

**KMH Leasing Company and subsidiaries, agents, contractors, vendors, and related persons observes all federal fair housing laws, local fair housing laws, and the ADA laws in regard to housing. We honor all reasonable requests for service & support animals and follow the guidance of HUD FHEO-2020-01 and any subsequent guidance that may supersede that guidance.**

- We do not charge pet fees or pet deposits for assistance animals.
- We do not charge pet rent for assistance animals.
- We do follow all federal and local laws in regard to breed restrictions, and will require documentation from the locality, township, co-op, HOA, or other governmental agency stating they will allow a prohibited breed to be kept at the residence in accordance with ADA & FFHA/HUD law.
- We do follow the guidance of HUD in determining whether accommodations should be granted.
- We may alter our rules to accommodate assistance animals to satisfy legal rule.
- The tenant is still responsible for all costs and damages caused by the assistance animal during your tenancy.
- We will provide reasonable accommodations for assistance animals.
- Tenant may have to bear costs for alterations or modifications that would allow for reasonable accommodations when they cause undue financial, administrative burden, and/or fundamental alteration of the program for which the unit is managed.
- A reasonable accommodation is a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have equal opportunity to use and enjoy a dwelling, including public and common use spaces
- If a reasonable accommodation request is denied because it would impose a fundamental alteration to the nature of the provider’s operations or impose an undue financial and administrative burden, KMH Leasing will agree to engage in the HUD interactive process to discuss whether an alternative accommodation may be effective in meeting the individual’s disability-related needs.

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Assistance Animals as defined as Service Animals & Support Animals & Guidance from Hud

**This truncation is provided by HUD in regards to guidance on ADA, CPD, FHEO, and FFHSA compliance on assessing a person’s request to have an animal as a reasonable accommodation under the fair housing act. This guidance can be found in full under FHEO notice: FHEO-2020-01 which replaces FHEO-2013-01.**

There are two types of assistance animals: (1) service animals, and (2) 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”). Persons with disabilities may request a reasonable accommodation for service animals and other types of assistance animals, including support animals, under the FHA.

Service Animal as defined by the American’s with Disabilities Act: “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.” The person requesting accommodation must have an observable disability, the housing provider already has information pertaining to the disability, or the person has provided information that reasonably supports the accommodation request.” Hud further adds, “The animal is individually trained to do work or perform tasks that cannot be performed by a dog. (or when) 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.”

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 Fair Housing Act, a housing provider may 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 personal health care professional that confirms a person’s disability and/or need for an animal when the provider has personal knowledge of the individual. Hud provides guidance on acceptable documentation of disability to include but not limited to; a determination of disability from a federal, state, or local government agency, receipt of disability benefits or services, housing assistance or voucher when issued and substantiated by documented disability, information confirming disability from a personal health care professional.

(In regards to medical/health professional notes) Assistance Animals Guidance is recommended to include the following general information; the patient’s name, whether the health care

professional has a professional relationship with that patient/client involving the provision of health care or disability-related services, and the type of animal(s) for which the reasonable accommodation is sought (i.e., dog, cat, bird, rabbit, hamster, gerbil, other rodent, fish, turtle, other specified type of domesticated animal, or other specified unique animal).

Additionally, if the animal is not 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, (it may be helpful for patients to ask that) health care professionals to provide the following additional information: the date of the last consultation with the patient, any unique circumstances justifying the patient’s need for the particular animal (if already owned or identified by the individual) or particular type of animal(s), and whether the health care professional has reliable information about this specific animal or whether they specifically recommended this type of animal.

The Fair Housing Act (FHA) makes it unlawful for a housing provider<sup>3</sup> 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.

Assistance animals are not pets. They are animals that do work, perform tasks, assist, and/or provide therapeutic emotional support for individuals with disabilities.<sup>6</sup> There are two types of assistance animals: (1) service animals, and (2) other 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”). An animal that does not qualify as a service animal or other type of assistance animal is a pet for purposes of the FHA and may be treated as a pet for purposes of the lease and the housing provider’s rules and policies. A housing provider may exclude or charge a fee or deposit for pets in its discretion and subject to local law but not for service animals or other assistance animals.

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 (e.g., keeping the animal in a secure enclosure).

A housing provider may not charge a deposit, fee, or surcharge for an assistance animal. A housing provider, however, may charge a tenant for damage an assistance animal causes if it is the provider’s usual practice to charge for damage caused by tenants (or deduct it from the standard security deposits imposed on all tenants).