

POLK COUNTY HOUSING AUTHORITY (PCHA)
UPDATED ASSISTANCE ANIMAL POLICY

Section 1. The PCHA Does Not Discriminate Against Persons With Disabilities, Including Those Needing Assistance Animals.

The PCHA does not discriminate against individuals with disabilities as defined by the Fair Housing Act of 1968, as amended, and Section 504 of the Rehabilitation Act of 1973. This includes providing reasonable accommodations to the Authority's policies, programs, services, rules, and procedures to permit persons with disabilities to use its housing units and associated common use and public space.

Those applicants or residents whose disabilities require the support of Assistance Animals will be reasonably accommodated in any of the Authority's units, premises, or services once the disability and the need for such Assistance Animal has been established.

Section 2. General Requirements for Assistance Animals.

- a. For purpose of this Policy:
 - i. An "assistance animal" means an animal that does work, performs tasks, or otherwise benefits a person with a physical or mental disability; and
 - ii. A "licensed health professional" means a person licensed by a public regulatory authority to provide medical care, therapy, or counseling to persons with physical or mental disabilities, including, but not limited to, doctors, physician assistants, psychiatrists, psychologists, or social workers.
- b. A resident with a disability may keep assistance animal in his or her unit by making a request as set forth in this section. A resident requesting to keep an animal must have a disability as defined in section 802 (h) of the Act, 42 U.S.C. 3602 (h), and the need for the animal must relate to that disability.
 - i. If the resident's disability is not obvious, or is not otherwise known to PCHA, the resident must submit a statement from a licensed health professional indicating that the applicant has a physical or mental disability.
 - ii. Further, the resident should provide:
 - (a) Documentation that the animal has been individually trained to do work or perform tasks for the benefit of an individual with a disability; or
 - (b) Documentation that the animal, despite lack of individual training, is able to do work or perform tasks for the benefit of an individual with a disability; or
 - (c) A statement from a licensed health professional indicating the relationship between having an assistance animal and the lessening of the effects of the individual's particular disability.
- c. A resident requesting or keeping assistance animal will not be charged any fee, deposit, or other charge by PCHA for keeping the animal.
- d. The resident must maintain his or her Assistance Animal responsibly and in accordance with the applicable State and local public health, animal control, and animal anti-cruelty laws and regulations and with the policies established in the agency plan for the PCHA. This Assistance Animal Policy incorporates by this reference the various State and local laws governing animals that include inoculating, licensing, and restraints, and provide sufficient flexibility to protect the rights and privileges of other residents. In particular, persons with Assistance Animals shall adhere to the following requirements, which also apply to all other animals residing within the Polk County Housing Authority:
- e. Proof must be furnished that the Assistance Animal is neutered or spayed by the age of 8 months.
- f. The proper authority in the County of Polk must license the Assistance Animal and the owner must furnish proof of license renewal each year at the time of the resident's annual recertification.

- g. The Assistance Animal must wear a collar at all times, if appropriate, showing license, inoculations tag, and name and address of owner.
- h. At the time of admission and each year at the annual recertification, the tenant must show proof that the Assistance Animal has had all inoculations by law.
- i. An Assistance Animal must be on a leash or U- shaped guidance handle at all times when outside the owner's apartment unless it is carried and under control of the resident or other responsible individual.
- j. The Authority will provide a reasonably accessible and available area for exercise of Assistance Animals and the deposit of their waste. While Assistance Animals may accompany their owners, Owners shall not exercise their animals outside the designated areas. Such an area is the lawn of the respective owner and common areas designated by the PCHA. Lawns of other tenants and undesignated areas of the PCHA property will not be used to exercise or curb Assistance Animals. Owners shall be responsible for properly cleaning up after their Assistance Animal and removing and properly disposing of all removable waste from their animal.
- k. In the event of emergency or building evacuations, it is not the responsibility of the PCHA to remove the animal.
- l. The Assistance Animal owner is required to reimburse the PCHA for the amount of the real cost of any and all damages caused by his/her animal. The assessment of damages caused by an Assistance Animal shall be made only to the extent it is PCHA's ordinary practice to assess tenants for any damages they cause to the premises.
- m. If an Assistance Animal poses a direct threat to other residents, Authority personnel, guests or invitees of residents, Authority property, or property of others, and that threat cannot be eliminated or mitigated by the individual to the Authority's reasonable satisfaction, the Authority may exclude the specific Assistance Animal from its housing and the associated common use or public space. A direct threat of harm is a reasonably likely risk of harm to others or of significant physical damage to Authority property or that of others. That determination by the Authority will be based upon an assessment that relies on reliable, objective evidence about the specific animal.
- n. Residents must ensure that assistance animals do not pose a direct threat to the health or safety of others, or cause substantial physical damage to the development, dwelling unit, or property of other residents. When a resident's care or handling of an assistance animal violates these policies, PCHA will consider whether the violation could be reduced or eliminated by a reasonable accommodation. If the PCHA determines that no such accommodation can be made, the PCHA may withdraw the approval of a particular assistance animal.
- o. If any of these requirements poses a particular hardship for a tenant with an Assistance Animal, the tenant may seek a reasonable accommodation from the housing authority to alleviate that hardship.

Adopted May 6, 2010

Board Resolution Number 469