

# WHAT IS ICRC

ICRC is your state agency responsible for enforcing the Indiana Civil Rights Law and Indiana Fair Housing Act and educating organizations, companies, landlords, associations, and individuals on their rights and responsibilities under these laws. ICRC is a neutral government agency serving all people and organizations by effectuating Indiana's two important public policies: (1) Provide equal opportunity and (2) Protect entities and individuals from "unfounded charges of discrimination."

## Key Authorities:

- Indiana Fair Housing Act (IC 22-9.5 et seq.)
- Indiana Civil Rights Law (IC 22-9 et seq.)
- Indiana Administrative Code: 910 IAC 2: "Fair Housing Complaints"



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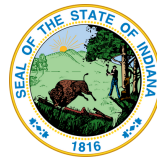
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## YOUR RIGHTS, OUR MISSION.



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# THE HOUSING PROVIDERS GUIDE

*to Disability Discrimination & Service Animals*

Indiana Civil Rights Commission  
"ICRC"

# DISABILITY DISCRIMINATION

The exclusion of a person from equal opportunities because of a disability is discrimination. Such exclusion can occur when a housing provider:

- Takes prohibited actions, or
- Fails to take required actions because of a disability

## WHAT IS A SERVICE ANIMAL?

Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. In addition to the provisions about service dogs, the ADA regulations have a separate provision about miniature horses that have been individually trained to do work or perform tasks for people with disabilities.

Be aware! Service animals take all shapes and sizes and can provide more than sight. Service animals provide support to alleviate visible and invisible impairments.

## PROHIBITED ACTIONS

When handling tenants with service animals:

- Make property unavailable or misrepresent availability
- Steer (encourage or discourage unit/property selection)
- Administer different terms, conditions, or privileges
- Communicate preference or limitation based on the animal
- Negatively impact someone disproportionately - by neutral rules
- Harass, intimidate, coerce, or threaten
- Interfere with people's exercise of fair housing rights - including the right to live with service animals

## REQUIRED ACTIONS

When handling tenants with service animals, housing providers must provide **reasonable accommodations**. This may include making changes to usual policies, rules, practices, services, and procedures as needed to afford someone with a disability the opportunity to equally use and enjoy a property.



**Example:** Housing providers with a "no pet policy" must change their policy as it applies to someone who uses a service animal (i.e., allow the animal on the property)

## ACCEPTABLE RULES

If applied non-discriminatorily to all residents, including pet-owners, the following are generally acceptable requirements:

- The animal must be under control of the handler at all times
- The animal cannot pose a direct threat to other residents
- Residents are responsible for property damage caused by the animal

## UNACCEPTABLE RULES

- Breed, species, size, or weight limitations
- Require fees, extra rent or deposits, or additional insurance coverage
- Require the animal to be specially trained
- Require the animal to wear a special tag, harness, vest, collar, emblem, etc.
- Require 3rd-party certification, registration, or medical records
- Require the animal be spayed/neutered, declawed, or microchipped
- Require burdensome paperwork or affidavits
- Prohibit service animals because of staff's or neighbor's fears or allergies
- Require the person with the disability to be the only person allowed to handle the service animal

