

**Sea Palms Condominium Association, Inc.  
Service/Emotional Support Animal Approval Process**

**REASONABLE ACCOMMODATION POLICY**

The Federal Fair Housing Act and other state and local fair housing laws require that housing owners and managers provide reasonable accommodations for applicants and residents who have disabilities. The Association is committed to granting reasonable accommodations when necessary to afford persons with disabilities the equal opportunity to use and enjoy a dwelling at the Association.

Reasonable accommodations may include waiving or varying Association rules or policies to allow a resident with a disability to keep an "assistance animal." An assistance animal is an animal that does work or performs tasks for the benefit of a person with a disability, or provides emotional support or other assistance that alleviates one or more symptoms or effects of a person's disability ("Assistance Animal"). The most common Assistance Animals are dogs, although other animals may qualify as assistance animals. Assistance Animals are not pets under the Association's policies, and Assistance Animals will be governed by this policy and not by the Association's pet policy. The Association recognizes the importance of Assistance Animals and is dedicated to ensuring that residents with Assistance Animals – whether owners, occupants or renters - may keep them at your residence.

If a resident with a disability requests a reasonable accommodation for an Assistance Animal, the Association must determine whether the animal provides assistance needed by that resident to afford him or her an equal opportunity to enjoy living at the Association. The Association will not ask about the nature or severity of the person's disability. Many times, both the disability and the assistance provided by the Assistance Animal is obvious - for example, a dog guiding an individual who is blind or has low vision, or a dog pulling the wheelchair of a person with a mobility impairment. If this is the case, no further inquiry will be made and the Association will grant the resident the reasonable accommodation.

In the case of a resident who requests a reasonable accommodation for an Assistance Animal that provides emotional support or other assistance that alleviates one or more symptoms or effects of the resident's disability, the Association may require a written statement from a health or social service professional indicating:

- I. That the applicant has a disability, and
- II. That the animal would provide emotional support or other assistance that would alleviate one or more symptoms or effects of the disability.

In the case of a resident who requests a reasonable accommodation for an Assistance Animal that does work or performs tasks for the benefit of a person with a disability, the Association may require that the resident provide:

- I. A written statement from a health or social service professional indicating that the person has a disability, and
- II. Information that the animal has been individually trained to do work or perform tasks that would alleviate one or more symptoms or effects of the disability, or information that the animal, despite lack of individual training, is able to do work or perform tasks that would alleviate one or more symptoms or effects of the disability.

In the case of an Assistance Animal that both provides emotional support or other assistance that alleviates one or more symptoms or effects of a disability and does work or performs tasks for the benefit of a person with a physical disability, the Association may require compliance with either of the two preceding paragraphs, but not both.

The Association will not require compliance with any of the following requirements:

- I. In the case of an Assistance Animal that provides emotional support or other assistance that alleviates one or more symptoms or effects of a disability, that the animal has been trained or has a certification of its efficacy, or
- II. That the resident pays any fee, deposit, or other charge for keeping the animal, or obtain insurance as a condition of keeping the animal.

In processing requests for Assistance Animals, the Association will take reasonable measures to protect the confidentiality of any information or documentation disclosed in connection with the requests. Such measures may include limiting access to such information to persons specifically designated to deal with requests for reasonable accommodations, who will disclose information only to the extent necessary to determine whether to grant the request, and keeping all written requests and accompanying documentation in a secure area to which only those designated persons have access, except as otherwise required by law.

It is the responsibility of a person with a disability who is a resident, tenant, or occupant of a residence to inform the Association as to the need for an Assistance Animal for the resident, tenant or occupant, and to request a reasonable accommodation and provide any required documentation. A person with a disability may request a reasonable accommodation orally but it will be more helpful to make it in writing. To that end, the Association has a "Form to Request an Assistance Animal" (attached to this Policy) which a person with a disability can use to make a reasonable accommodation request for an Assistance Animal.

If the applicant requires assistance in completing the form, the Property Manager or his or her designee will provide assistance or will fill out the form based on an oral request. The Association is using the form to record reasonable accommodation requests so that we obtain only the information necessary to make a reasonable accommodation decision and do not obtain confidential information that we do not need to make a reasonable accommodation decision.

Once a completed request with any required documentation is received, the Association will provide a response within fourteen days. Prior to denying a request, the Association will attempt to engage in an interactive process with the person making the request in which the parties discuss possible alternative accommodations that might effectively meet the person's disability related needs. The Association recognizes that a person with a disability is generally in the best position to know whether or not a particular accommodation will be effective in meeting his or her needs. If a request is denied, an explanation for the denial will be included in the written notification of denial.

### **Maintaining an Emotional Support/Service Animal**

Should a request for a reasonable accommodation to the Association's covenants and restrictions be granted, the Association reserves the right, pursuant to law and for the health, safety, and welfare of its other residents, to withdraw the approval should the emotional support / service animal become a nuisance to others, which includes, but is not limited to: excessive barking; biting; aggressive behavior; attacking; resident's failure to properly dispose of excrement or waste;- failure to comply with state and local ordinances and statutes; not maintaining the animal on a leash or under reasonable control at all times when outside of the unit. Additionally, the approval of the animal may be withdrawn if the requesting party no longer requires the accommodation. Further, the applicant is required to provide current and annual vaccination, immunization and veterinarian records for the animal. The owner of the animal is solely responsible for any and all damage caused by the animal, whether to person or property.

## FORM TO REQUEST AN ASSISTANCE ANIMAL

The Federal Fair Housing Act and other state and local fair housing laws require that housing owners and managers provide reasonable accommodations for applicants and residents who have disabilities. The Association is committed to granting reasonable accommodations when necessary to afford persons with disabilities the equal opportunity to use and enjoy their residence.

Under fair housing laws, a person with a disability is defined as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who is regarded as having such an impairment, or a person with a record of such an impairment. Reasonable accommodations may include waiving or varying Association rules or policies to allow a resident to keep an "assistance animal." An assistance animal is an animal that does work or performs tasks for the benefit of a person with a disability, or provides emotional support or other assistance that alleviates one or more symptoms or effects of a person's disability ("Assistance Animal").

If you or someone associated with you has a disability and you believe that there is a need for an Assistance Animal as a reasonable accommodation for the person with a disability to use and enjoy his or her residence at the Association, please complete this form and return it to the management office. Please check all items that apply and answer all questions. The Association will answer this request in writing within 14 days. All information provided to the Association in connection with this request will be kept confidential, except as otherwise required by law. If you require assistance in completing this form, please call the management office at (772 461-3100) for assistance or to make an oral request for a reasonable accommodation.

1. Do you require assistance filling out this form?

YES

NO

If your answer is "Yes", and you do not have someone who can assist you, please ask [Sea Palms Association (772) 461-3100] to assist you in filling out this form.

If your answer is "No", continue on to Question No. 2.

2. Today's Date: \_\_\_\_\_

3. The person who has a disability requiring a reasonable accommodation is (please check one):

**Me.** If you answered "Me", continue to Question 4.

**A person making a reasonable accommodation request on behalf of or assisting the person with a disability** who needs an Assistance Animal. After filling out the following, continue to Question 4 and fill out the information regarding the person for whom you are requesting a reasonable accommodation:

Name of person filling out form: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_

Relationship to person needing Assistance Animal: \_\_\_\_\_

4. Name of person with a disability for whom a reasonable accommodation is being requested:

Name: \_\_\_\_\_

Phone number: \_\_\_\_\_

Address: \_\_\_\_\_

5. Are you a person with a disability requesting an accommodation of an Assistance Animal so that you can have an equal opportunity to use and enjoy a dwelling at the Association?

YES

NO

6. Designate the species of animal for which you are making a reasonable accommodation request e.g., "dog", "cat", etc.:

\_\_\_\_\_

7. Provide the name and physical description (size, color, weight, any tag and/or license) of the animal for which you are making a reasonable accommodation request:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Does the animal for which you are making a reasonable accommodation request perform work or do tasks for you because of your disability?

YES

NO (If "No," continue to Question 9)

If the answer is yes:

(a) provide a statement from a health or social service professional indicating that you have a disability (i.e. you have a physical or mental impairment that substantially limits one or more major life activities); and

(b) explain below how the animal has been trained to do work or perform tasks that alleviate one or more symptoms or effects of your disability or, if the animal lacks individual training, how the animal is able to do work or perform tasks that would alleviate one or more symptoms or effects of your disability:

\_\_\_\_\_  
\_\_\_\_\_

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You may provide any additional information or documentation of the training or work you describe above and attach it to this application.

9. If the animal for which you are making a reasonable accommodation request does not perform work or do tasks for you because of your disability, but provides emotional support or alleviates one or more symptoms or effects of your disability, please submit a statement from a health or social service professional stating that (a) you have a disability (i.e. you have a physical or mental impairment that substantially limits one or more major life activities); and (b) the animal would provide emotional support or other assistance that would alleviate one or more symptoms or effects of your disability and how the animal alleviates the symptoms or effects. Please attach such a statement to this application.

\_\_\_\_\_  
Signature of person making request

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of person with disability

\_\_\_\_\_  
Date

***TO BE COMPLETED BY MANAGEMENT***

Form accepted by: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature