Top 10 Myths About Service & Assistance Animals

1. Any Animal Can be a Service Animal – **FALSE** – A service animal can ONLY be a dog or a miniature horse. In Colorado, a person cannot claim that a duck, pig or cat is a service animal. However, such animals may qualify as an assistance animal for housing purposes.

2. Service Animals Must be Certified & Wear Identification – **FALSE** – Service animals must be individually trained, but there is no specific certification or identification (such as a vest or tags) required.

3. Service Animals Can Never Be Kicked Out of a Business – **FALSE** – If any animal, even a service animal, is out of control of the owner or not housebroken, that animal can be asked to leave a business. However, the business owner must make its services or goods available to the person with a disability.

4. Only Large Dogs Can be Service Animals – **FALSE** – Some small dogs are individually trained to perform tasks, such as detecting seizures or alerting to noises. So, for service dogs, size does not matter.

5. Landlords Can Require Notarization of a Doctor’s Note – **FALSE** – A note from a person’s doctor stating that they have a disability that substantially limits one or more major life activities and that the animal helps mitigate the effects of the person’s disability is sufficient in and of itself – no notary required.

6. Landlords Can Require Use of a Specific Form – **FALSE** – A person needs only to submit a note complying with #5. Landlords can have model forms, but cannot require tenants to use them.

7. Landlords Can Charge Pet Fees for Assistance Animals – **FALSE** – An assistance animal is not considered a “pet” under the law, so a landlord may not charge a pet fee for these animals.

8. Only Doctors May Attest to a Person’s Need for an Assistance Animal – **FALSE** – Anyone with knowledge of the individual and how the animal helps can attest to the need for the animal. However, a doctor or other medical provider must certify that the person has a disability.

9. “Therapy Animal” is a Term that Encompasses Service, Assistance, Emotional Support, and Companion Animals – **FALSE** – Therapy animals are taken to hospitals, schools and other facilities to provide therapy to the people there – they are not animals used to help an owner with a disability. As such, businesses and housing providers do not have to allow access to therapy animals.

10. Assistance Animals Are Allowed to Go Anywhere – **FALSE** – Assistance animals are allowed in housing, but not in places open to the public like restaurants and grocery stores.

*** 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. ***

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