
NOTE: Many laws changed between December 2011 and March 2014. These are shown in **bold** and ~~strike through~~ with the effective date.

Do I need permission to get a pet?

Probably! If you are currently in a lease, **check your lease** before you get a pet. If your lease requires permission to have a pet or to add a pet, make sure you get permission from your landlord **in writing** and keep a copy for your records. A landlord may just add something to your lease. Make sure both you and the landlord initial and date the change. If your landlord refuses to allow you to have a pet, wait until you move to a pet-friendly apartment.

If you're looking for a new apartment, make sure that you have permission **in writing** to have a pet.

What can happen if I get a pet without permission?

You could be evicted if it is prohibited in your lease. This would be a non-rent violation. The type of notice the landlord can give you, and whether you have a chance to get rid of the pet and avoid an eviction, will depend on several factors. For more information, please see our Eviction brochure. Being evicted makes it hard to find housing, can affect your credit, and does not relieve you from paying rent unless the landlord finds someone new to move in or your lease ends.

If one tenant has a pet, does the landlord have to allow everyone to have pets?

No. The landlord may give permission to some tenants to have pets, and not others as long as they do not discriminate against certain tenants because of membership in a protected class, such as race, religion, sex, etc., or do it as retaliation against a tenant for enforcing their rights. It is not illegal for a landlord to discriminate against certain animals or breeds, as long as they are doing it for everyone.

What if I have a disability and depend on a service or companion animal?

This is a special situation. Because of federal fair housing laws that require landlords to allow reasonable accommodations for tenants with disabilities, the landlord may not prohibit a service animal or companion animal from living in the unit, or charge the tenant extra rent or security deposit. A service or companion animal should **not** be considered a pet.

The tenant may be required to provide a note from a physician that verifies the service or companion animal is needed as an accommodation to the person with the disability, but the animal does not need to be a certified service or companion animal, and they don't have to say what the disability is. Tenants with a service or companion animal are **not** required to state this on an application, but may be required to provide a letter upon request after they move in.

If the landlord refuses to allow the service or companion animal, you may contact any of the following:

- **U.S. Dept. of Housing and Urban Development (HUD)** <http://portal.hud.gov/> or 800-669-9777. HUD has publications available about fair housing and can direct you to your local fair housing office.
- **Fair Housing Centers** www.fairhousingwisconsin.com/locations.html or 877-647-3247.
- In Dane County, for more information about service or companion animals, call **Access to Independence**. www.accessfoind.org/ or 608-242-8484
- **Disability Rights Wisconsin** is a statewide organization that provides information about the legal rights of persons with disabilities. www.disabilityrightswi.org/ or 800-928-8778
- Check for your local **Aging and Disability Resource Center**. www.dhs.wisconsin.gov/adrc/

How do I find landlords that rent to pet owners?

Check the regular rental listings—many landlords advertise that they allow pets. Some humane societies

also keep lists of landlords who rent to people with pets. If you are looking for an apartment in Dane County, contact the Dane County Humane Society at 838-0413, ext. 113. You can also search rental websites for units that allow pets.

How can I convince a landlord to rent to me and my pet?

Negotiate with the landlord

Contact the person who has the authority to grant you permission. This may be the resident manager, property manager, or owner of the building.

Ask why the landlord has a no-pets policy. By asking up front about your landlord's concerns, you can learn more about how to best present your own request. Considering your landlord's position will encourage them to be more open to yours.

When negotiating with the landlord, be careful about waiving tenant rights in order to get permission for a pet. Example: Non-refundable fees and deposits. If the landlord seems unreasonable, the tenant may want to keep looking for another apartment.

Market yourself as a good pet owner

Prepare a "pet resume" and include proof of your claims. Include the following in the resume:

- **Good rental history.** Write about your pet's great rental history. Since some landlords require pet references, include letters of reference from current or previous landlords who can verify that your pet did not damage the apartments, and letters from neighbors who can attest to your pet's good behavior and your responsible care-taking
- **Training.** Mention that your pet is well behaved. If your cat is litter box trained or uses a scratching post, be sure to say so. If your dog does not bark when left alone or has attended obedience classes, mention this and include receipts or a graduation certificate.
- **Veterinary records.** State in the resume that your pets are well cared for and include copies of health certificates showing that your pets are spayed or neutered, free of fleas and ticks, and up-to-date on their vaccinations.
- **Renters insurance.** Depending on what kind of pet you have, you may be able to purchase liability insurance for any damage your pet may

do. If you have this insurance, mention it in your resume and include a copy of your policy.

- **Interview.** Invite the landlord to "interview" your freshly groomed, well-behaved pet at your current home to show that your pet has not caused any damage.

Check out more detailed information and sample dog and cat resumes on our website, or contact the Humane Society in your area.

Be a good pet owner

- If you have a dog, make sure to clean up its waste and dispose of it properly.
- Consider crate-training if you feel your dog may be destructive while you are not at home. Make sure your cat has access to a scratching post and that one or more litter boxes are readily available. If your cat is scratching something it shouldn't be, try putting aluminum foil or double-stick tape in that area to deter the behavior.
- Talk to a veterinarian or other pet owners for advice on behavior issues.

Can landlords charge pet owners higher security deposits?

The State of Wisconsin imposes no limits on security deposit amounts. Landlords may charge pet owners more, but they must follow all the same laws about returning it. "Non-refundable" pet deposits are illegal.

In the cities of Madison and Fitchburg, a security deposit cannot ever be more than one month's rent. MGO 32.07(2)(b), FO 28.04(2)(a), Wis. Stat. 66.0104(2)(b) Eff.12/21/11.

Can landlords charge pet owners more for rent?

Yes, landlords may charge a monthly pet fee of whatever amount they choose. It is always worth trying to negotiate if you feel the extra amount is unreasonable. However, you should plan some extra time for this, and **get everything in writing**. See the section on convincing landlords to rent to you and your pet for specific things you can mention to negotiate with your landlord.

Can landlords automatically withhold money from pet owners' security deposits?

No, landlords may only charge for actual damages. If your pet did damage to the apartment, the landlord may charge you for the repairs. If you are paying additional rent for your pet and being charged from your security deposit, make sure you're not being double-charged. If your landlord charges for pet damages, you could ask them (or a judge) to credit you for the amount you've paid in pet fees. Ask to see receipts for charges a landlord claims. If you feel you are being charged unfairly, contact the Tenant Resource Center for more information, or see our Security Deposit brochures.

Where can I get more information?

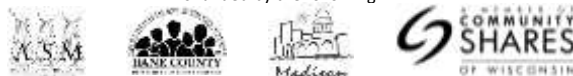
- The **Humane Society of the United States** has sample pet resumes and detailed information on how to find housing that accepts pets. <http://www.rentwithpets.org/>
- The **Dane County Humane Society** has a list of landlords who rent to pet owners. (608) 838-0413 <http://www.giveshelter.org/>
- **Cats International** provides information for cat owners. <http://www.catsinternational.org/>

No part of this brochure should be regarded as legal advice, or replace an individual's responsibility to be familiar with the law. If you need legal assistance or representation, consult a Wisconsin housing attorney.

Last Updated: 3/24/14

TENANT RESOURCE CENTER FOR HOUSING JUSTICE IN WISCONSIN

Is funded by the following:



Special thanks to the **State of Wisconsin Department of Health Services, The Dane County Bar Association, and The Area Agency on Aging of Dane County (Leck Grant)** for their generous support in updating these materials!

TENANT RESOURCE CENTER FOR HOUSING JUSTICE IN WISCONSIN

Pets and Service Animals

SE HABLA ESPAÑOL: (608) 237-8913
LUS HMOOB: (608) 257-0143

MAIN OFFICE

Social Justice Center, Suite 102
1202 Williamson Street Madison, WI 53703
Monday – Friday, 9AM-6PM
Housing Questions: (608) 257-0006
Toll-Free: (877) 238-RENT (7368)
asktrc@tenantresourcecenter.org
Mediation: (608) 257-2799
Business: (608) 257-0143 | Fax: (608) 286-0804

CAMPUS OFFICE

Student Activity Center, 3rd Floor
333 East Campus Mall, Madison, WI 53703
Hours vary, please check the website!
Phone: (608) 561-3727
uw@tenantresourcecenter.org

HOUSING HELP DESK

Dane County Job Center, Room 2
1819 Aberg Avenue, Madison, WI 53704
Monday – Friday, 10AM-2PM
Phone: (608) 242-7406 | Fax: (608) 242-7490
hhd@tenantresourcecenter.org

Visit us at tenantresourcecenter.org
and follow us on and !

If you need an interpreter, materials in other formats, or accommodations of any kind, please call (608) 257-0143.