



## What is the Difference Between a Service Animal and an Emotional Support Animal?

- **Service Animals** are defined as dogs (sometimes horses) that are individually trained to do work or perform tasks for people with disabilities. These tasks can include things like pulling a wheelchair, guiding a person who is visually impaired, alerting a person who is having a seizure, or even calming a person who suffers from Post-Traumatic Stress Disorder (the tasks are not limited to this list). However, *the dog must be individually trained on skills that must be directly related to the person's disability*. Service dogs may accompany persons with disabilities into places that the public normally goes. This includes state and local government buildings, businesses open to the public, public transportation, and non-profit organizations open to the public.
- **An Emotional Support Animal** (can also be known as an assistance or support animal) is an animal (typically a dog or cat though this can include other species) that provides a therapeutic benefit to its owner through companionship. The animal provides emotional support and comfort to individuals with psychiatric disabilities and other mental impairments. The animal is **not** specifically trained to perform tasks for a person who suffers from emotional disabilities. Unlike a service animal, an emotional support animal is *not granted access to places of public accommodation*. Under the federal Fair Housing Act (FHA), an emotional support animal is viewed as a "reasonable accommodation" in a housing unit that has a "no pets" rule for its residents.

### Housing Allowances

- Although the ADA and the Department of Justice's (DOJ) regulations have limited a "service animal" to a specially trained dog (or in some instances a miniature horse), those limitations do not apply to the federal laws that apply to housing.
- The United States Department of Housing and Urban Development (HUD) uses the term "assistance animal" to cover any animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person's disability. *An emotional support animal is one type of assistance animal allowed as a reasonable accommodation to a residence with a "no pets" rule. Service animals are also allowed under these guidelines.*

### Reasonable Accommodation Request

- People with disabilities may request a **reasonable accommodation** to allow an emotional support animal to live with them, even if their housing has restrictions on pets. The issue becomes whether the person with a disability needs the animal in order to have an equal opportunity to use and enjoy the housing or program.
  - To make this argument, the person with a disability must make a request for a reasonable accommodation to the landlord, property manager or homeowners association (HOA) and provide the following information:
    - Indicate that you have a disability

For more information regarding the Americans with Disabilities Act, contact the **ADA information line at 1-800-514-0301**.

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- Request that, as a reasonable accommodation of your disability, you are seeking to have an emotional support animal live with you
  - Describe the relationship between your disability and the assistance the animal provides
- If you can show each of these three things\*, a housing provider or program must permit the animal to live with you unless it can demonstrate that allowing the animal would pose an undue financial or administrative burden or would fundamentally alter the nature of the housing or program.
- *\*Clients may request documentation from their mental health provider “prescribing” an emotional support animal. The decision to sign this letter is at the discretion of the mental health provider and/or treatment team. Please contact Navigation for a sample letter as needed.*
- Additional notes:
  - You are not required to provide any specific proof of disability. However, you may consider sending supporting documentation from a medical provider, counselor, or case manager to help expedite your request. You should not send nor agree to provide access to all of your medical records.
  - There is no specific restriction on the type or number of animals that can provide emotional support, but it’s best to be reasonable. Two cats will likely be fine, whereas two dogs, three cats, a parakeet and a salamander together may not qualify as a “reasonable” accommodation.
  - Your request can be denied if the animal poses a direct threat to the health and safety of others that cannot be reduced or eliminated by a reasonable accommodation or if the animal would cause substantial physical damage to the property of others that cannot be reduced or eliminated by a reasonable accommodation.

### Public Allowances for Service Animals

- *Do service animals have to wear a vest or patch or special harness identifying them as service animals? Answer: No. The ADA does not require service animals to wear a vest, ID tag, or specific harness.*
  - Some, but not all, service animals wear special collars and harnesses. Some, but not all, are licensed or certified and have identification papers.
  - If you are not certain an animal is a service animal, you may ask the person who has the animal only if it is a service animal required because of a disability. You cannot ask specific questions related to this.
  - An individual who is going to a restaurant or theater is not likely to be carrying documentation of his or her medical condition or disability. Therefore, such documentation generally may not be required as a condition for providing service to an individual accompanied by a service animal.
  - Although a number of states have programs to certify service animals, you may not insist on proof of state certification before permitting the service animal to accompany the person with a disability.
- There are individuals and organizations that sell service animal certification or registration documents online. These documents do not convey any rights under the ADA and the Department of Justice does not recognize them as proof that the dog is a service animal.
- A person with a disability cannot be asked to remove a service animal from the premises unless (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken.
- Remember: Unlike a service animal, an emotional support animal is not granted access to places of public accommodation.



For more information about the ADA, please visit their website or call the toll-free number.

[www.ADA.gov](http://www.ADA.gov).

**ADA INFORMATION LINE**

800-514-0301 (Voice) and 800-514-0383 (TTY)

M-W, F 9:30 a.m. – 5:30 p.m. , Th 12:30 p.m. – 5:30 p.m. (Eastern Time) to speak with an ADA Specialist.

Calls are confidential.

For people with disabilities, this publication is available in alternate formats.

