



Pet-Friendly Housing Policy Requirements and Considerations

1. Purpose of Pet Policies – Pet Policies are intended to address the respective needs of management, pet-owning tenants, and non-pet owning tenants, as well as the needs of the pets themselves. The construction and implementation of a policy should create a harmonious co-existence of everyone living and working at the property by fostering respect, cooperation, and consideration. A policy should clearly lay out the expectations and agreements made.

2. Landlord Authorization – Consider a lease addendum or pet agreement, request photo and other identifying information about the pet(s).

3. Exemptions for Assistive Animals – Federal Fair Housing laws (42 U.S.C. 3601 et seq.) prohibit discrimination in the sale or rental of a dwelling to a buyer or renter because of a handicap. Discrimination includes, under 42 U.S.C. 3604(f)(3)(B), “a refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling.” For purposes of the Act, an assistive animal is not a pet and are not subject to pet prohibitions or regulations. Please consult your state’s fair housing and accommodation laws for further guidance.

4. Visitor’s Pets – Does landlord allow tenants to have visiting pets? What period of time? Registration or other permission required?

5. Ensure Compliance with Local Laws – Consider requiring proof of licensing and vaccination on an annual basis. Pet owners must maintain pets responsibly, in accordance with applicable state and local public health, animal control, and animal cruelty laws and regulations.

6. No Breed Restrictions – Dangerous/aggressive dog screening has been shown to be a more effective and accurate method for reducing dog-related liability. Numerous governmental and non-governmental entities have adopted statements or policies consistent with this data. These include the U.S. Centers for Disease Control and Prevention, the American Bar Association, the American Veterinary Medical Association, as well as hundreds of states and local jurisdictions. The ASPCA strongly recommends that landlords not include breed restrictive policies in favor of an objective, breed-neutral policy focused on the history and behavior of the individual dog.

7. Number, size, and types of pets – Pet ownership may be limited to common household pets, which should be defined. Typically, these policies define “household pets” to include only dogs, cats, birds commonly kept as pets, tropical fish, frogs, iguanas and turtles kept in aquariums and no other species of animal. The size of a dog is not directly related to its desirability as a resident. Larger dogs are often more docile, quieter and more affectionate

than smaller dogs. An older dog will probably be quieter than a younger dog no matter what its size. We recommend that the size of pets not be specifically limited. However, pet owners should be able to maintain control over their pets at all times.

8. Pet Deposits – If an additional deposit is charged by the landlord for a pet, it should be reasonable and refundable. The landlord can require the payment in one sum at the beginning of the lease term; however, a gradual payment over the term of the lease is preferred in order to accommodate the financial constraints of low income households. Arrangements may be made to allow the tenant to pay the deposit over a period of time.

9. Liability – Pet owners should be notified that they will be liable for damage caused by their pets on the property. While it is strongly suggested that pet owners obtain liability insurance, it is recognized that this is not possible for many tenants. The landlord may wish to augment their insurance policy to ensure that damage to person or property on their property is covered.

10. Pet Rules – A landlord should be clear about their expectations for pet owners. They should designate at least one common area for pets to relieve themselves. They should require pet waste to be appropriately removed by the pet owner and may consider a small fine for those violating the requirement. Pet waste bags should be provided by the landlord. Pets should be restrained (cats and dogs must be leashed) when on development property outside the owner's apartment. If the housing manager designates a specific fenced pet walking area, pets could be unrestrained in those areas.

11. Emergencies – Landlords should be provided the name and contact information for a pet caretaker who will assume responsibility for the care of their pet(s) should the owner become unable to care for the pet. This information should be updated annually.

12. Best Practice – Each housing development may consider establishing a "Pet Committee" made up of interested residents in the project. The Pet Committee could visit with each new pet owner to explain specific procedures in the project and distribute helpful materials, such as documents listing telephone numbers of community resource groups that can assist pet owners. The committee could assist the landlord in addressing any written complaints against pet owners and work with the pet owner to resolve the complaints. The committee could also suggest policies appropriate to their pets particular building and might compile a list of non-pet owners willing to exercise or care for pets in an emergency for a reasonable fee.

