



Select Language ▼

Powered by [Google Translate \(https://translate.google.com\)](https://translate.google.com)

## Service and Emotional Support Animals in Housing

Individuals with service and emotional support animals have the right to housing that is free from discrimination.

Landlords cannot discriminate against tenants on the basis of disability under the Minnesota Human Rights Act. In many situations, landlords must allow service animals or emotional support animals into their rental properties, regardless of general policies about pets.

If you believe you have been unlawfully denied a reasonable accommodation for a service or emotional support animal or experienced other discrimination in housing, **[report the alleged discrimination \(https://mn.gov/mdhr/intake/consultationinquiryform/\)](https://mn.gov/mdhr/intake/consultationinquiryform/)**.

### **No-pet policies don't apply to service and emotional support animals.**

A no-pet policy does not apply to service and emotional support animals because they are not considered pets.

### **Landlords cannot demand a pet deposit, monthly pet rent, or other pet fees**

Since service and emotional support animals are not considered “pets,” a landlord cannot demand a pet deposit, monthly pet rent, or other pet fees.

However, if the service animal or emotional support animal causes any damage beyond normal wear-and-tear, the landlord can require a tenant to pay for the damage so long as it treats all other tenants the same way.

### **Tenants must request a reasonable accommodation.**

In order for a tenant to live with a service animal and/or emotional support animal, the tenant must request a reasonable accommodation from their landlord.

When requesting a reasonable accommodation, a tenant should describe how their disability affects their daily life, how the animal will perform a task and/or support them, and must submit reliable documentation to support their request.

If the landlord's building is a pet-free building, the landlord may require the tenant to submit their reasonable accommodation before the service animal and/or emotional support animal moves into the unit.

The landlord must respond to the tenant's reasonable accommodation request in a reasonable period of time.

### **Landlords may deny a request for a reasonable accommodation.**

A landlord may deny a tenant's request for a reasonable accommodation to live with a service animal and/or emotional support animal if the request causes an undue burden.

A request for a service animal and/or emotional support animal may cause an undue burden if it would create a substantial financial or administrative burden, if the particular animal poses a threat to the health and safety of others, or if the particular animal is likely to cause substantial damage to the property of others.

### **Tenants may be required to submit documentation.**

The Minnesota Human Rights Act does not require service or emotional support animals to be registered.

Landlords, however, can request documentation as part of the reasonable accommodation request process. For example, a tenant might be required to describe how the animal helps alleviate a physical and/or mental disability, or whether the animal is trained to perform a specific task.

If the documentation submitted by the tenant to support their request does not appear to be reliable, a landlord may ask for additional documentation that is reliable.

### **A landlord's requirements must be based on an individualized assessment of the animal's actual conduct.**

If the service animal and/or emotional support animal is under control and does not have aggressive tendencies, then the landlord's insistence that a tenant has the animal spayed or neutered so that the animal is more controlled is probably not reasonable.

Similarly, if the animal is under control, then the landlord's insistence that the animal be an adult (or of a certain age) is probably not reasonable.

## **Landlords can insist that tenants comply with local ordinances requiring animals be licensed or immunized.**

A landlord can insist that tenants with assistance animals comply with local ordinances requiring that animals be licensed or immunized.

Similarly, all tenants must comply with laws or ordinances forbidding certain wild or exotic animals (such as wolves or lemurs) on the basis of legitimate public health and safety concerns.

## **Landlords cannot generally limit the number or type of emotional support animals a tenant can have.**

A landlord cannot generally limit the number or type of emotional support animals a tenant can have, unless the number or type of animal requested creates an undue burden on the landlord. There are also may be local ordinances prohibiting wild or exotic animals as service or emotional support animals and/or ordinances limiting the number of animals allowed in a home.

If a tenant can demonstrate a disability-related need for multiple assistance animals or a specific type of animal, the landlord cannot exclude one or more of them simply because of an arbitrary limit on the number of animals allowed under its pet policy. However, a landlord can deny a tenant's request for a specific type of animal or additional assistance animal, if a landlord can demonstrate how the tenant's request creates an undue burden.