



## **AGENCY POLICY ON SERVICE ANIMALS (aka, companion animals, assistance animals, comfort animals)**

In all shelters, we support laws and guidelines for disabled persons and use the Maine Human Rights Act as a model for our policy on service animals allowed in shelter or the safe house. Animals that meet the definition of a service animal under the Maine Human Rights Act may be allowed to live in Safe Voices shelter or safe house under the following circumstances:

**Service Animals:** We support laws and guidelines for disabled persons and use the Maine Human Rights Act as a model for our policy on **service animals** allowed in shelter. Animals that meet the definition of a service animal under the Maine Human Rights Act may be allowed to live in Safe Voices shelter under the following circumstances:

- We require evidence that the animal is prescribed or trained as a service animal and to do so we may ask the following two questions\*:
  1. Is the animal required because of a disability?
  2. What work or task has the animal been trained to perform?

\*These are the **ONLY** permissible inquiries that may be made. We do not ask about the nature/extent of the person's disability. These inquiries should not be made at all when it is readily apparent that the animal is trained to perform work for a person with a disability, such as a dog that is observed pulling a wheelchair. However, we reserve the right to ask about the nature of the disability if it is not obvious.

**Assistance Animals:** We support laws and guidelines under the definition added to the MHRA in September 2016, to clarify what animals must be allowed in housing versus public accommodations. For **HOUSING** purposes **ONLY**, an **assistance animal** is an animal – not necessarily a dog- that is either determined necessary to mitigate the effects of a mental or physical disability by a physician, psychologist, physician assistant, nurse practitioner or licensed social worker or is individually trained to do work or perform tasks for the benefit of an individual with a physical or mental disability. This can include the types of externally-observable work service animals provide but also can include providing emotional support, well-being, comfort, or companionship related to an invisible disability (such as depression, anxiety, and certain phobias); they can - but do not always - have special training to perform tasks that assist people with disabilities.

- We may ask about the nature of the person's disability if it is not obvious and for some evidence that the assistance animal has been trained or prescribed.
- Evidence of training may be shown by demonstration.
- We may not demand that a person with a disability provide a medical release to review the person's medical records or talk to the person's medical provider
- We reserve the right to meet the animal to consider all of the factors in this policy.



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- We require documentation that states that the animal is current on vaccines.
- Reasons that we may remove the service animal at any time during the shelter stay include when the service animal:
  - is a direct threat to the health or safety of others,
  - is behaving in a way that would result in substantial physical damage to the property or the property of others in shelter,
  - substantially interferes with the reasonable enjoyment of the shelter by other residents (e.g., regularly barks at night or nips at other residents)

If we require a service animal or assistance animal to leave shelter, we will make all reasonable efforts to help the family find another place for the animal to be.

When other shelter residents have allergies to animals or a generalized fear of animals, we will seek to reasonably accommodate all people involved. We will make all reasonable efforts to keep the animal away from the effected people while still allowing the person with the service animal access to shelter.

People who bring their service animal or assistance animal to shelter will be required to sign a letter (see page 3) agreeing to these policies. Shelter residents will not be charged a fee or security deposit as a condition of having a service animal or assistance, but shall agree to cover the costs of damage done to the premises or facilities by the service animal.

All service animal and assistance animal requests and inquires must be reviewed by the Director of Shelter and Housing Services or the Executive Director.

### **PUBLIC ACCOMMODATIONS**

When victims visiting our offices or attending support groups or BIP participants request to bring a service animal with them, please follow the below ADA guidance:

“When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. Staff cannot ask about the person’s disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.”

All service animal and assistance animal requests and inquires must be reviewed by the Director of the Department or the Executive Director.

### **Shelter Resident Agreement:**



I \_\_\_\_\_ agree to the following:  
(signature of resident)

Animals that meet the definition of a service animal or assistance under the Maine Human Rights Act and the Fair Housing Act may be allowed to live in Safe Voices shelter under the following circumstances:

- Safe Voices reserves the right to ask about the nature of the disability if it is not obvious.
- Safe Voices reserves the right to meet the animal to consider all of the factors in this policy.
- Safe Voices requires documentation that states that the animal is current on vaccines.
- Reasons that Safe Voices may require a service animal to leave shelter at any time during the shelter stay include when the service animal:
  1. is a direct threat to the health or safety of others,
  2. is behaving in a way that would result in substantial physical damage to the property or the property of others in shelter,
  3. substantially interferes with the reasonable enjoyment of the shelter by other residents (e.g., regularly barks at night or nips at other residents)
  4. If Safe Voices requires a service animal or assistance animal to leave shelter, Safe Voices will make all reasonable efforts to help the family find another place for the animal to be.
- When other shelter residents have allergies to animals or a generalized fear of animals, Safe Voices will seek to reasonably accommodate all people involved. Safe Voices will make all reasonable efforts to keep the animal away from the effected people while still allowing the person with the service animal access to shelter.
- Shelter residents will not be charged a fee or security deposit as a condition of having a service animal, but shall agree to cover the costs of damage done to the premises or facilities by the service animal or assistance animal.
- Shelter residents are required to care for and clean up after the service animal unless a reasonable accommodation is requested and approved.