



COMPANION ANIMALS IN HOUSING



WHAT IS A COMPANION ANIMAL?

- Companion animals are not defined in regulations, but their use is defined by case law and administrative guidance – and is more broad than the definition of “service animal”
- Also referred to as “assistance animals” or “therapy animals,” their primary purpose is to provide comfort or support – legally termed “ameliorating the effects of a person’s mental or emotional disabilities”
- Companion animals are not necessarily individually trained or certified
- There is no limit on the type or number of animals (dog, cat, bird, fish, monkey, or two or more of these), though numbers may be limited by an ordinance

HOW ARE COMPANION ANIMALS TREATED IN THE CONTEXT OF HOUSING?

- They are not pets, so are not subject to pet policies
- Owners can’t be required to pay additional maintenance or cleaning fees (but you can be charged for damage if the landlord ordinarily charges for damages to property)
- Allergens or fear of dogs is typically not a valid reason to deny a companion animal
- Service animals or companion animals must be allowed in housing – their use is governed by the reasonable accommodation law (Fair Housing Act, § 504 of the Rehabilitation Act, and Colorado Anti-Discrimination Act)
- Animal owners must show their need for the animal(s), but landlords can only seek minimal documentation; documentation does not need to come from a licensed medical professional
- Service animals AND companion animals are allowed in housing
- Landlord cannot charge extra fees or “pet deposits” for companion or service animals

AS AN INDIVIDUAL WHO HAS A COMPANION ANIMAL, WHAT ARE MY RESPONSIBILITIES?

- Owners must take care of their animals - provide food, water and supervision at all times – and clean up after them
- Owners cannot allow their animals to be aggressive, threatening or overly disruptive
- Animals must be harnessed, leashed or tethered in public, unless doing so would interfere with a person's disability

****** DISCLAIMER: This is not intended as legal advice, but rather for informational purposes only. Always consult a lawyer if you have questions about your legal rights. ******

References:

Disability Law Colorado – www.disabilitylawco.org

U.S. Department of Housing and Urban Development – www.hud.gov