

Quick Reference Guide

Service Animals vs. Emotional Support Animals

Individuals with disabilities may use service animals and emotional support animals for a variety of reasons.

This document will serve as a quick reference guide for individuals who have questions pertaining to services animals and emotional support animals.

Comparison	<u>Service Animal</u>	<u>Emotional Support Animal</u>
Definition	A service animal means any dog that is individually trained to do work or perform a task(s) for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.	Emotional support animals provide companionship, relieve loneliness, and sometimes help with depression, anxiety, and certain phobias, but do not have special training to perform tasks that assist people with disabilities.
Laws	ADA Title II and III. *Service animals in training are not covered by Title II and III of the ADA.	FHA – Fair Housing Act HUD – US Dept. of Housing and Urban Development Emotional support animals are not limited to working with people with disabilities and therefore are not covered by federal laws protecting the use of service animals.
Questions	<p>Only two questions may be asked:</p> <ol style="list-style-type: none"> 1. Is the animal required because of a disability? 2. What work or task has the animal been trained to perform? <p><i>(These questions should not be asked if the animal's service tasks are obvious.)</i></p> <p>When a person with a service animal enters a public facility or place of public accommodation, the person cannot be asked about the nature or extent of their disability.</p>	<p>Campus housing, landlords, or homeowner's associations may not ask a housing applicant about the existence, nature, and extent of their disability.</p> <p>An individual with a disability who requests a reasonable accommodation for an emotional support animal may be asked to provide documentation so that the Office of Accommodations and Accessibility Services can properly review the accommodation request.</p>
Documentation	<p>A public accommodation or facility is not allowed to ask for documentation or proof that the animal has been certified, trained, or licensed as a service animal.</p> <p>Colleges and universities may have a policy asking students who use service animals to contact the school's Disability Services Coordinator to register as a student with a disability. Higher education institutions may not require any documentation about the training or certification of a service animal. They may, however, require proof that a service animal has any vaccinations required by state or local laws that apply to all animals.</p>	<p>An individual with a disability who requests a reasonable accommodation for an emotional support animal may be asked to provide documentation so that the Office of Accommodations and Accessibility Services can properly review the accommodation request. They can ask a person to certify, in writing:</p> <ol style="list-style-type: none"> 1. that the tenant is a person with a disability 2. the need for the animal to assist the person with that specific disability that the animal actually assists the person with a disability. <p>*It does not matter if a person has a doctor note that states the person has a disability and needs to have the animal for emotional support. A doctor's note does not make an animal a service animal.</p>
Public Access	Titles II and III of the ADA makes it clear that service animals are allowed in public facilities and accommodations. A service animal must be allowed to accompany the handler to any place in the building or facility where members of the public, program participants, customers, or clients are allowed. Even if the business or public program has a "no pets" policy, it may not deny entry to a person with a service animal. Service animals are not pets.	Emotional support animals are not limited to working with people with disabilities and therefore are not covered by federal laws protecting the use of service animals in public places.
Housing	<p>Where the ADA applies, requiring documentation or certification would not be permitted with regard to an animal that qualifies as a "service animal". The law does allow a voluntary registration if the student wishes to do so for emergency situations.</p> <p>Entities cannot require anything of people with service animals that they do not require of individuals in general, with or without pets. If a public accommodation normally charges individuals for the damage they cause, an individual with a disability may be charged for damage caused by their service animal.</p>	<p>The Fair Housing Act (FHA) protects a person with a disability from discrimination in obtaining housing. Under this law, campus housing must provide reasonable accommodation to people with disabilities so that they have an equal opportunity to enjoy and use the dwelling as other students.</p> <p>Emotional support animals that do not qualify as service animals under the ADA may nevertheless qualify as reasonable accommodations under the FHA. A reasonable accommodation may include waiving a no-pet rule or pet deposit. This animal is not considered a pet.</p>