HUD'S 2020 GUIDANCE ON ASSISTANCE ANIMALS

Impacts and challenges for housing providers

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1

Today's Agenda

- A swift introduction to accommodation under the Fair Housing Act.
- Past regulations and HUD/DOJ guidance on animals.
- A quick look at the problem.
- A long look at HUD's 2020 Guidance as a solution.
- Critique of HUD's Guidance.

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2



Statutory Authority – 42 U.S.C. 3604(f)(3)(B)

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.

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Typical requested animal accommodations

- Waive a “no pets” policy or restrictions on breed and size of animal.
- Waive a pet or animal deposit.
- Waive restrictions on where and when animal is allowed in common and public use areas.

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Who has a right to an accommodation?

- A person with a “handicap.”
  - A mental or physical impairment
  - That substantially limits a major life activity.
- Who needs the accommodation in order to equally use and enjoy a dwelling.

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Title search: HUD’s New Guidance on Assistance Animals: Impacts and Possible Challenges for Landlords

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HUD’s New Guidance on Assistance Animals: Impacts and Possible Challenges for Landlords

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