



EMOTIONAL SUPPORT ANIMALS

Emotional support dogs are dogs that provide comfort and support in forms of affection and companionship for an individual suffering from various mental and emotional conditions. An emotional support dog is not required to perform any specific tasks for a disability like service dogs are. They are meant solely for emotional stability and unconditional love. They can assist with conditions such as anxiety, depression, bipolar disorder/mood disorder, panic attacks, fear/phobias, and other psychological and emotional conditions.

OWNER REQUIREMENTS

To qualify for an emotional support animal in the US, the owners of emotional support animals must have an emotional or mental disability that is certified (through a letter) by a mental health professional such as a psychiatrist, psychologist, or other licensed mental health care provider. The owner's mental health impairment must be substantial enough to produce disability, rather than discomfort or a desire to have a pet. Furthermore, for the provider to certify the animal, non-fraudulently, the emotional support animal's presence must provide a significant benefit, that makes the difference between the person functioning adequately and not.

Since a 2021 rule change by the US Department of Transportation, Airlines are not obligated to recognize emotional support animals as service animals. Emotional support animals will have to go through traditional animal travel standards, with no special privileges.



TRAINER REQUIREMENTS

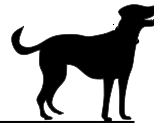
There are no training requirements for emotional support animals. Emotional support animals typically have no training beyond what would be expected for the same type of animal. Emotional support animals need not perform any tasks other than what a pet of the same species would perform, and may display unwanted behaviors, such as defecating in inappropriate places, growling and barking at people, or biting them. Both poorly trained emotional support animals and poorly trained pets that are being fraudulently passed off as emotional support animals represent a threat to the health, safety, and function of both people and trained service animals.

It is, however, recommended by our trainer, that all emotional support service animals go through at least a beginner obedience class. Further goals include intermediate, advanced obedience classes and even the AKC Canine Good Citizenship test. These are recommended because the owner of such animals are liable and responsible for their animal's behavior. A support animal should be competent enough not to growl or bite.

THE ADA



The Americans with Disabilities Act of 1990 (ADA) allows people with disabilities to bring their service animals in public places. However, the ADA only extends these protections to dogs that have been "individually trained" to "perform tasks for the benefit of an individual with a disability," which is the definition of service animals. Since emotional support animals are not trained for an individual's specific disability and since emotional support animals might not be dogs, they do not receive the protections of the ADA. A public place can therefore deny an emotional support animal admission.



HOUSING EMOTIONAL SUPPORT ANIMALS

Under the Fair Housing Amendments Act (FHAA) and the Air Carrier Access Act (ACAA), an individual who meets the proper criteria is entitled to an emotional support dog to assist them with their life. The FHAA protects individuals by allowing their emotional support dog to live with them (even when there are no pet policies in place). The U.S. Department of Housing and Urban Development and Department of Justice have held that "providers may not require persons with disabilities to pay extra fees or deposits as a condition of receiving a reasonable accommodation." This means, a landlord cannot charge additional pet fees for a service dog. However, the owner may still be responsible for any damage the animal causes and the landlord is within their rights to take the repair money out of the owner's deposits. Even when the Fair Housing Act applies, circumstances may arise under which a landlord may restrict a tenant from possessing an emotional support animal.



If a tenant's emotional support animal compromises the safety of other tenants or their property, or if the animal poses a danger to other tenants, the landlord may not have to allow the tenant in the housing or waive a "no pets" policy. ·If the tenant becomes unable to properly care for his or her emotional support animal, the landlord may be able to restrict the tenant's continuing possession of the animal.



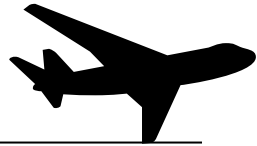
If a tenant is neglecting his or her emotional support animal and the neglect rises to a level where the animal is endangered, then there may be a basis for action by the police or animal control. If any animal is being neglected, local law enforcement or animal control can intervene.



If other more reasonable alternatives exist to lessen the effects of the disability and the tenant has not provided proper documentation of an emotional support animal, a court may not compel a landlord to waive a no pets policy as an accommodation of the tenant's disability



Even if entitled to possess an emotional support animal, a tenant remains subject to all the other provisions of the lease, including any requirement to maintain his or her residence in a sanitary manner. A landlord may also evict a person with a disability if that person does not comply with legitimate tenancy rules that apply to all tenants.



FLYING WITH AN ESA

Effective January 2021, the Department of Transportation stated airlines are no longer required to provide an emotional support animal room in the cabin without charges. ESAs must now go through the normal process for bringing dogs on a flight, including paying for the luxury. If you are planning on flying with your emotional support animal, you must call the airline ahead of time and gather the required items they list for you.


DO I NEED TO REGISTER MY DOG?

The short answer: **No**. There is not currently an official registration for emotional support animals. If you look online, you will find all sorts of webpages encouraging you to register with them. **This is not a requirement and is a waste of money.**



ESA LETTERS

The ESA letter is in the form of a document written by the licensed mental health professional. It must be printed on the licensed mental health professional's letterhead and contain the following information:

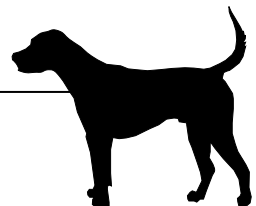
 The licensed mental health professional's license number, state, and date it was issued, as well as the type of medicine the doctor is practicing.

 Licensed mental health professional's signature

You must also be under the professional care of the stated licensed mental health professional. The letter is only valid for one year after the issued date.

SAMPLE LETTER

On next page



{date}

Name of Professional (therapist, physician, psychiatrist, rehabilitation counselor)
XXX Road
City, State Zip

Dear [Housing Authority/Landlord]:

[Full Name of Tenant] is my patient, and has been under my care since [date]. I am intimately familiar with his/her history and with the functional limitations imposed by his/her disability. He/She meets the definition of disability under the Americans with Disabilities Act, the Fair Housing Act, and the Rehabilitation Act of 1973.

Due to mental illness, [first name] has certain limitations regarding [social interaction/coping with stress/anxiety, etc.]. In order to help alleviate these difficulties, and to enhance his/her ability to live independently and to fully use and enjoy the dwelling unit you own and/or administer, I am prescribing an emotional support animal that will assist [first name] in coping with his/her disability.

I am familiar with the voluminous professional literature concerning the therapeutic benefits of assistance animals for people with disabilities such as that experienced by [first name]. Upon request, I will share citations to relevant studies, and would be happy to answer other questions you may have concerning my recommendation that [Full Name of Tenant] have an emotional support animal. Should you have additional questions, please do not hesitate to contact me.

Sincerely,
Name of Professional
License Number
License Issue date
License State