



A Landlord's Guide To Pets and Pet-Friendly Apartments

7 Key Questions Landlords Have About Renting To
Tenants With Pets



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Chapter One - Overview

- With 72 percent of all renters now having pets, the trend toward pet ownership is only going to grow.
- Owners, landlords and property managers may want to consider whether a welcoming pet policy may be the best way to deal with the issues.
- This guide will provide facts, insights and the issues involved, with comments from apartment owners, property managers and The Humane Society of the United States.



Chapter One - Overview

One landlord said in a recent interview that the companion pet issue in particular is one where he just does not know where to go to get the right answers.

He said he understands service animals, but when it comes to things like assistance animals, companion pets and emotional support animals, he is confused by the terms.

And he said it seems like today tenants “can get a note from anyone” and “I have to accept their pet.”



Chapter One - Overview

While some landlords and property managers struggle with the pet issue, overall there is a trend nationwide to more and more pet-friendly apartments, and many landlords and property managers say pets are a key to their success.

The Humane Society of the United States is also working with the multifamily industry through its Pets Are Welcome initiative to help property owners or managers as well as tenants, since 72 percent of all renters now have pets.

“Too many home and apartment owners exclude animals, thinking that the animals are going to damage the properties. That mentality shrinks the pool of living spaces for people and their pets,” Wayne Pacelle, president and CEO of The Humane Society of the United States, writes in a blog post.



Chapter Two – The Story Of One Pet-Friendly Community

"We have been pet-friendly since the property was built in the late '60s. I've been managing Twin Ponds for almost 20 years and I have watched the dogs bring the apartment community closer together," said Deb Palmer, property manager at Twin Ponds in Nashua, New Hampshire.

"It is down right silly how many great residents that communities are missing out on because of a certain breed or weight of a dog. You just have to know how to manage dogs as well as the residents. Being dog-friendly without breed or weight restriction is one of our most powerful marketing tools. People come from all over to live here because they could not find anywhere else to live. That's huge!"

"We have more dogs than children," she said. Her complex has 350 dogs among her 414 units and accepts all breeds, but only two per unit.



Chapter Two – The Story Of One Pet-Friendly Community

“When people drive into our complex they can see how pet-friendly we are,” she said. “I just wish everyone could see how well pet-friendly works.”

The residents are closer because they walk the pets in two pet areas in the complex and talk about their pets. She also uses PooPrints, the pet DNA testing service, and that keeps the pet areas clean.

“We have pet walkers and behavioral trainers” who work with pets in her apartments, and the pet behavior has been consistently good. “We have had a couple of incidents in 20 years,” she said. She requires tenants to have rental insurance in their lease agreements and agree to the pet-DNA testing requirements, but she does not specifically screen individual pets.



Chapter Two – The Story Of One Pet-Friendly Community

Her complex also runs a dog-of-the-month and dog photo contest, where residents send in pictures and vote on the dog of the month with the dog owner's family winning a prize.

Her website features this: "Congratulations to the October Dog of the Month, Bandit! This watchful pup kept watch on the voting and won with over 70% of the votes! We will be in touch with the winning family soon to go over their prizes for this month's contest."

Bandit
Dog Of The
Month





Chapter Three – Pet Ownership Grows As Rental Population Grows

They've long been referred to as man's best friend, and now new research from Mintel reveals that no one loves their mutts quite as much as American men. Today, some seven in 10 (71%) younger men aged 18-44 own a dog, compared to just three in five (60%) of their female counterparts.

Mintel research on U.S. pet ownership reveals that while the majority (67%) of Americans own a pet, dogs are the nation's number one furry companion with half (50%) of all Americans owning a dog.

This rises to 52% of all U.S. men, compared to 49% of women. Older Millennials in particular make up a large portion of the nation's dog lovers, as three quarters (75%) of consumers aged 30-39 own a dog.



Chapter Three – Pet Ownership Grows As Rental Population Grows

“While pet ownership over the last few years has remained near half of all Americans, our research indicates that dog ownership is elevated among younger men. As pets are seen more and more as companions and family members, Americans are taking additional steps to ensure their health and happiness, and are spending more in the process,” Rebecca Cullen, Associate Analyst, Health, Household, Beauty & Personal Care at Mintel, said in a release.

The findings come at a time when Millennials, roughly defined as the generation born between 1980 and 2000, are half as likely to be married or living with a partner than the adults of 50 years ago. They are also delaying parenthood and demanding flexible work arrangements — all of which, researchers say, has translated to higher rates of pet ownership.



Chapter Three – Pet Ownership Grows As Rental Population Grows

“Pets are becoming a replacement for children,” Jean Twenge, a psychology professor at San Diego State University and author of “Generation Me,” told the Washington Post. “They’re less expensive. You can get one even if you’re not ready to live with someone or get married, and they can still provide companionship.”

A majority of Millennials — 76 percent — said they are more likely to “splurge” on their pets than for themselves, including for expensive treats (44 percent) or a custom bed (38 percent), according to a 2014 study by Wakefield Research. By comparison, 50 percent of Baby Boomers — those born between 1946 and 1964 — said they would do so.



Chapter Four – Apartment Owner: No Bad Dogs, Just Bad Dog Owner

“It is our belief that there are not bad dogs, there are bad dog owners,” said Cliff Orloff, owner of Orloff Property Management, which owns approximately 800 units in Sacramento and Berkeley, California, and Indianapolis, Indiana.

“We have had some bad dogs, but they have been bad dogs because their owners were bad - they didn’t know how to deal with their dogs.”

“The thing about service dogs is that you do not have an option. It’s the law. There are two types of dogs. One type is like Seeing Eye dogs, which you have to take even if you are not a pet-friendly property. There are emotional support dogs and that is iffier. Some tenants try to get away with saying it’s the same, but they are not. “



Chapter Four – Apartment Owner: No Bad Dogs, Just Bad Dog Owners

“When somebody has a legal service dog they have the documentation to prove it. That is our experience. We’ve kicked out people who have had ‘so called’ service dogs – they weren’t really service dogs - but they kept their dogs all day on their outside patio and they were pooping on the neighbors below.”

It is about setting the rules and enforcing them, Orloff said. “This is not true just for pets but also for property management. You have to have rules and enforce them strictly for everyone. If you don’t you run into trouble and you are discriminating. “

A lot of properties do not want the hassle of pets, he said. Or it’s a property management company and it’s not their own property. He said well-managed and well-maintained properties enforce the rules and do it right. And it is a lot of work, and some property management companies do not want to do that.



Chapter Five – A Credit Bureau For Pet Owners

“We started a business that is meant to be something like a credit bureau for pet owners,” Orloff said, called NPR4Dogs.com. Here is what he says on the website:

“NPR4dogs was started in 2016 by Cliff Orloff, an owner of more than 800 multi-family units, in response to dog-poop issues at his properties.

“One of those properties, Riverfront Apartments in Sacramento, California, had a big problem. It accepted dogs without weight or breed restrictions (although a dog interview was required to avoid renting to anti-social dogs). It also allowed multiple dogs in a unit. As a result, it had almost as many dogs as apartments, and despite having dedicated dog runs, written rules requiring residents to pick up their dog poop and doggy areas stocked with plastic bags, the dog poop problem became unbearable. Responsible dog owners complained about stepping into dog poop every time they took their dog for a walk. The poop smell became very unpleasant. What to do?



Chapter Five – A Credit Bureau For Pet Owners

“Researching possible solutions took Cliff to the website of the Veterinary School at University of California at Davis. The Veterinary School developed a state-of-the-art program to DNA-sample dogs at a reasonable cost and to DNA-match dog poop to dogs. Using this DNA technology, Riverfront set up a mandatory registration for dog DNA screening, data management and resident incentive systems to organize this effort efficiently.

“The result was dramatic. The dog poop problem went away overnight. Responsible dog owners who lived on the property hailed the new program. Most of the irresponsible dog owners changed their behavior and became responsible dog owners.

“To see if this result was unique to Riverfront Apartments, NPR4dogs was implemented at a 324-unit apartment complex in Indianapolis called Broad Ripple Trails. Again, the result was dramatic. The dog-poop problem went away almost overnight.



Chapter Five – A Credit Bureau For Pet Owners

“The dog poop problem is common for most large multi-family properties that accept dogs. NPR4dogs.com used its experience implementing these programs to develop systems and procedures, and embedded them in a unique smartphone app for property managers.

That technology, the related website and databases became the foundation for NPR4dogs.com. By making a large bulk purchase agreement with UC Davis, NPR4dogs is able to make this technology available to other properties, at less cost than they could do it themselves.”

In terms of managing pet poop, he said, it is a behavioral thing, like speeding down the highway.



Chapter Five – A Credit Bureau For Pet Owners

“If you see a police car in the road, you slow down to 70. It’s a behavioral thing. There are some dog owners who just as a matter of fact they pick up after their dogs. There are some dog owners who do pick up after their dogs if they have to, because if they don’t they are going to get fined. Then there are some that don’t. And the ones that don’t, they leave.

“If we can get this rolling on a large-scale basis it is like a credit bureau for dog owners. These are the responsible dog owners who can say if they move to another property I got an A1 rating from my previous two apartment complexes.

“We own enough property ourselves we can see if it works and it works because it is a behavioral thing.



Chapter Five – A Credit Bureau For Pet Owners

“It makes it a nicer place to live for everybody. The people who want to follow the rules are so much happier.

“This is what they have told us, they take their dog for a walk at night and they step in dog poop all the time. And for the responsible dog owners this just bugged the hell out of them. So they were glad when we did this. We did not get any push back at all.

“I like dogs. My wife is a cat person. It is all about the people,” Orloff said.



Chapter Six – A Q&A With The Humane Society Of The U.S.

A Welcoming Pet Policy

The concept of welcoming pets and a welcoming pet policy by landlords helps deal with reasonable accommodation requests.

Matthew Wildman, pet retention manager for The Humane Society of the United States said, “There is so much misinformation out there. Our position is allowing pets in rental housing is good for business. Hundreds of properties allow dogs and cats without restrictions on breed.” He said the number one reason animals are sent to shelters is because of rental situations where they cannot keep a pet.

Wildman said there is confusion over terminology and so he put together answers to 7 of the top questions owners, landlords and property managers have about this issue.



Chapter Six – A Q&A with the Humane Society of the U.S.

No. 1- Question: I am confused over the terminology of service animal, assistance animal and companion animal. Tenants use different terms such as these to refer to their pets. How do I as a landlord know which is which?

Answer: “Companion animals” or “companion pets” are interchangeable terms with the most common term, “pets.” For some reason, the term “companion animal” is perceived by many in the multifamily housing industry to mean something different than a “pet,” but there is no difference. The terms that are of relevance to housing providers encountering requests for reasonable accommodation are “assistance animals” (also commonly referred to as “emotional support animals”) and “service animals.” An assistance animal can be any animal who is commonly referred to as a pet, but the difference is that their owner has a disability for which the animal is needed to either provide assistance in managing activities of daily living, and/or provides support that alleviates the symptoms or effects of the person’s disability. An “emotional support animal” is a type of assistance animal that provides emotional support that improves the symptoms of an individual’s disability.



Chapter Six – A Q&A with the Humane Society of the U.S.

According to the Department of Justice, a “service animal” may be a dog or miniature horse who has been trained to perform a specific task(s). Under the Americans with Disabilities Act, individuals living with a disability are legally entitled to bring these animals into places of public accommodation as well as their residence regardless of any pet restrictions. The most common example of a service animal is a Seeing-Eye dog, but not all disabilities requiring service animals are obvious. For example, individuals suffering from PTSD may need their dog with them at all times. This dog may be trained to sit calmly beside their owner.

It’s helpful to keep in mind that service and assistance animals are not considered pets, meaning that pet rules – such as no-pet policies, breed and size restrictions, pet deposits and fees – don’t apply to them, but owners are responsible for any damage they cause.



Chapter Six – A Q&A with the Humane Society of the U.S.

No. 2 – Question: “I am confused about assistance animals. It seems a tenant can get a note from anyone and I have to let them have a pet in my apartments.”

Answer: Federal fair housing laws state that to request a reasonable accommodation, the tenant needs to submit reliable documentation of a disability and the need for an assistance animal. This usually comes in the form of a letter from a doctor or health professional verifying that the tenant has a disability and identifying how the animal assists the person with this disability to enable him to full use and enjoyment of the dwelling. As per federal fair housing laws, if this information is provided the housing provider is required to grant the reasonable accommodation request as long as accommodating the animal does not create an undue financial hardship for the landlord (this is rarely the case) or the specific animal poses a verified nuisance or danger to the health and safety of others.



Chapter Six – A Q&A with the Humane Society of the U.S.

According to the Centers for Disease Control and Prevention, one out of every five adults lives with a disability. Unless you're receiving requests for an assistance animal from over 20% of your residents, it's unlikely you'll encounter a fraudulent claim. While the verification document may be suspect, the tenant can still have a valid disability and appropriate need for an assistance animal. The accommodation request is intended to be an interactive process between the tenant and housing provider.

You don't have to be afraid to come back to the tenant and let him know that you're concerned about an aspect of the request and ask the tenant for additional information. It may be helpful to temporarily grant the request until a final determination is made to avoid a claim of undue delay.



Chapter Six – A Q&A with the Humane Society of the U.S.

An emotional support animal is a type of assistance animal, one who is not trained and who provides emotional support to their owner who suffers from a disability. There are for-profit companies that provide tags and vests stating an animal is a service animal, but these are not government-sanctioned companies, and they create a tremendous amount of confusion for both residents and housing providers alike.

If the housing provider does not believe that the tenant has adequately demonstrated that he or she has a disability or that he has a need for an assistance animal or the request is unreasonable, they have the right to deny the request, but this carries the risk of opening themselves up to a discrimination lawsuit.



Chapter Six – A Q&A with the Humane Society of the U.S.

No. 3 – Question: Under Fair Housing rules do I have to rent to someone who says they have an assistance animal and they have a note?

Answer: Housing providers have the right to screen disabled applicants as they would any other applicant. However, if the applicant requests a reasonable accommodation for an assistance animal and provides sufficient documentation of the disability and the need for the assistance animal, denying the reasonable accommodation would likely violate fair housing laws unless the request imposed an undue burden.

Denying an applicant because of his assistance or service animal is akin to denying an applicant housing because of a wheelchair.



Chapter Six – A Q&A with the Humane Society of the U.S.

No. 4 – Question: What about service animals? Do I have to rent to anyone anytime they have a service animal under Fair Housing rules?

Answer: Service animals are a type of assistance animal. If the applicant provides reliable documentation of having a disability and needing a service animal and the animal does not pose a direct threat to the health and safety of others, denying an application because of the applicant's assistance or service animal would likely violate discrimination protections.

No. 5 – Question: Can I legally refuse certain types of large breed dogs or dangerous breed dogs if the tenant says it is an assistance animal?



Chapter Six – A Q&A with the Humane Society of the U.S.

Answer: Assuming the tenant provides reliable documentation entitling him to the use of a service or assistance animal, The Department of Justice has determined that pet restrictions may not be applied to service or assistance animals. This means that number limits, breed bans or size restrictions may not be applied, and the housing provider may not impose a pet deposit or fee, but the owner is responsible for any damage the assistance animal causes.

The Humane Society of the United States encourages property owners and managers to welcome pets and remove arbitrary and unnecessary breed and size restrictions. This among other benefits, will reduce the number of requests for service and assistance animals. Conversations we've had with property owners indicate a strong correlation between assistance animal claims and pet policies. In short, the more welcoming of pets you are, the fewer the requests for reasonable accommodation you'll receive.



Chapter Six – A Q&A with the Humane Society of the U.S.

No. 6 – Question: How can I verify that just because a potential tenant has a tag that says the pet is an assistance animal that that tag is legitimate and not a forgery of some type?

Answer: There is no state or federal certification required for assistance or service animals. The only documentation needed is from a reliable health care professional.

Complicating matters is the fact that private for-profit companies have sought to fill this vacuum by providing individuals (for a fee) with official-looking tags, vests and documentation that seemingly verify an animal as an assistance or service animal. What's important to note is that use of these companies does not indicate that the resident is attempting to "fake" their status as someone living with a disability or the animal's status as an assistance or service animal.



Chapter Six – A Q&A with the Humane Society of the U.S.

These companies use official-sounding names and most of their customers are as in the dark as housing providers that these companies are not officially sanctioned. If a tenant submits documentation from one of these online service providers, you are entitled to engage in the interactive process and ask the tenant for additional information that's more reliable.

No. 7 – Question: Can I screen a potential pet the same way I screen a potential tenant? Is that legal and how do I do that?

Answer: Housing providers have a right to ensure that pets as well as assistance and service animals do not pose a direct threat to the health and safety of others. The HSUS has guidelines on how to conduct a “meet and greet” for pets, assistance, or service animals. Contact us at petsarewelcome@humanesociety.org for information.



Conclusion

Pet issues are only going to become larger issues for the rental housing industry going forward as the pet population and the rental population both continue to grow.

Many apartment rules were adopted in the 1990s, when there were far fewer pets. Rules often have not been updated as the Millennial generation is moving into rentals with more and more pets, and often with larger and more diverse breeds.

These seven questions and answers should help owners, landlords and property managers, as well as tenants, going forward.



Resources

[Pets are welcome](#)

[NPR4Dogs.com](#)

[Twin Ponds Apartments dog of the month](#)

[Humane Society of the United States](#)

[Keep animals in homes and out of shelters initiative](#)

[Millennials are picking pets over people](#)

[Millennial men look to pets for companions](#)

[Landlord and property management company agree to pay victim for violating the Fair Housing Act over support animal](#)

[Going to the dogs: Profitable pet-friendly amenities in apartments](#)

[National Pet Registries](#)

[National Service Animal Registry](#)

[Washington law on use of a trained service animal in public accommodations](#)