

FAMILY PROMISE OF GREATER DES MOINES OPERATIONS PROCEDURE

SUBJECT: ACCOMODATING GUESTS WITH ASSISTANCE ANIMALS

DATE: October 2017

REVISED:

POLICY

Persons with disabilities may request a reasonable accommodation for any assistance animal, which would include an emotional support animal, under the Fair Housing Act (FHA). While dogs are the most common types of assistance animals, other animals can also be assistance animals. For purposes of accommodation requests, the FHA does not require an assistance animal to be individually trained or certified.

Criteria for Evaluating a Request:

- 1.) Evaluating a request for a reasonable accommodation to possess an assistance animal, will be completed by the case manager and executive director. FPGD staff shall consider the following when evaluating a request:
 - (a) Does the person seeking to use and live with the animal have a disability? (i.e., a physical or mental impairment that substantially limits one or more major life activities)
 - (b) Does the person making the request have a disability related need for an assistance animal? (i.e., 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?)
- 2.) If the answer to either of these inquiries is **no**, then the request for an accommodation may be denied.
- 3.) If the answer to either of these inquiries is **yes**, then FPGD and its host congregations will permit the person with the disability to live with and use the assistance animal in all areas, approved for access by the guests, unless doing so would impose an undue financial or administrative burden or would fundamentally alter the nature of the services provided.
- 4.) The request may also be denied if:
 - (a) The specific assistance animal in question poses a direct threat to the health and safety of others that cannot be reduced or eliminated by another reasonable accommodation; or
 - (b) The specific assistance animal in question would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation.
 - (c) If the animal is not house broken.

Documentation of Disability and Need for Assistance Animal(s):

- 1.) FPGD staff may ask individuals who have disabilities that are not readily apparent or known to them to supply reliable documentation of a disability and their disability related need for an assistance animal.
- 2.) If the disability is readily apparent or known but the disability related need for the assistance animal is not, FPGD staff may ask the individual to provide documentation of the disability related need for an assistance animal.
- 3.) FPGD staff may ask a person seeking an accommodation for an assistance animal that provides emotional support to provide documentation from a physician, psychiatrist, social worker or other mental health professional that the animal provides emotional support that alleviates one or more of the identified symptoms or effects of an existing disability.
 - (a) Such documentation is sufficient if it establishes that an individual has a disability and that the animal in question will provide some type of disability related assistance or emotional support.
- 4.) In those instances where an individual seeks accommodation to have more than one animal with them, the analysis is the same and the person can be asked to provide documentation supporting this need for multiple animals that each support animal alleviated some symptom of the disability.

Prohibitions:

- 1.) A determination that an assistance animal poses a direct threat of harm to others or would cause substantial physical damage to the property of others must be based upon an individualized assessment that relies on objective evidence about the specific animal's actual conduct and cannot be based upon mere speculation or fear about the types of harm or damage an animal may cause nor on evidence about harm or damage that other animals have caused.
- 2.) Breed, size and weight limitations may not be applied to an assistance animal on a blanket basis.
 - (a) If FPGD's, or a host congregation's insurance carrier would cancel, substantially increase the cost of the insurance policy, or adversely change the policy terms because of the presence of a certain breed of dog or certain animal, that factor may be considered an undue financial and administrative burden upon FPGD or a host congregation.
- 3.) Allergies and or fear of animals are not valid reasons for denying a request for accommodation.
 - (a) If a person is at risk of a significant allergic reaction to an animal, it is incumbent upon the FPPGD to find a way to accommodate both the individual using the animal as well as the individual with the allergy.
- 4.) If the disability and disability related need is readily apparent or already known to FPGD staff, then they may not require documentation to prove those items.
- 5.) FPGD staff may not ask a person to provide access to medical records or medical providers or to provide detailed or extensive information of a person's physical or mental impairments.

Appeals

Persons whose request for accommodation is rejected shall have the right to appeal the decision. In such cases where the request for accommodation is rejected, the FPGD case manager shall offer the opportunity to submit an appeal.

Responsibilities of the Guest:

- 1.) The guest with the animal is responsible for
 - (a) The care of the animal
 - (i) Feeding
 - (ii) Ensuring the animal relieves itself in the designated area and cleans up after the animal, including waste, in a manner which does not cause damage to the housing provider's property.
 - (b) The supervision of the animal
 - (i) Ensuring the animal is only in areas of the Day Center and host congregation where guests are normally allowed to go and accompanied by its owner.
 - (ii) Taking corrective action if the animal behaves in an unacceptable manner (i.e., uncontrolled barking, jumping on other people, running away from the handler, etc.).

Grounds for Removing the Assistance Animal:

- 1.) Failure of the owner to:
 - (a) To keep the animal only in areas of the Day Center and host congregation where guests are normally allowed to go.
 - (b) Relieve the animal in designated areas.
 - (c) Clean up after the animal, including waste.
- 2.) The animal behaves in an unacceptable way which is not remedied by the owner
 - (a) Uncontrolled barking
 - (b) Jumping on other people
 - (c) Running away from the handler
 - (d) Growling or other aggressive behavior
- 3.) The animal causes damage to the Day Center or host congregation

Notification to Host Congregations and Westminster Presbyterian Church:

In cases where the request for accommodation is approved, the FPGD host congregations and Westminster Presbyterian Church, where the Day Center is located, shall be notified prior to the guests' arrival.

PROCEDURE

Requesting an Accommodation for an Assistance Animal:

- 1.) A request for the accommodation for an assistance animal may occur at any time during a family's stay.
 - (a) A request for an accommodation by a prospective guest family should occur during the shelter interview.
- 2.) The request for the accommodation should be in writing to the FPGD case manager and include:
 - (a) Identification of the type, breed and color of each animal for which the accommodation is being sought.
 - (b) If the disability is not readily apparent or known to the case manager, the case manager shall ask the individual to supply reliable documentation of a disability and their disability related need for an assistance animal.
 - (c) If the disability is readily apparent or known but the disability related need for the assistance animal is not, the case manager shall ask the individual to provide documentation of the disability related need for an assistance animal.
 - (d) If the request for an accommodation for an assistance animal is for an animal that provides emotional support, the case manager shall request documentation that the animal provides emotional support that alleviates one or more of the identified symptoms or effects of an existing disability.
 - (e) All request for documentation of a disability and the disability related need for an assistance animal must come from either a physician, psychiatrist, social worker or other mental health professional.

Evaluating a Request for an Assistance Animal:

- 1.) The FPGD case manager shall review the request for accommodation and all relevant documentation then complete the first two section of the *Accommodation of an Assistance Animal Request Form*.
 - (a) The FPGD case manager shall forward the *Accommodation of an Assistance Animal Request Form*, request for accommodation and all relevant documentation to the executive director who will make the final decision.

Appeal Process

- 1.) If a request for accommodation is denied, the case manager shall offer the person the opportunity to appeal.
- 2.) Anyone wishing to appeal this decision should be given a copy of the FPGD Grievance Form to completed and return to the case manager. The appeal request and the request for accommodation shall be immediately forwarded to the president of the FPGD board of directors via fax or email. The case manager shall give the appellant a copy of his/her written request for an appeal as well as a receipt generated after faxing the appeal or a copy of the email sent to board president.
- 3.) An appeal should be submitted within 48 hours of the initial decision.
- 4.) A written response to the grievance report will be made within two business days.

Owner's Obligations

Responsibilities of the owner(s) regarding the care and handling of the animal while in our program as well as the grounds for the animal's removal are outlined in the *Obligations of the Owner(s) of an Assistance Animal* form the owner(s) must sign before the animal is allowed in the Day Center or our congregations.

Communication with the Host Congregations

The decision to allow a guest to have an assistance animal shall be communicated to the host coordinator of each host congregation prior to the guest's arrival at the host congregation.

- 1.) The accompanying of an assistance animal should be noted in the guest's *Family Profile* as well as highlighted in the cover email to which the profile is attached.
- 2.) A signed copy of the *Obligations of the Owner(s) of an Assistance Animal* form shall also be attached to the email.

The executive director shall communicate the presence of an assistance animal to his/her liaison at Westminster Presbyterian Church prior to the guest's arrival.

FAMILY PROMISE OF GREATER DES MOINES

Accommodation of an Assistance Animal Request Form

Name: _____ Date: _____

Criteria for Evaluating a Request (check all that apply)

- _____ Request for accommodation is in writing and includes identification of the type, breed and color of each animal for which the accommodation is being sought.
- _____ Person seeking to use and live with the animal has a disability (i.e., a physical or mental impairment that substantially limits one or more major life activities).
- _____ Person making the request has a disability related need for an assistance animal (i.e., 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?).

Documentation (check all that apply)

- _____ Reliable documentation from a physician, psychiatrist, social worker or other mental health professional of the disability (**ONLY IF** the disability **is not** readily apparent or known).
- _____ Reliable documentation from a physician, psychiatrist, social worker or other mental health professional of the disability related need for the assistance animal (**ONLY IF** the need **is not** readily apparent or known).
- _____ Reliable documentation from a physician, psychiatrist, social worker or other mental health professional that the animal provides emotional support that alleviates one or more of the identified symptoms or effects of an existing disability (Required for any request for an emotional support animal).

Decision

The request for accommodation has been approved. _____ YES _____ NO

If NO, check all that apply

- _____ Person seeking to use and live with the animal DOES NOT have a disability.
- _____ Person making the request DOES NOT have a disability related need for an assistance animal.
- _____ Accommodating the animal will create an undue financial or administrative burden.

____ Granting the accommodation would fundamentally alter the nature of FPGD's services.

____ The specific assistance animal in question poses a direct threat to the health and safety of others that cannot be reduced or eliminated by another reasonable accommodation.

____ The specific assistance animal in question would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation.

Explanation (provide an explanation for the answer(s) checked above:

Signed: _____

Date: _____

Title: _____

FAMILY PROMISE OF GREATER DES MOINES

Obligations of the Owner(s) of an Assistance Animal

Your request for accommodation of an assistance animal has been approved. With this approval comes certain responsibilities of you, the owner(s). These responsibilities include:

- 1.) The care of the animal (a)
Feeding
(b) Ensuring the animal relieves itself in the designated area and you cleans up after the animal, including waste, in a manner which does not cause damage to the housing provider's property. All waste should be disposed of in an outside garbage receptacle.
- 2.) The supervision of the animal
(a) Ensuring the animal is only in designated areas of the Day Center and host congregation and accompanied by its owner.
(b) Taking corrective action if the animal behaves in an unacceptable manner (i.e., uncontrolled barking, jumping on other people, running away from the handler, growling, etc.).

Grounds for Removing the Assistance Animal – The following are grounds for the removal of the assistance animal:

- 1.) Failure of the owner to:
 - (a) To keep the animal only in designated areas of the Day Center and host congregation.
 - (b) Relieve the animal in designated areas.
 - (c) Clean up after the animal, including waste and proper disposal of waste.
- 2.) The animal behaves in an unacceptable way which is not remedied by the owner
 - (a) Uncontrolled barking or growling
 - (b) Jumping on other people
 - (c) Running away from the handler
 - (d) Growling or other aggressive behavior
- 3.) The animal causes damage to the Day Center or host congregation

Guest: _____

Date: _____

Guest: _____

Date: _____

Case Manager: _____

Date: _____