

PHN 2023-01 Attachment C: Animal-Related Reasonable Accommodation Verification

Once an LHA has determined the requested animal is not a Service Animal **and if the applicant does not have an observable disability or disability otherwise known to the LHA, or the disability-related need for the animal is not readily apparent or otherwise known to the LHA**, the LHA may seek information that verifies the individual has a disability and/or disability-related need for the animal.¹ Disclosure of details about the diagnosis or severity of a disability or medical records or a medical examination cannot be required.²

LHAs may not restrict documentation of an individual's disability for an Assistance Animal to a single document, form, or source. Examples of documentation might include, but are not limited to:

- A determination of disability from a federal, state, or local government agency.
- Receipt of disability benefits or services (Social Security Disability Income (SSDI), Medicare or Supplemental Security Income (SSI) for a person under age 65, veterans' disability benefits, services from a vocational rehabilitation agency, or disability benefits or services from another federal, state, or local agency.
- Eligibility for housing assistance or a housing voucher received because of disability.
- Information confirming disability from a health care professional – e.g., physician, optometrist, psychiatrist, psychologist, physician's assistant, nurse practitioner, or nurse.³
- Reliable information such as from another third-party who is in a position to know about the individual's disability or credible information from the individual.⁴

In addition to the documentation of a disability, the LHA may also seek reliable information that reasonably supports that the animal does work, performs tasks, provides assistance, and/or provides therapeutic emotional support with respect to the individual's disability. This is particularly the case where the disability is non-observable, and/or the animal provides therapeutic emotional support.⁵ Reliable sources of information may include, but are not limited to, a medical, rehabilitation, or service agency professional, or other third party whose function includes providing services or peer support to persons with disabilities.

Before denying a reasonable accommodation request, including due to lack of information confirming an individual's disability or disability-related need for an animal after a reasonable opportunity to provide such information, LHAs should engage in an "interactive process" in which the LHA and requester discuss the requester's disability-related need for the requested accommodation and/or if there are applicable, possible alternative accommodations that would effectively meet the requester's disability-related needs."⁶ LHAs are also encouraged to discuss such matters with their counsel.

¹ HUD FHEO Notice: FHEO-2020-01, pp. 9-12; see also [HUD-DOJ Joint Statement on Reasonable Accommodations under the Fair Housing Act](#) (Questions 16-18).

² HUD FHEO Notice: FHEO-2020-01, p. 14.

³ HUD FHEO Notice: FHEO-2020-01, p.10.

⁴ HUD-DOJ Joint Statement on Reasonable Accommodations under the Fair Housing Act (Question 18).

⁵ HUD FHEO Notice: FHEO-2020-01, p.12.

⁶ HUD-DOJ Joint Statement on Reasonable Accommodations under the Fair Housing Act (Question 7).