5 Things You Should Know About Emotional Support Animals in Housing

1. **An emotional support animal (ESA) is** an animal that a treating doctor or mental health professional has determined helps a person with a disability by improving at least one symptom of that person's disability. If you have a disability as defined by the New Jersey Law Against Discrimination (LAD) and your treating doctor or mental health professional certifies that your pet improves at least one symptom of your disability, the animal is an ESA.

2. **An ESA is different from a service or guide animal.** Service or guide animals are individually trained to perform specific tasks associated with their owner's disability, such as guiding an individual who is blind or assisting an individual with epilepsy when she is having a seizure. Service or guide animals are automatically exempt from a housing provider's no-pet policies. ESAs are not.

3. **If you live in or are about to move into a building with a no-pet policy,** you must request a reasonable accommodation for your ESA. As part of your request, your housing provider may require you to provide documentation from a treating doctor or mental health professional certifying both:
   a. That you have a disability as defined by the LAD; and
   b. That your ESA improves at least one symptom of your disability and is necessary to provide you with an equal opportunity to use and enjoy the dwelling.

4. **Even after you provide the required documentation,** your housing provider is not automatically required to waive its no-pet policy to accommodate your ESA. New Jersey law does not require that a housing provider do everything in its power to accommodate your disability, only that it make reasonable accommodations to its rules, policies, practices or services to accommodate your disability.

5. **A request that a housing provider relax its no-pet policy to accommodate an ESA** would be reasonable if you can show that you have a disability as defined by the LAD and that keeping the ESA is necessary to afford you an equal opportunity to use and enjoy the dwelling, and the housing provider cannot show that allowing the ESA would be an undue burden on its operations.

To find out more or to file a complaint, go to **NJCivilRights.gov** or call **973-648-2700**

NJ Office of the Attorney General
NJCivilRights.gov
DIVISION ON CIVIL RIGHTS
7.9.19