



Disability Access and Education

# Animals and Disability Law

	<b>Service Animals</b>	<b>Emotional Support Animals, ESA</b>	<b>Therapy/Comfort Animals</b>
<b>Type of animal</b>	Dog (any breed) and on occasion miniature horse	Any animal commonly kept as a household pet	Any animal appropriate to service
<b>Governing law</b>	Americans with Disability Act, ADA <ul style="list-style-type: none"> <li><a href="#">ADA 2010 Revised Requirements: Service Animals</a></li> <li><a href="#">Service and Emotional Support Animals</a></li> </ul>	Fair Housing Act, FHA <ul style="list-style-type: none"> <li><a href="#">CA Law re ESA Verification</a></li> <li><a href="#">Fair Housing Equal Opportunity Assistance Animals</a></li> <li><a href="#">HUD Assistance Animals</a></li> </ul>	Common business practice
<b>Where animal is allowed to go</b>	Anywhere the person is allowed, including food service, classrooms, offices, healthcare facilities, retail sites, etc.	Renter's specific housing unit only. Not allowed in other locations without a specifically approved accommodation by DAE.	Clinical or other setting as determined by facility/property management.
<b>How to determine if the animal is allowed in facility</b>	Two questions: <ol style="list-style-type: none"> <li>Is this animal necessary because of a disability?</li> <li>What service is the animal trained to perform?</li> </ol> No other approval is necessary. Vest or other identification not mandated.	The <b>person</b> must have a verifiable need for an ESA to mitigate specific symptoms of a disability. Verification must be from a licensed health-care provider with at least a 30-day period between initial visit and verification. <b>Specific accommodation must be approved by DAE office.</b>	Permission to be on site is determined and regulated solely by the property management/owner.
<b>Certification of animal</b>	None; may be trained by owner/handler or professional organization.	None. Any supposed certification of the animal is the product of a scam, specifically illegal in California.	Team of animal and handler preferred certified through an official registry to verify suitability and training.
<b>Training required/function</b>	Animal performs specific tasks related to the person's disability to provide safety, facilitate health, and overcome obstacles, etc. Perform task on command or in response to specific stimulus. The animal must actually do something more than just be present.	Basic training appropriate for a household pet of that species. An ESA provides therapeutic emotional support by being present.	Animal must be trained to be approachable and calm with strangers who may be experiencing emotional distress: disaster/evacuation sites, patients undergoing medical treatment, students taking exams, etc.

Resource Website URLs:

[https://www.ada.gov/service\\_animals\\_2010.htm](https://www.ada.gov/service_animals_2010.htm)

<https://adata.org/guide/service-animals-and-emotional-support-animals>

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220AB468](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB468)

[https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/assistance\\_animals](https://www.hud.gov/program_offices/fair_housing_equal_opp/assistance_animals)

<https://www.hud.gov/sites/dfiles/PA/documents/HUDAsstAnimalNC1-28-2020.pdf>