



Yolo County Housing

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DATE: September 16, 2010
TO: YCH Board of Commissioners
FROM: Lisa A. Baker, Executive Director
PREPARED BY: Marianne Krager, Director of Operations
SUBJECT: **REVIEW AND APPROVE UPDATE ADMISSIONS AND CONTINUED OCCUPANCY LANGUAGE "LIPH PET POLICY"**

RECOMMENDED ACTION:

That the Board of Commissioners:

Review and approve language updating the Public Housing Pet Policy and updating the Public Housing Admissions and Continued Occupancy Policy.

BACKGROUND / DISCUSSION:

As part of its requirements to receive funding for the federal Public Housing program, the YCH must have an approved Admissions and Continued Occupancy Policy (ACOP) in place to guide public housing admissions, occupancy and terminations. The YCH is required to have a Pet Policy that governs not only pets, but also service animals.

In a review of the Pet Policy by staff and by HUD, it has been determined that the wording of the current policy does not comply with Americans with Disabilities Act (ADA) requirements for service animals.

The current policy requires that "the animal has been trained to assist with the specified disability." Under the law, a service animal cannot be required to have specific training and must only be able to serve a specified need, including emotional support.

In light of this, staff recommends changes in the policy in order to comply with federal fair housing and equal opportunity laws and regulations.

The proposed change to the policy is shown on the next page:

PET POLICY

INTRODUCTION

PHAs have discretion to decide whether or not to develop policies pertaining to the keeping of pets in public housing units. This Chapter explains the PHA's policies on the keeping of pets and any criteria or standards pertaining to the policy for elderly/disabled projects. The rules adopted are reasonably related to the legitimate interest of this PHA to provide a decent, safe and sanitary living environment for all tenants, to protecting and preserving the physical condition of the property, and the financial interest of the PHA.

The purpose of this policy is to establish the PHA's policy and procedures for ownership of pets in elderly and disabled units and to ensure that no applicant or resident is discriminated against regarding admission or continued occupancy because of ownership of pets. It also establishes reasonable rules governing the keeping of common household pets.

Nothing in this policy or the dwelling lease limits or impairs the right of persons with disabilities to own animals that are used to assist them.

ANIMALS THAT ASSIST PERSONS WITH DISABILITIES

Pet rules will not be applied to animals *that* assist persons with disabilities. To be excluded from the pet policy, the resident/pet owner must *be able to provide certification*:

That there is a person with disabilities in the household and

~~That the animal has been trained to assist with the specified disability.~~

(Italicized language has been added. Lined out language has been removed)

FISCAL IMPACT:

None.

CONCLUSION:

Staff recommends that the Board adopt the revised language in order to comply with ADA-mandates.