



CAN I KEEP A PET?

Many landlords have enforceable "**no pet**" rules. Even in those places, you may have a right to keep an animal.

- If you live in **public** housing, you have the right to a pet.
- If you live in subsidized housing and meet the definition of elderly or disabled, you have the right to a pet.
- If you have a **service animal**, you have the right to keep it with you. A service animal is an animal specially trained to help you with a disability.
- If your animal is not a service animal, but you are disabled and need it to help you because of your disability, then you might have the right to keep it. The answer will depend on the facts of your case. You may be asked to prove your disability and how it links to your need for the companion animal.
- Most cities have laws about what kind of animal and how many you can have.



PUBLIC AND SUBSIDIZED HOUSING

There are specific laws that apply to tenants with pets in public or subsidized housing. If you live in public housing, or if you are elderly or disabled in subsidized housing, then you may keep a pet. Your landlord can set reasonable rules about pets - including where you can take your pet and how you must clean up after it.

Before you get a pet, get a copy of the pet policy from your housing authority or landlord and make sure you can follow it.

SERVICE ANIMALS

If you have a vision or hearing impairment, or sensory or physical disability, Minnesota law gives you the right to keep a service animal. A service animal is an animal that has been specially trained to help you with your disability. The landlord cannot charge you any pet fees. But you will have to pay for any damage the animal does to the apartment. The landlord cannot treat you any differently than other tenants; for example they cannot force you to live in the back of the building because you have a "seeing eye" dog.

COMPANION ANIMALS FOR PEOPLE WITH DISABILITIES

If you have a disability, you may have the right to an animal. This is true for most housing. Your animal may not have to be a "specially trained service animal". **Disabled** means that you have a physical or mental condition which greatly limits a major life activity -- like working, walking, eating, or communicating

REASONABLE ACCOMMODATIONS AND HELPING ANIMALS

If you are disabled you may ask a landlord to change some rules, including “no pets” rules. These changes are called “reasonable accommodations”. Federal and state civil rights laws require landlords and others, like condo associations, to make reasonable accommodations.

You need to show 3 things to get an accommodation to let you keep an animal:

- that you are disabled
- that you need an animal in your home **because of** your disability
- that letting you have an animal is reasonable



You may need to get a detailed letter from your doctor or other professional. The letter should make it clear that you are disabled and need your animal so that you can have equal use and enjoyment of the housing. Getting a reasonable accommodation depends on all the facts of the situation. You must be able to care for the animal and make sure it does not disturb others. You might want to get a letter from a prior landlord saying that your animal did not cause problems. For more details see: <http://bazelon.org/issues/housing/infosheets/fhinfosheet6.html>

ENFORCING YOUR CIVIL RIGHTS

Start by talking to the landlord, explaining the law, and seeing if you can work it out. Show a copy of this fact sheet. If you can't work it out, you may wish to make a complaint. You may be able to get a court order that allows you to keep an animal. You may be able to get money damages if they did not let you have an animal but they should have let you. If you have a low income and live in the Twin Cities area, call:

HDLP - Housing Discrimination Law Project
(612) 334-5970
TDD (612) 332-4668

HELP – Housing Equality Law Project
(651) 222-4731
TDD (651) 222-5863

You can also file a complaint with a government agency. They will investigate the case at no charge to you. They may help you to come to an agreement or they may bring a case against the landlord. Contact:

MN Department of Human Rights
(651) 539-1100
TTY (651) 296-1283
1 (800) 657-3704

US Department of Housing and Urban Development (HUD)
1 (800) 424-8590
TDD (800) 543-8294

Act fast if filing a complaint! The sooner you call the better chance you will have. There are deadlines for filing cases! 1 year for complaints to any government agency or a lawsuit based on state law, and 2 years for a lawsuit based on federal law.

To find other Legal Aid Society materials, including any fact sheets mentioned in this document, go to www.lawhelpmn.org/LASMfactsheets.

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Don't use this fact sheet if it is more than 1 year old.
Write us for updates, a fact sheet list, or alternate formats.
Fact Sheets aren't a complete answer to a legal problem.
See a lawyer for advice.