

Emotional Support Animals

Your fair housing rights when renting with an emotional support animal.

By law, you may not be denied or treated differently in the rental, sale, financing, or insuring of housing anywhere in Virginia on the basis of any of the protected classes you belong to including race, color, national origin, religion, gender, disability, familial status, being over 55 years old, source of funds, military status, gender identity, and sexual orientation.

If you have a disability related need, under the Fair Housing Act, you have the right to ask your landlord or property manager for a reasonable accommodation for an emotional support animal. Housing providers are required to make reasonable accommodations, meaning changes in “rules, policies, practices and procedures” if the change is necessary to allow a person with a disability full use and enjoyment of their housing. Animals that help alleviate symptoms of a disability can be considered emotional support animals or service animals.



How to assert your fair housing rights:

- It's best practice to request a reasonable accommodation from your landlord in writing.
- Emotional support animals are NOT considered pets and you should not be charged pet rent, pet deposit, or other pet fees. Even if there is a “no pets” policy, you can request a reasonable accommodation to allow the animal.
- A landlord can request disability-related documentation ONLY if the disability or disability-related need for the animal is not obvious. The letter can be written by your doctor, therapist, or other licensed health care professional. The letter does NOT need to list what your disability is, only that you HAVE a disability and an emotional support animal is needed because of the disability.

Emotional support animals are not the same as service animals, though both are covered by fair housing laws. What is the difference?

<u>Service Animal</u>	<u>Emotional Support Animal</u>
Trained to do work or perform tasks for people with disabilities.	Are not required to undergo special training.
Can only be specially trained dogs (and some cases miniature horses)	Can be any animal that provides emotional support or relief from disability-related symptoms.
Entities must permit service animals to accompany people with disabilities in areas where members of the public are allowed to go.	Must be allowed in all common areas of your community, but may not be allowed in places of business.



You should not be denied housing because of your emotional support animal or service animal.

Report Housing Discrimination at HOMEofVA.org/Report

FairHousing@HOMEofVA.org • 804-354-0641 • VA Relay 711

Housing Opportunities Made Equal of Virginia can help determine if you have been discriminated against, and may help you seek the remedies that are available to everyone under fair housing laws. As a non-profit provider, our services are provided statewide and are **free and confidential**.



The work that provided the basis for this publication was supported by funding under a grant with the U.S. Department of Housing and Urban Development.