



## **COMPANION ANIMALS IN HOUSING**



### **WHAT IS A COMPANION ANIMAL?**

- Companion animals are not defined in regulations, but their use is defined by case law and administrative guidance – and is more broad than the definition of “service animal”
- Also referred to as “assistance animals” or “therapy animals,” their primary purpose is to provide comfort or support – legally termed “ameliorating the effects of a person’s mental or emotional disabilities”
- Companion animals are not necessarily individually trained or certified
- There is no limit on the type or number of animals (dog, cat, bird, fish, monkey, or two or more of these), though numbers may be limited by an ordinance

### **HOW ARE COMPANION ANIMALS TREATED IN THE CONTEXT OF HOUSING?**

- They are not pets, so are not subject to pet policies
- Owners can’t be required to pay additional maintenance or cleaning fees (but you can be charged for damage if the landlord ordinarily charges for damages to property)
- Allergens or fear of dogs is typically not a valid reason to deny a companion animal
- Service animals or companion animals must be allowed in housing – their use is governed by the reasonable accommodation law (Fair Housing Act, § 504 of the Rehabilitation Act, and Colorado Anti-Discrimination Act)
- Animal owners must show their need for the animal(s), but landlords can only seek minimal documentation; documentation does not need to come from a licensed medical professional
- Service animals AND companion animals are allowed in housing
- Landlord cannot charge extra fees or “pet deposits” for companion or service animals

## **AS AN INDIVIDUAL WHO HAS A COMPANION ANIMAL, WHAT ARE MY RESPONSIBILITIES?**

- Owners must take care of their animals - provide food, water and supervision at all times – and clean up after them
- Owners cannot allow their animals to be aggressive, threatening or overly disruptive
- Animals must be harnessed, leashed or tethered in public, unless doing so would interfere with a person's disability

***\*\*\* 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. \*\*\****

### References:

Disability Law Colorado – [www.disabilitylawco.org](http://www.disabilitylawco.org)

U.S. Department of Housing and Urban Development – [www.hud.gov](http://www.hud.gov)