



Sam Reppi &lt;reppirealestate@gmail.com&gt;

**Flash Update - Amendment to Human Rights Law provides additional housing protections for individuals with a disability**

1 message

NYSAR <nyrealtors@nysar.org>  
Reply-To: NYSAR <nyrealtors@nysar.org>  
To: Samuel Reppi <reppirealestate@gmail.com>

Tue, Aug 11, 2020 at 4:23 PM

[View this email in your browser](#)

**August 11, 2020**

Dear NYSAR members,

Today, Governor Cuomo signed an amendment to the Executive Law (Human Rights Law) §296(2-a)(d)(2) requiring landlords to provide tenants “the use of an animal as a reasonable accommodation to alleviate symptoms or effects of a disability” and is effective immediately. This protection adds to those already required under federal law (Fair Housing Act etc.).

According to the “Justification” section of the “Memorandum in Support of Legislation”:

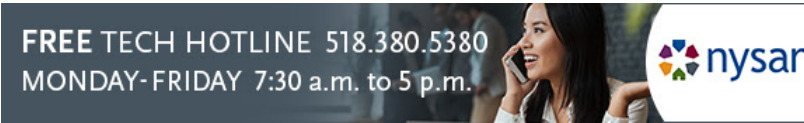
“The Division of Human Rights has found in appropriate circumstances that permitting a person with a disability to maintain an animal as a reasonable accommodation is necessary for the person with a disability to use and enjoy a dwelling. It is reasonable to permit such an accommodation to a housing provider’s “no pets” policy, where medical evidence or other professional evidence shows that the animal aids the person with the disability by alleviating the symptoms or effects of a disability.”

“This bill would clarify that a person with a disability may demonstrate that a reasonable accommodation is necessary for the use and enjoyment of the premises if appropriate medical and other professional evidence shows that the animal “alleviates the symptoms or effects of a disability.”

It appears that if a tenant were to request a reasonable accommodation to the “no pets” policy under this law, unless the disability is readily apparent, the landlord should be able to request a letter from a medical professional or “other professional” stating that the animal alleviates symptoms or effects of a disability.

Questions may arise as to what qualifies as an “other professional” when providing a letter or what type of “animal” a tenant may have. It is possible that guidance from NYS may provide broad interpretations of those terms. Landlords should consult with their own attorney as such matters are legal in nature. Licensees should not be advising landlords on such matters.

If you have any questions about a licensed activity, please contact NYSAR's Legal Hotline Monday-Friday, 9:00 a.m.- 4:00 p.m. at 518-436-9727 or 518-43-NYSAR.



Get all of the latest news at [www.nysar.com](http://www.nysar.com).

*You are receiving this information as a member of the New York State Association of REALTORS. NYSAR occasionally sends information regarding association programs and services as well as industry news to its membership.*

[Manage your NYSAR email subscriptions.](#) | [Unsubscribe from ALL NYSAR emails.](#)

New York State Association of REALTORS, [130 Washington Ave., Albany, NY 12210](#)