

SERVICE ANIMALS

Four laws address service and Assistance Animals in Colorado. The rights of a person with a disability using a service or support animal may vary based on the setting.

AMERICANS WITH DISABILITIES ACT

Access for service animals permitted:

- Assisted living facilities
- Public housing
- Shelters
- Student housing
- Public and private schools
- Transportation
- State and local government employment
- Private employment with 15 or more employees
- Private businesses including sales and leasing offices
- Telecommunications

CO ASSISTANCE ANIMAL LAW

Access for service animals and emotional support/assistance animals permitted with penalties for misrepresenting a pet as a service or support animal:

- Public places
- Housing (except single family residence or occupants who rent, lease or furnish for compensation one room in a residence)
- Employment

AIR CARRIER ACCESS ACT

Access for service animals permitted:

- All U.S. air carriers
- Foreign air carrier flights that originate or end in the U.S.

FAIR HOUSING ACT

Access for service animals and emotional support/assistance animals permitted:

- Housing receiving federal financial assistance
- State and local government housing
- Private housing
- Homeowner's associations

WHAT IS A SERVICE ANIMAL?

Americans with Disabilities Act

A dog or miniature horse that has been individually trained to do work or perform tasks for an individual with a disability.

Fair Housing Act

Rights extend to companion and emotional support animals as well as service animals.

CO Assistance Animal Law

Same as ADA.

Air Carrier Access Act

Rights extend to emotional support animals. Definition includes miniature horses, pigs, monkeys. Contact your specific airline directly for documentation requirements to minimize complications prior to your departure as procedures may vary.

Can I be charged fees for allowing access to my service or support animal?

Americans with Disabilities Act	Fair Housing Act	CO Assistance Animal Law	Air Carrier Access Act
No, unless the dog causes actual damage	No, unless the animal causes actual damage	No, unless the dog causes actual damage; service animals exempt from licensing fees.	No additional fees, unless the animal causes actual damage

Can my animal be denied because of breed?

Americans with Disabilities Act	Fair Housing Act	CO Assistance Animal Law	Air Carrier Access Act
No	Yes, but only when the landlord's insurance carrier refuses or substantially increases cost of coverage and no comparable insurance is available	Not mentioned in the Colorado Revised Statutes	Not mentioned in the Air Carrier Access Act

Can my animal be denied based on fears or allergies of others?

Americans with Disabilities Act	Fair Housing Act	CO Assistance Animal Law	Air Carrier Access Act
No	No	No	No



What is a valid denial of my animal?

Americans with Disabilities Act	Fair Housing Act	CO Assistance Animal Law	Air Carrier Access Act
<ul style="list-style-type: none"> • Not under control • Not housebroken • Determination following individual assessment that the animal is a direct threat to health or safety of others • Type, size, weight of horse • In the workplace when the presence of the animal creates undue hardship or direct threat • MUST offer opportunity to obtain goods/services without the animal present 	<ul style="list-style-type: none"> • Determination that the animal presents a direct threat to the health and safety of others that cannot be reduced or eliminated by another reasonable accommodation • Undue financial and administrative burden • Would fundamentally alter the nature of the housing provider's services 	<ul style="list-style-type: none"> • Only has provision for employment: where the animal's presence creates undue hardship (significant difficulty or expense) 	<ul style="list-style-type: none"> • Animal's size and weight • State and foreign country restrictions • Whether or not the animal would pose a direct threat to the health or safety of others • Cause a fundamental alteration in the cabin service

What happens if someone misrepresents an animal as a service animal?

Americans with Disabilities Act	Fair Housing Act	CO Assistance Animal Law	Air Carrier Access Act
No Provisions	No Provisions	When a person intentionally misrepresents entitlement to an animal as an assistance animal charges ranging from a petty offense to a misdemeanor can be filed with progressive fines ranging from \$25 – 500	No Provisions

Who is responsible for enforcement?

Americans with Disabilities Act

U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Civil Rights Division
Disability Rights Section – NYA
Washington, DC 20530
800-514-0301 | ada.gov

Fair Housing Act

**Department of Housing and
Urban Development Office of Fair Housing
and Equal Opportunity**
451 7th St., SW, Room 5204
Washington, DC 20410-2000
800-669-9777 | hud.gov/fairhousing

CO Assistance Animal Law

Colorado Office of the Attorney General
130 Broadway
10th Floor
Denver, CO 80203
720-508-6000 | coag.gov

Air Carrier Act

**Office of Aviation Enforcement and Proceedings
Aviation Consumer Protection Division**
1200 New Jersey Ave, SE
Washington, DC 20590
202-366-2220 | transportation.gov/airconsumer

The information here is intended solely as informal guidance, and is neither a determination of your legal rights or responsibilities, nor binding on any agency with enforcement responsibility.



**CENTER FOR INDEPENDENT LIVING - ADVOCACY
HOME HEALTH CARE - CNA SCHOOL - VETERANS**

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A Nonprofit Organization