



## Homes and Community Renewal

### GUIDANCE REGARDING FAIR HOUSING PROTECTIONS FOR PERSONS WITH ASSISTANCE ANIMALS

FEHO has issued guidance to address frequently asked questions about the obligations of housing providers under the Fair Housing Act (“FHA”) and New York State Human Rights Law (“NYSHRL”) when interacting with applicants and tenants who require assistance animals to accommodate their disability. *Available at <https://goo.gl/X2A3ZR>.* Additional guidance is also available on the New York State Division of Human Rights website. *Available at <https://goo.gl/AuUpkP>.*

Under the FHA and NYSHRL, housing providers are obligated to make reasonable accommodations for individuals with disabilities who require an assistance animal, which include both emotional support animals and service animals.

The reasonable accommodation provisions of both laws must be considered in situations where persons with disabilities use (or seek to use) assistance animals in housing where the owner/agent would otherwise have a prohibition or condition relating to animals. This is because an assistance animal is not a pet or considered such under relevant law. An assistance animal’s primary function is to alleviate one or more identified symptoms or effects of a person’s disability.

A request for a reasonable accommodation may not be unreasonably denied, or conditioned on payment of a fee or deposit or other terms and conditions applied to applicants or residents with pets, and a response may not be unreasonably delayed.

Questions regarding this FAQ may be directed HCR’s Fair and Equitable Housing Office, [FEHO@nyshcr.org](mailto:FEHO@nyshcr.org).



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