

Office of Accessibility Policy/Procedures for Admitting Emotional Support Animals to University of Findlay Housing

Introduction

The goal of the Federal Housing Administration (FHA) is to provide equal housing opportunities for all students. Under the FHA, a person may, as a reasonable accommodation, keep an emotional support animal (ESA) in their dwelling unit if three criteria are met:

1. The person has a disability.
2. The animal is necessary to afford the person with a disability an opportunity to use and enjoy the dwelling; and
3. There is an identifiable relationship or nexus between the disability and the assistance the animal provides.

It is the University of Findlay's desire to support this goal and accommodate all qualified students with a disability. ESAs are a category of animals that work, provide assistance, or perform tasks for the benefit of an individual with disability, or provide emotional support that alleviates one or more identified symptoms of an individual's disability, but, which are not considered Service Animals under ADA or the University of Findlay's Service Animal Policy.

In no case will an ESA be permitted in UF Housing without prior written authorization from the Office of Accessibility and Housing. ESAs are only allowed within a student's University housing room or unit or in areas immediately adjacent to the assigned building for the purpose of relieving the animal. ESAs are not permitted in other resident rooms, common areas, study areas of any residence halls, dining halls, or in academic or administrative buildings.

While most requests for reasonable accommodations involve one animal, requests sometimes involve more than one animal (for example, a person has a disability-related need for both animals, or two people living together each have a disability-related need for a separate assistance animal).

In all cases, the owner of the ESA is fully responsible for the animal's care and behavior. The removal of any animal, including for any necessary cleaning, repairs and/or pest control will be done at the expense of the student-owner who may also be subject to student disciplinary action. Student-owners are responsible for any damage or injuries caused by their animals and must take appropriate precautions to prevent property damage or injury. The cost of care, arrangements, and responsibilities for the well-being of an ESA are the sole responsibility of the student-owner at all times. The University strongly recommends that student-owners consult with their insurance carrier regarding potential liability and insurance to cover such risks.

I. ESA Requirements

The University of Findlay does not permit students to have pets in the University of Findlay owned housing. However, the University of Findlay provides an exception to this policy as a

reasonable accommodation for students who have a documented disability. An ESA may be permitted to reside with their student-owner in University of Findlay owned housing if:

1. The student-owner has a qualifying disability.
2. The student-owner has completed all sections of the emotional support animal application (See ESA Request Procedures). Incomplete applications will not be considered.
3. As appropriate, up to date ESA vaccination records and animal licenses must be on record with the Office of Accessibility.
4. The approval of a request is animal-specific and is not transferable to another animal. Any and all charges previously incurred by student/owner for an ESA shall be paid in full before a new application may be approved.
5. Approval of an ESA shall be given on an annual basis; therefore, a student must complete a new Housing Accommodation Request form each academic year.
6. Animals should be 6 months or older and housebroken (if applicable) prior to application request.

II. ESA BEHAVIOR STANDARDS

1. ESAs are only permitted in the student-owner's assigned space and cannot be taken into study areas, other student living areas, other UF Housing units, dining halls, or any other University building.
2. An ESA that is being taken outside to relieve itself must be on a leash. An ESA must never be allowed to roam freely or be left outside the student-owner's room.
3. The ESA must not disrupt others (e.g. barking continuously, growling, yowling, howling, crying, etc.) and be obtrusive to other individuals' living, learning, and working environment (e.g., enclosure or litter box must be out of the way, enclosure or litter box must be free of odors, etc.).
4. A support animal may be prohibited from university housing if the animal's behavior or presence poses a direct threat to the health or safety of others or causes substantial physical damage to the property of University of Findlay or others.
5. An ESA must not be involved in any incident in which a person experiences the threat of or actual injury as a result of the ESA's behavior. All liability for the actions of the ESA (bites, scratches, damages etc.) is the sole responsibility of the student-owner. The student-owner is expected to take all reasonable steps to protect the University community, University property and the property of others.
6. The student-owner must notify the Housing Office if the ESA escapes or is unable to be located within 8 hours.
7. The University reserves the right to reassign the student-owner and the ESA to a different living space if the University determines the student-owner's living space is not suitable for housing an ESA (e.g. insufficient space based on size/weight of ESA, proximity to other residents). The Review Committee shall consult with the applicant to determine the most appropriate accommodation.

III. ESA CARE STANDARDS

1. ESAs require daily food and attention, as well as daily assessment of their general health, behavior, and overall welfare. Student-owners are responsible for attending to the ESA's daily needs. As appropriate, ESAs shall also undergo routine maintenance including tick and flea prevention, de-worming, and annual examinations.

2. ESAs cannot be left unattended overnight at any time. If the student-owner must be away, they must either take the ESA with them or make arrangements for it to be cared for outside of UF Housing.
3. An ESA must dwell in a locked crate, aquarium, or cage when the owner is not present. If the student-owner is assigned to live in a UF house or apartment, the ESA's crate, aquarium, or cage must be located in the student-owner's bedroom.
4. ESAs must be housebroken and the student-owner is responsible for properly disposing of the ESA's waste. Cleaning up after the ESA is the sole responsibility of the student-owner.
5. When cleaning up after the animal the student-owner must abide by the following guidelines:
 - a. Always carry equipment sufficient to clean up the animal's feces.
 - b. Properly dispose of waste and/or litter in dumpsters and exterior trash receptacles. **NO** ESA waste may be disposed of in interior trash receptacles, sinks, toilets or drains.
6. ESA accidents within the student-owner's housing assignment must be promptly cleaned up using appropriate cleaning materials. Regular and routine cleaning of floors, kennels, cages, and litter boxes is required. The odor of an ESA emanating from the student-owner's room is not acceptable and may be grounds for the University revoking approval of an ESA.
7. As appropriate, any flea infestation must be attended to promptly by a professional extermination company. The University's Physical Plant will schedule the extermination, which will be at the student-owner's expense. Student-owners are required to promptly notify the Housing Office (419-434-4570) and Physical Plant (419-434-4544) to arrange for extermination when a flea problem is noted. Student-owners are urged to take precautionary measures such as: flea medications prescribed by veterinarians, flea, and tick collars, and/or taking animal to the veterinarian for flea and tick baths.

IV. ESA CLEANING AND DAMAGES

1. When the student-owner moves out of their room assignment or is no longer housing the ESA, the housing assignment will be assessed to determine if damage to university property can be attributed to the ESA. The University reserves the right to conduct facility inspections for the purpose of assessing damage caused by the ESA or otherwise determine the student-owner's compliance with these procedures.
2. The animal owner has an obligation to make sure that the living space is as clean as or cleaner than the original standard. If the living space has carpet, this also includes regular vacuuming and spot cleaning. Damages and extraordinary cleaning caused by the animal are the responsibility of the student-owner. Replacement or repair of damaged items will be the financial responsibility of the student-owner.

V. CONSIDERATION OF ROOMMATE AND PLACEMENT CONSIDERATIONS

When a student has completed the Emotional Support Animal Application through the Office of Accessibility and an Emotional Support Animal (ESA) will reside in campus housing, the Office of Accessibility will notify all assigned roommates via official University email. Roommates who have concerns about residing with an ESA are required to engage in the interactive process with the Office of Accessibility. This process is designed to address individual concerns, review applicable policies, and determine reasonable solutions that uphold the rights and responsibilities of all parties involved. Failure to participate in this process may limit the University's ability to accommodate roommate preferences.

VI. ESA REQUEST PROCEDURES

1. Adhere to all of the policies, procedures, and deadlines for applications set by the Housing Office.
2. Provide the Office of Accessibility with all appropriate documentation before the start of the semester, July 1 for the Fall semester, and November 1 for the Spring semester. Requests received after the due date may be considered but may not be able to be implemented until the following semester.
3. If the need for the accommodation arises when an individual already resides in university housing, they should contact the Office of Accessibility and complete the ESA Request requirements as soon as practicably possible. The University will make every attempt to, but cannot guarantee that it will be able to, meet the accommodation needs during the semester or term in which the student-owner's request is received.
4. Documentation should be submitted via the Student Health Portal. You can access the Student Health Portal by clicking [Office of Accessibility Policies](#), scrolling under "Forms," and clicking on "Emotional Support Animal Application." Please have the following documentation ready as you complete the application. **Incomplete requests will not be considered.**
 - Provide documentation from treating healthcare or mental health professional must include the following information:
 - General Information about student-owner
 - Patient/Student-owner's name
 - Professional relationship with the patient/client
 - Type of animal for which the reasonable accommodation is sought.
 - Disability information
 - Whether the patient has a physical or mental impairment
 - Whether the patient's impairment(s) substantially limit at least one major life activity or major bodily function, and
 - Whether the patient needs the animal (because it does work, provides assistance, or performs at least one task that benefits the patient because of their disability, or because it provides therapeutic emotional

support to alleviate a symptom or effect of the disability of the patient/client, and not merely as a pet).

- Provide information on the animal including
 - Current and accurate vet and vaccination records.
 - Provide current licensing records (as applicable based on species).
 - Provide current, clear, color photo of animal with physical description.
 - Applicable animal behavior history
- Provide an emergency contact for an individual not living in University of Findlay Housing that can be contacted if the student is unable to care for the animal.

Once ESA approval has been granted, student-owners must attend an ESA orientation.

Please note, as each request is handled on a case-by-case basis and additional interactive discussions/meetings and/or documentation may be necessary.

Documentation from the Internet

Some websites sell certificates, registrations, and licensing documents for assistance animals to anyone who answers certain questions or participates in a short interview and pays a fee. Under the Fair Housing Act, a housing provider may request reliable documentation when an individual requesting a reasonable accommodation has a disability and disability-related need for an accommodation that are not obvious or otherwise known. In HUD's experience, such documentation from the internet is not, by itself, sufficient to reliably establish that an individual has a non-observable disability or disability-related need for an assistance animal.

(Department of Housing and Urban Development. (2020). *Subject: Assessing a Person's Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act.* p.11)

VII. REASONS FOR DENIAL

The University is not required to make an accommodation in the following situations:

1. Where significant concern exists regarding the appropriateness of the animal to the resident's life setting (e.g., venomous animals, reptiles requiring UVA/UVB lights which are not permitted in residential spaces, and exotic or non-domesticated animals).
2. Where the accommodation for the ESA would impose an undue financial or administrative burden upon the University Housing Department.
3. Where the accommodation would fundamentally alter the nature of the services provided by the University Housing Department.
4. Where the owner cannot effectively control the animal.
5. The animal is not housebroken or is particularly disruptive to others.
6. Where the owner fails to follow guidelines regarding the animal and cleaning up afterwards.
7. Where an animal poses a threat to the safety of others (i.e., Animals that are venomous or aggressive).

8. The University has the right to have an animal evaluated by a professional due to any concerns of animal temperament. Such evaluation will be at the expense of the University.

VIII. APPEAL PROCESS

Any student who wishes to challenge a decision reached in the accommodation process such as the disability determination, appropriateness of an accommodation, service/assistance quality or an animal restriction shall contact the Office of Accessibility outlining the nature of their appeal.

If the student feels their application was denied due to disability-related discrimination, the appeal will be considered by the 504 Coordinator or Deputy 504 Coordinator for review.

Incomplete application appeals will not be considered. The student must apply with all required materials submitted by the listed deadline to be considered for an Emotional Support Animal.

If a student's accommodation appeal is denied, the student may reapply when the concerns addressed by the committee have been fulfilled.

IX. PENALTIES FOR NON-COMPLIANCE

Should a student fail to abide by any of the requirements or conditions listed in this document, the penalties may range from removal of animal and/or student from their housing unit to eviction from campus. If a particular Emotional Support Animal behaves in a way that poses a direct threat to the health or safety of others, has a history of such behavior, or is not under the control of the handler, that animal may be excluded.

1. First and/or minor offense- Email from the Office of Accessibility summarizing the allegation of noncompliance and reminding the student-owner of the ESA policies. Student-owner must acknowledge.
2. Second and/or moderate offense- Meeting with the Office of Accessibility director and the Associate Vice President for Student Life to discuss the allegation of non-compliance and review the ESA policies. The student-owner must submit an action plan for the ESA to meet the behavioral standards set forth in this document.
3. Third and/or serious offense- Meeting with the Office of Accessibility director and the Associate Vice President for Student Life to discuss allegation(s) of non-compliance and possible revocation of the ESA's approval, assigning a timeline for removing the ESA from campus.

Please note, depending on the severity and history of the allegation(s), the University of Findlay reserves the right to assign appropriate sanctions up to and including immediate revocation of the ESA's approval on campus.

Questions related to this policy should be directed to the Office of Accessibility at 419-434-5532 or access@findlay.edu.