- ☐ Certificate signed by a licensed veterinarian or /local authority that the ~~pet~~animal has received all inoculations required by or local law,
- ☐ Verification that the dog or cat has been spayed or neutered,
- ☐ Verification that the ~~pet~~ owner has the licenses required by the or local law,
- ☐ A photograph of the animal~~pet~~ , to include the face and body of the animal
- ☐ Age, weight of the animal for identification purposes.

Designated alternate assistance animal custodian is:

Name Phone

Name Phone

I have received, read, and fully understand the rules and regulations regarding ~~the privilege of~~ keeping an assistance animal/~~service dog~~ while I reside in the City of Chandler Public Housing. and I agree to abide by those rules and regulations. I understand that if I fail to comply with the rules and regulations, the City has the right to deny my assistance animal or terminate my assistance.

My signature below indicates that all information I have provided regarding an assistance animal is true and correct. I understand that submitting false or fraudulent information is cause for termination of my assistance.

Head of Household Signature

Date

Housing Administrative Supervisor Signature

Date

