

Facts about Service and Assistance Animals

Service Animal (ADA)

- Dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability.
- Not considered a pet.
- Emotional support, well-being, comfort or companionship do not constitute work tasks as provided under the ADA.
- Applies to state and local government programs, services, activities, and facilities; to public accommodations; to public services.
- Only questioned that can be asked: (1) Is this a service animal that is required because of a disability? (2) What work or tasks is the animal trained to perform?
- Cannot ask the individual about the nature of the disability or request documentation that the individual has a disability.
- Cannot require documentation that the animal has been trained, licensed, or certified.
- Animal can only be denied access to the ADA-covered facility if (1) the animal is out of control and its handler does not take effective action to control it; (2) the animal is not housebroken; (3) the animal poses a direct threat to the health or safety of others that cannot be eliminated or recued.
- Only other animal that may be considered a service animal is a miniature horse.

Assistance Animal (FHA)

- Animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person's disability.
- Not considered pets.
- Animals do not have to be individually trained or certified.
- Owners cannot be charged "pet rent" or any other such fee.
- Considered a reasonable accommodation.
- Housing providers must consider: (1) Does the person seeking to use and live with the animal have a disability? (2) Does the person making the request have a disability-related need for an assistance animal?
- Animals allowed in all areas of the premises where persons are normally allowed to go.
- Providers are allowed to ask individuals with disabilities that are not readily apparent to submit reliable documentation of a disability and the person's need for an assistance animal.
- Documentation may be provided by a physician, psychiatrist, social worker, or other mental health professional.
- Each accommodation request requires an individual assessment.

If individuals believe that they have been discriminated against because of a disability or a failure to accommodate a disability, they should contact Human Relations/Sioux Falls Fair Housing at 605-367-8745 or email us at humanrelations@siouxfalls.org