Click or tap to enter a date.

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Dear Click or tap here to enter text. :

I write to request a reasonable accommodation under the Fair Housing Act, 42 U.S.C. § 3604(f)(3)(B) and the Arizona Fair Housing Act (collectively, the “FHA”).

I live at the Click or tap here to enter text. at Click or tap here to enter text. in unit # Click or tap here to enter text..

I have a disability as defined under the FHA, and because of my disability I require a reasonable accommodation of the premises and/or common areas. The disability is Click or tap here to enter text.. Choose an item.

Because of my disability, I require approval to make the following reasonable accommodation(s) for full enjoyment of the premises: Choose an item.

Under the FHA, a reasonable accommodation is an exception in rules, policies, practices, or services, when such accommodations may be necessary to afford [a disabled] person equal opportunity to use and enjoy a dwelling.” 42 U.S.C. § 3604(f)(3)(B). Since an assistance animal is akin to a medical device necessary for a person with a disability to have an equal opportunity to use or enjoy a dwelling, pet rules do not apply to assistance animals. See e.g., *Petty v. Portofino Council of Co-owners, Inc*., 702 F.Supp.2d 721, 731 (S.D.Tex. 2010). Accommodations include allowing one or more assistance animals to live with a disabled resident in housing without paying additional fees. *Id*. Housing providers may not limit the breed or size of a dog used as an assistance animal due to concerns about the animal’s size or breed. *See e.g., Bhogaita v. Altamonte Heights Condo. Ass’n*, 765 F.3d 1277 (11th Cir. 2014). Nor may housing providers impose leash rules against tenants or homeowners with disabilities where they have the assistance animal under control without the leash and the assistance animal cannot perform the task on the leash or the person’s disability prevents use of the leash. *See* [U.S. Department of Justice Frequently Asked Questions About Service Animals](https://www.ada.gov/resources/service-animals-faqs/).

Accommodations may also include permitting an exception to a leash rule for disability related reasons, as long as the handler has control over the assistance animal. *See also Alboniga v. Sch. Bd. of Broward Cty. Fla.*, 87 F. Supp. 3d 1319, 1342 (S.D. Fla. 2015) (“even absent tethering, voice controls or signals between the animal and the disabled handler can constitute control.”). The Americans with Disabilities Act (ADA), which defines the term “service animal” more narrowly than the FHA’s broad “assistance animal” definition, provides guidance for off leash service animals. The ADA requires:

service animal must be harnessed, leashed, or tethered while in public places unless these devices interfere with the service animal’s work or the person’s disability prevents use of these devices. In that case, the person must use voice, signal, or other effective means to maintain control of the animal. For example, a person who uses a wheelchair may use a long, retractable leash to allow her service animal to pick up or retrieve items. She may not allow the dog to wander away from her and must maintain control of the dog, even if it is retrieving an item at a distance from her. Or, a returning veteran who has PTSD and has great difficulty entering unfamiliar spaces may have a dog that is trained to enter a space, check to see that no threats are there, and come back and signal that it is safe to enter. The dog must be off leash to do its job, but may be leashed at other times.

See [U.S. Department of Justice Frequently Asked Questions About Service Animals](https://www.ada.gov/resources/service-animals-faqs/). Although the ADA does not apply to housing, courts regularly look to ADA precedent to provide guidance while interpreting similar provision of the FHA. *See, e.g., Giebeler v. M&B Associates*, 343 F.3d at 1143, 1156 (analyzing the ADA’s burden-shifting analysis as applicable to reasonable accommodations in the FHA context and noting that: “[t]here is…ADA precedent on the question.”)

Please respond in writing to my reasonable accommodation request within seven calendar days. Prior to any decision to deny this reasonable accommodation request, please engage in the interactive process to discuss the request.

If you need any additional information to consider my reasonable accommodation request, please inform me in writing.

I look forward to your response and appreciate your attention to this matter.

Sincerely,

Click or tap here to enter text.

cc: Click or tap here to enter text.

Click or tap here to enter text.