

The Connecticut Coalition to End Homelessness presents:

Emotional Support Animals

Webinar

June 18, 2018

Erin Kemple

Executive Director

Connecticut Fair Housing Center



Mimi Haley

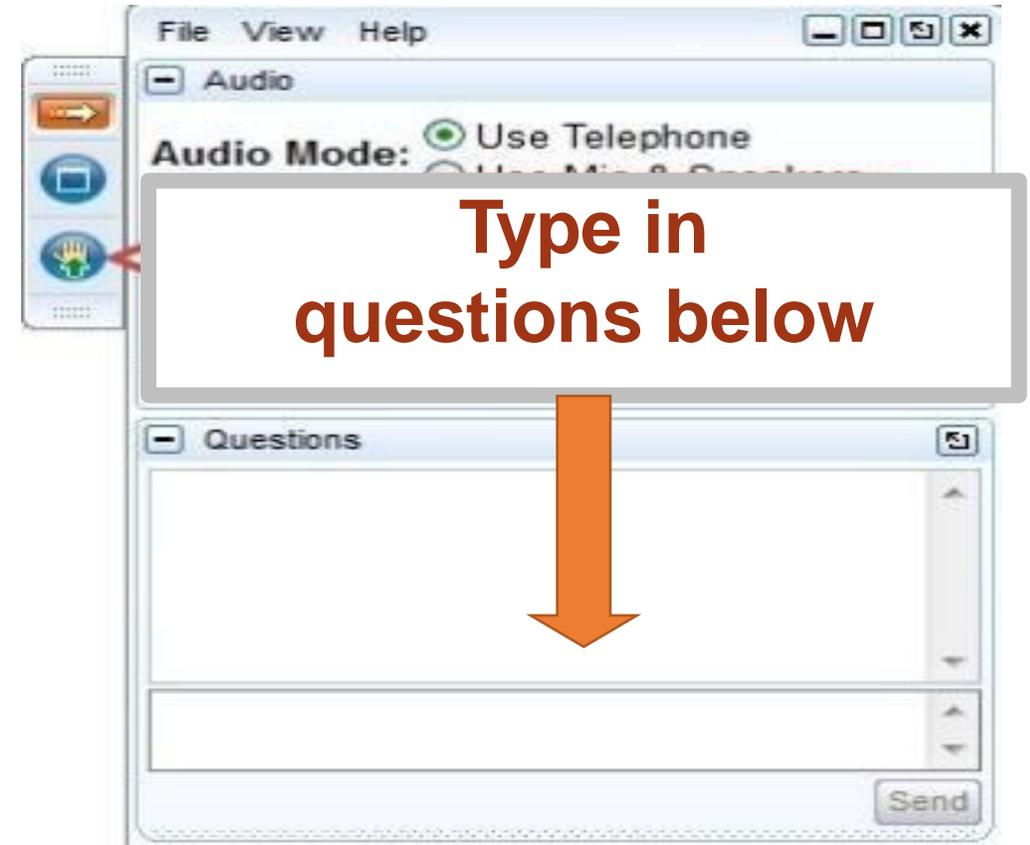
Deputy Director

Connecticut Coalition to End Homelessness



House Keeping

- Because this is a webinar, attendees are muted
- Please type any questions you have into the Questions Box
- We are recording this webinar and will send out the link to the recording along with a copy of these slides to everyone who's registered at a later date.



The Fair Housing Act & Disabilities

Erin Kemple

Executive Director

Connecticut Fair Housing Center



Connecticut
Fair Housing Center

The Connecticut Fair Housing Center

The mission of the Connecticut Fair Housing Center is to ensure that all people have equal access to housing opportunities in Connecticut.

Because housing discrimination disproportionately affects people with low incomes, the Center focuses on the intersection of poverty and housing discrimination. The Center also assists Connecticut homeowners who have been hardest by the nation's ongoing foreclosure crisis.

www.ctfairhousing.org

Protected Classes in Connecticut

- Race
- Color
- National Origin
- Sex
- Disability
- Religion
- Familial Status
- Ancestry
- Marital Status
- Age
- Sexual Orientation
- Lawful Source of Income
- Gender Identity & Expression
- Veteran status

Disability Discrimination Protections

- Fair Housing Act (FHA)
- The Connecticut Human Rights Act (CHRA)
- Rehabilitation Act of 1974 (Section 504)
- Americans' with Disabilities Act (ADA)

Disability Definition

- The FHA, CHRA, Section 504 and the ADA all use similar definitions of disability
- A physical or mental impairment that substantially limits one or more major life activities:
 - **Impairment**– a condition or disease that has a negative effect on the mind or body;
 - **Substantial**– to a great degree or for a long period of time;
 - **Major life activities**– any activity that is needed to carry on life, such as eating, sleeping, breathing, hearing, seeing, self-care, interactions with others, etc.

Disability Definition

- These definitions also include:
 - A person who has a record of having a substantial impairment of a major life function;
 - A person who is considered by others to be disabled.

Do shelters have to obey fair housing laws?

- Shelters are “covered dwellings” and must obey fair housing laws
- Shelters cannot refuse to allow someone to use the shelter because they belong to a protected class
- Shelters cannot have different rules or conditions for people based on their protected class
- Shelters must grant reasonable accommodations for individuals with disabilities

Do shelters have to obey fair housing laws?

- The FHA, CHRA, Section 504 and the ADA require shelter providers to make reasonable accommodations
 - A change in rules, policies, practices, or services that will assist a person with a disability to have equal opportunity to use and enjoy a dwelling unit or common space.
- Individuals with disabilities can request reasonable accommodations from shelter providers. Some examples are:
 - Emotional support or service animals
 - Oxygen tanks
 - Access to a private space to administer medications

Reasonable Accommodations in Shelters

- What is reasonable?
 - No undue administrative or financial burden
 - Must show that this request is an undue administrative or financial burden
 - Cannot deny because “then everyone will want one”
- How to request a reasonable accommodation
 - Does not have to be in writing
 - Does not have to be on a form created by the shelter
 - Cannot ask for medical records
 - Cannot ask for additional verifications such as training certifications for support animals or service animals

What's the difference?

- Emotional Support Animals
- Service Animals
- Pets

HUD Guidance on Assessment of RA

1. Does the person who wants to bring an animal into the shelter have a disability? *i.e.*, a physical or mental impairment that substantially limits one or more major life activities?

2. Does the person making the request have a disability-related need for an assistance animal?

In other words, does the animal work, provide assistance, perform tasks or services for the benefit of a person with a disability, or provide emotional support that alleviates one or more of the identified symptoms or effects of a person's existing disability?

Requesting a Reasonable Accommodation

If the disability is obvious and the need for a change in a rule, policy or practice is obvious request does not have to be in writing.

E.g., person who is blind wants to bring in their seeing eye dog. Does not have to request in writing.

Requesting a Reasonable Accommodation

If the disability is not obvious a shelter provider can ask for:

A written letter from a treating medical professional explaining client's limitation, and how the reasonable accommodation requested alleviates the limitation.

Responsibilities of the Owner?

Partnering with Outside Organizations for Assistance

- Connecticut Humane Society – low cost and free vaccination clinics
- St. Vincent De Paul – location and sponsor events
- Local Animal Shelters – provide assistance setting up shelter options in your shelter for service animals.

National Alliance to End Homelessness

Kay Moshier McDivitt Senior TA Specialist Center for Capacity Building, NAEH hosted a low barrier shelter training at CCEH ATI including how to incorporate pets into shelter.

On-line Resources:

<https://endhomelessness.org/resource/emergency-shelter/>

References

1. Connecticut Coalition to End Homelessness

Disabilities in Shelters Resource Page

<http://cceh.org/disabilities-in-shelters/>

*Resource page on *Animals in Shelters* will be available soon*

2. Michigan State University College of Law

FAQs on Emotional Support Animals

<https://www.animallaw.info/article/faqs-emotional-support-animals>

3. TherapyPet

What Is The Difference Between An ESA And A Pet?

<https://therapypet.org/blog/what-is-the-difference-between-an-esa-and-a-pet/>

4. Southwest ADA Center

Service Animals and Emotional Support Animals

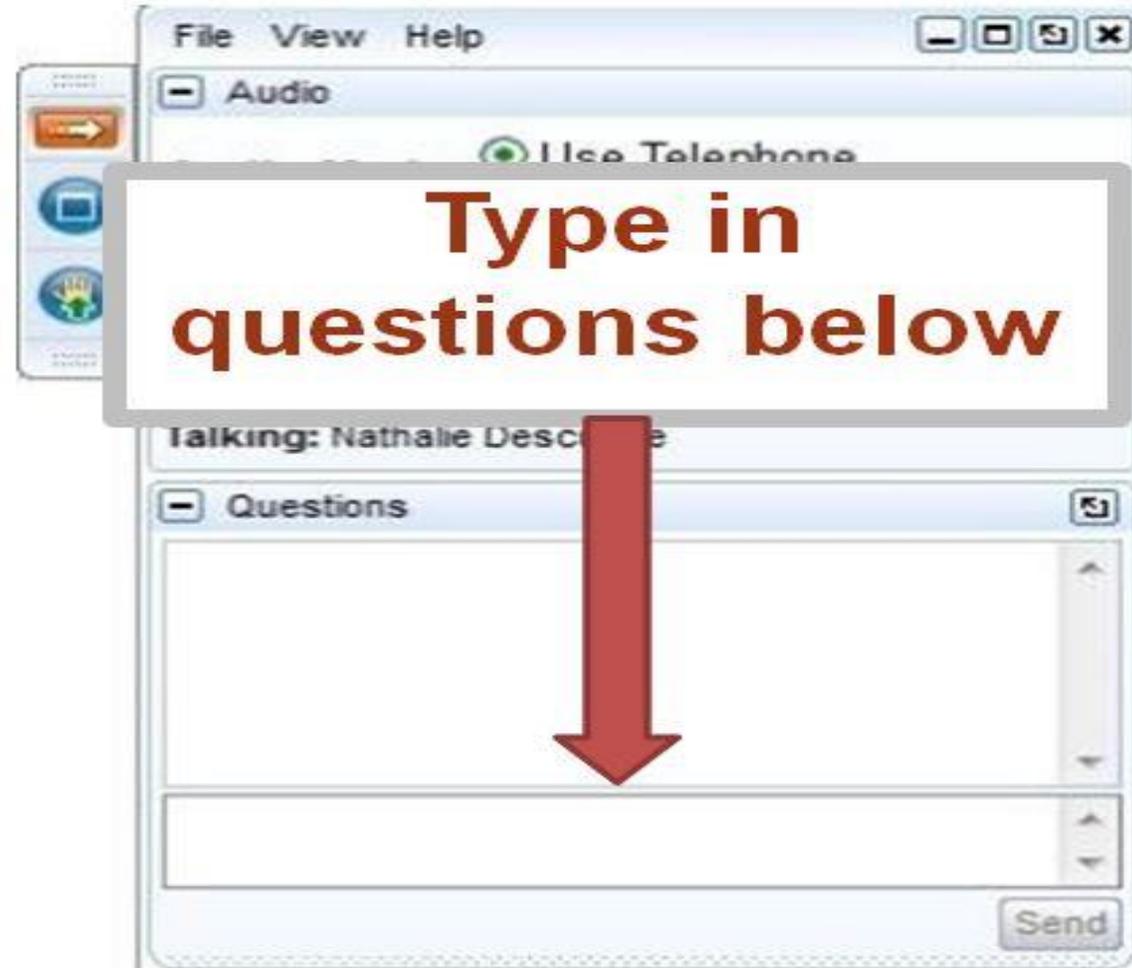
<https://adata.org/publication/service-animals-booklet>

5. US Department of Housing & Urban Development

Service Animals and Assistance Animals for People with Disabilities in Housing and HUD-Funded Programs Memo

(See "Handouts"- will also be sent in follow-up email)

Questions?



For additional questions, contact training@cceh.org

As a reminder, slides and the link to this recorded webinar will be sent out following the webinar