

Buffalo Housing Authority

ANIMALS THAT ASSIST THE DISABLED POLICY

HOUSING AUTHORITY of the CITY OF BUFFALO

POLICY STATEMENT

The purpose of this policy is to ensure consistent application of requirements for Animals that Assist the Disabled, and to ensure compliance with health, safety, nuisance and emergency policies at Public Housing Sites.

POLICY

1. All public housing properties under Housing Authority of the City of Buffalo (Authority) management must allow persons with qualifying disabilities the use of qualifying animals that assist the disabled.
2. An assistance animal works, provides assistance, or performs tasks for the benefit of a person with a disability. Assistance animals perform many disability-related functions, including but not limited to guiding individuals who are blind or have low vision, alerting individuals who are deaf or hard of hearing to sounds, providing protection or rescue assistance, pulling a wheelchair, fetching items, alerting persons to impending seizures, or providing emotional support to persons with disabilities who have a disability-related need for such support.
3. There are two general types of animals that assist the disabled; service animals and companion animals. Both are considered to be the equivalent of auxiliary aids, such as wheelchairs and TDDs (Telephone Device for the Deaf).
 - a. Service animals receive specific disability related training and are helpful in assisting disabled individuals in coping with their disabilities.
 - b. Companion animals may or may not have specific disability related training. Companion animals are helpful in assisting individuals in coping with their disabilities (especially mental disabilities). Companion animals generally are medically prescribed by a physician, psychologist, or duly authorized representative of a social service agency, rehabilitation center, clinic, etc.; a written statement by an authorized person for the need of a companion animal must be provided to the Authority prior to acquisition of a companion animal.
4. Tenants or Applicants who feel they qualify to use an assistance animal (whether it be a service animal or a companion animal) must make a written request to the Authority for a reasonable accommodation and provide necessary supporting documentation. A form for requesting permission for an assistance animal as a reasonable accommodation is available from the Authority. The Authority must approve the reasonable accommodation request made for the animal prior to the animal being brought onto Authority's property.



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5. When evaluating a request for reasonable accommodation to possess an assistance animal in the Authority's public housing, the Authority will use general principles applicable to all reasonable accommodation requests, including:

a. Whether the person seeking to use and live with the animal has a medically documented, qualifying disability – i.e., a physical or mental impairment that substantially limits one or more major life activities; and

b. Whether the person making the request has a disability-related need for an assistance animal? In other words, does the animal work, provide assistance, perform tasks or services for the benefit of a person with a disability, or provide emotional support that alleviates one or more of the identified symptoms or effects of a person's existing disability?

6. The Authority may deny permission for an assistance animal to reside in public housing (and/or to go in areas of the premises where persons are normally allowed to go) including for such reasons as: if the requesting person or animal does not qualify, as indicated above; if the requesting person does not provide necessary documentation or information so as to permit the Authority to make a decision; if giving permission would impose an undue financial and administrative burden; if giving permission would fundamentally alter the nature of the Authority's services; if the specific assistance animal in question poses a threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation; or if the specific assistance animal in question would cause substantial physical damage of others that cannot be reduced or eliminated by another reasonable accommodation.

7. The keeping and care of animals, including what kinds of animals are or are not permitted, the number of animals that may be kept at a residence, the obligation to care for animals and other such restrictions, may also be governed by local, city, state, and/or federal laws, ordinances, rules and regulations.

8. If the Authority approves a reasonable accommodation for an assistance animal, the Tenant may proceed to then acquire the specific assistance animal that was approved. The Tenant shall then confirm with the Authority that the specific animal has been acquired and is residing in housing.

9. Approval of a reasonable accommodation for an assistance animal is limited to the specific animal that was part of the request and a different animal may not be substituted without Authority approval. In the event that a Tenant wishes to change to a different assistance animal from the one that has been approved, the Tenant is required to contact the Authority in order to receive permission for the change. If the type of animal or the nature of the circumstances is sufficiently different from the original circumstances of the request/Authority approval, then the Authority may require that a new request for reasonable accommodation be submitted.

10. Animals that assist the disabled may not be subjected to the same restrictions as pets under policy because they are not pets. Therefore, no deposit is required, and animal size limitations under policy do not apply.

11. Companion and assistance animals must be effectively restrained and remain under the control of their owner while on Authority owned property.



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12. Even though no deposit is required in order for a Tenant to house and use an assistance animal once a reasonable accommodation for that animal has been approved, Tenants still have ultimate responsibility for any damages to persons or property which may be caused by their companion or service animals.

13. It is the responsibility of Tenants to feed and care for their assistance animals and to provide appropriate medical or other care when an assistance animal is sick or injured. The Authority may report a failure to properly care for an assistance animal to the local animal control entity or law enforcement and/or may otherwise take steps to intervene in order to reasonably protect the safety, health, or life of the assistance animal.

14. It is the tenant / animal's owner responsibility to have the assistance or service animal inoculated against rabies, distemper, and other such diseases and conditions as required by local, city, county, state, or federal law.

15. Animal owners are required to immediately remove pet waste from Authority property. Tenant may be charged for costs related to cleaning up after a Tenant's animal.

16. Animal waste must be bagged and disposed of immediately in a dumpster outside of any building owned by the Authority. Animal waste may not be disposed of in any receptacle or trash chute inside a building owned by the Authority.

17. All lease obligations, terms, and conditions requiring the Tenant to maintain their housing unit and its premises in a safe, clean and sanitary condition apply to the care and keeping of assistance animals. This includes, but is not limited to, meeting housekeeping standards specified or referenced in the lease.

18. It is requested that the animal owner will provide the name, address and phone number of one or more responsible parties who will care for the animal if the owner dies, is incapacitated, or is otherwise unable to care for the animal.

19. The local animal control entity will be called to remove an animal that becomes vicious, displays symptoms of severe illness, or demonstrates other behavior that constitutes an immediate threat to the health or safety of occupants of the project or other persons in the community where the project is located, based solely upon the opinion and observations of the Authority, its staff, and/or its agents.

