



**MANSFIELD - SHELBY  
AND  
RICHLAND COUNTY  
FAIR HOUSING**

**“Service Animals” and “NO PET”  
Policies**



## **SERVICE ANIMAL POLICY**

### **WHO NEEDS SERVICE ANIMALS?**

Some disabled people require the assistance of an animal because of their disabling conditions. Under most federal laws, a person is considered to be disabled if s/he has a sensory, mental or physical condition that substantially limits one or more major life activities (such as walking, seeing, working, etc.).

### **WHAT IS A SERVICE ANIMAL?**

The most common service animals are dogs, but sometimes other species are used (for example, a cat or a bird). Service animals may be any breed, size or weight. Some, but not all, are licensed or “certified” and/or have identification papers. However, there is no legal requirement for service animals to be visibly identified or to have documentation. In addition, there are many types of service animals that are not certified and don’t have special training. For example, companion animals, which don’t perform specific tasks, are considered service animals.

### **WHAT DO SERVICE ANIMALS DO?**

- A guide animal services as a travel tool by a person who is legally blind.
- A hearing animal alerts a person with significant hearing loss or who is deaf, when a sound occurs, such as a ringing alarm or a knock on the door.
- A service animal helps a person who has a mobility or health disability. Duties may include carrying, fetching, opening doors, ringing doorbells, activating elevator buttons, steadying a person while walking, helping a person up after a fall, etc.
- A seizure response animal assists a person with a seizure disorder. The animal’s service depends on the person’s needs.

### **SERVICE ANIMAL ACCOMMODATION**

Property management must approve all requests a disabled tenant makes for reasonable accommodations, including requests for a service animal accommodation. A property manager might request the tenant to provide written verification from the tenant’s healthcare or mental health provider (when the disability is not obvious) that the tenant has a disability and needs the service animal (the provider need not be an M. D.-in fact, a medical professional, a peer support group, a non-medical service agency, or a reliable third party who is in a position to know about the individual’s disability may also provide verification of a disability.). When property management requires proof that the tenant is disabled and that the accommodation assists the person with that disability, they still cannot require the tenant to provide information about the nature or severity of the disability.

### **PET RULES AND “NO PETS” RULES:**

If you allow tenants to have common household pets and you place limitations on the size, weight, and type of pet allowed, these rules do not apply to service animals.

Service animals may be any type of animal and any breed not considered as dangerous. If your insurance provider says you have to restrict breeds, you should contact HUD, Ohio Civil Rights Commission, or Mansfield/Richland Fair Housing Department or an attorney about this possible infraction of the law.

If a housing complex has “no pets”, such rules do not apply to service animals. If property management has documentation that **the tenant has a disability and needs the service animal as a result, then the tenant can live with the animal despite the no pets rule.**

### **DEPOSITS AND FEES**

A SERVICE ANIMAL IS NOT A PET. Regardless of whether your property allows pets, the disabled tenant who uses a service animal is not required to make a pet deposit or pay a pet-related move-in cleaning fee. You may experience a general cleaning or damage deposit charged to all tenants. The tenant is liable for any damage the animal actually causes.

### **ANIMAL CARE AND SUPERVISION**

The tenant/handler is responsible for the care of his/her service animal. The animal must be supervised and the tenant/handler must retain full control of the animal at all times. This generally means that while the animal is in common areas, it is on a leash, in a carrier, or other wise in the direct control of the animal owner/handler. When in the presence of others, the animal is expected to be well behaved.

The tenant is responsible for the disposal of animal waste

- ◇ Never allow the service animal to defecate in any property, public or private (except the tenant’s own property), unless the tenant immediately removes the waste.
- ◇ Always carry equipment sufficient to clean up the animal’s feces whenever the service animal is in the common areas or off the tenant’s property.
- ◇ Properly dispose of waste and/or litter.
- ◇ If you need assistance with cleanup, make arrangements for such help through family, friends, or social services agencies.

### **REMOVAL OF A SERVICE ANIMAL**

If a service animal misbehaves, the property manager may ask the tenant/handler to remove the animal from the immediate area. If the animal’s improper behavior happens repeatedly, the manager may tell the tenant not to bring the animal into certain common areas, until significant steps have been taken to stop the behavior. This might include some type of specialized training for both the animal and the tenant.



### **Conciliation**

The Civil Rights Commission or HUD will try to reach an agreement with the person(s) your complaint is against (the respondent). A conciliation agreement must protect both you and the public interest. If an agreement is signed, there will be no further action on your complaint. However, if HUD has reasonable cause to believe that a conciliation agreement is breached, The Ohio Civil Rights Commission or HUD will recommend that the Attorney General file suit.

### **What if you need help quickly?**

If you need immediate help to stop a serious problem that is being caused by a Fair Housing Act violation, first contact our local Fair Housing Office at Mansfield Community Development Office at (419) 755-9796, or you can contact either the Ohio Civil Rights Commission or HUD. This information is listed on the back of this booklet.

### **Local Fair Housing Contacts**

Mansfield and Richland County  
City of Mansfield Department of Community Development  
30 North Diamond St.  
Mansfield, OH 44902  
(419) 755-9796

Mansfield/Shelby Ohio  
City of Shelby  
23 W. Main Street  
Shelby, OH 44875  
(419) 347-6310

The Ohio Civil Rights Commission, Cleveland Office  
615 W. Superior Avenue  
Cleveland, OH 44113  
(888) 278-7101

The Department of Housing and Urban Development (HUD)  
Housing Discrimination Hotline (800) 669-9777