

GUIDELINES REGARDING ASSISTANCE ANIMALS

- A. _____ (property owner, manager) considers reasonable accommodation requests consistent with the definition of disability as outlined by the Fair Housing Act (FHA) and the Iowa Civil Rights Act (ICRA). The FHA and ICRA define “disability” as: “(1) a physical or mental impairment which substantially limits one or more of such person’s major life activities; (2) a record of having such an impairment, or (3) being regarded as having such impairment.” 42 U.S.C. § 3602(h); Iowa Code § 216.2(5). “Major life activities” include activities “such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.” 161 Iowa Admin. Code § 9.3; 24 C.F.R. § 100.201.
- B. _____ (property owner, manager) will review and respond promptly to all reasonable accommodation requests.
- C. All information received by _____ (property owner, manager) regarding an individual's disability, including physical, mental, psychological, and/or psychiatric conditions, shall be kept confidential unless the individual authorizes the release of the information or _____ (property owner, manager) is required to produce the information in response to a Court order, on notice to the affected individual(s).
- D. If the tenant has a disability and a disability-related need for a reasonable accommodation under federal, state or local law, _____ (property owner, manager) will grant such accommodation, including a request to keep an assistance animal. _____ (property owner, manager) will not retaliate against any person because that individual has requested or received a reasonable accommodation. _____ (property owner, manager) will not discourage any individual from making a reasonable accommodation request, including a request to keep an assistance animal. While it is _____’s (property owner, manager) policy to not allow any pets, assistance animals are not pets. However, a tenant must request an exception to the no-pet policy in order to keep an assistance animal.
- E. _____ may deny a request or require the removal of a particular assistance animal from the premises if the animal poses a direct threat (i.e., a significant risk of substantial harm) to the health or safety of other individuals that cannot be eliminated or reduced to an acceptable level by another reasonable accommodation, considering the health and safety of the other individual(s) and the need for an accommodation, or if the animal would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation. _____ will base such determinations upon consideration of the behavior of the particular animal at issue, and not on speculation or fear about the types of harm or damage an animal may cause.
- F. When assistance animals are in common or public areas, they must be kept on a leash or in a carrier or cage, unless those devices prevent assistance animals from performing a disability-related task. Additionally, like any other tenant, owners of assistance animals remain subject to the provisions of their leases, with the exception that they are allowed

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to occupy the premises with their assistance animals. Similarly, owners of assistance animals shall comply with all state and local animal laws, including such laws or ordinances requiring animal owners to clean up animal waste, except when such laws are preempted by the Fair Housing Act, Section 504 of the Rehabilitation Act, or the Americans with Disabilities Act or the owner is entitled to a reasonable accommodation.

- G. _____ may take action against the owner for noise or damages caused by an assistance animal to the same extent that it takes such action against tenants who have caused similar noise or damages