



## Stanislaus Regional Housing Authority

ALPINE | AMADOR | CALAVERAS | INYO | MARIPOSA  
MONO | STANISLAUS | TUOLUMNE COUNTIES

DATE: November 13, 2025

TO: Board of Commissioners

FROM: Jim Kruse, Executive Director

SUBJECT: Action Item # 2 Consider Implementing a Service Animal Policy Regarding Service Animals On Site at all Housing Authority Administrative, Office and Operations buildings.

PREPARED BY: Dawn Bonsu, J.D., Director of Business Operations

RESOLUTION NO: 25-26-11

### **RECOMMENDATION:**

Staff is recommending the Board approve implementing a policy regarding service animals on site at the Stanislaus Regional Housing Authority Administration, Office and Operations buildings.

### **SUMMARY**

Stanislaus Regional Housing Authority (Authority) in an effort to accommodate individuals who require service animals is recommending the Board approve implementing a service animal policy that will provide staff and the public with information and guidance as to when service animals are allowed inside all Authority administrative buildings and offices and what type of animals qualify as service animals in accordance with California law.

In California, businesses and public accommodations must allow service animals into all areas where the public is normally allowed access to. This requirement is based on both the federal Americans with Disabilities Act (ADA) and California's Unruh Civil Rights Act and Disabled Persons Act, which offer similar protections.

Under public access laws, a service animal is typically a dog trained to perform tasks for a person with a disability; animals providing only emotional support are not included.

Service animals are generally allowed in public spaces such as government buildings. When a service animal's function is not obvious, staff may only ask two questions: (1) if the animal is required due to a disability and (2) what tasks the service animal performs. Staff cannot request documentation or any information concerning the individual's disability.

Service animals must be under their handler's control and housebroken.

Regarding service animals in training, California law allows individuals with disabilities or trainers to bring service dogs in training into public places if they are leashed and have a county tag. The handler is responsible for any damage caused by the animal.

A service animal can be excluded if it is out of control and the handler does not correct the behavior, if it is not housebroken, or if it poses a direct threat to health and safety. Staff are not obligated to care for the service animals.

Lastly, individuals with service animals cannot be separated or segregated from other customers.

**Fiscal Impact:**

There is no Fiscal Impact to the Agency.

**ATTACHMENT:**

Resolution No. 25-26-11



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### RESOLUTION NO. 25-26-11

#### **RESOLUTION APPROVING THE IMPLEMENTATION OF A SERVICE ANIMAL POLICY FOR ALL HOUSING AUTHORITY ADMINISTRATIVE, OFFICE AND OPERATIONS BUILDINGS**

**WHEREAS**, Stanislaus Regional Housing Authority desire to implement a service animal policy for all administrative, office and operational buildings; and

**WHEREAS**, based on its review of the concerns from staff and the public, Stanislaus Regional Housing Authority has determined that it is necessary to establish a service animal policy in order to provide information and guidance to both the public and staff regarding what is allowed, and what is not allowed, as well as what information can be requested from an individual with a service animal, if necessary.

**NOW THEREFORE BE IT RESOLVED** by the Board of Commissioners of Stanislaus Regional Housing Authority, that:

1. Implementation of a Service Animal Policy is approved as deemed necessary by Stanislaus Regional Housing Authority in order to provide information and guidance to staff and the public pertaining to all administrative, office and operational buildings.
2. This Resolution shall take effect immediately.
3. The CEO is authorized to take necessary actions to implement such policy.

**DULY AND REGULARLY ADOPTED** by the Board of Commissioners of Stanislaus Regional Housing Authority this 13<sup>th</sup> day of November 2025. On a motion by Commissioner \_\_\_\_\_, seconded by Commissioner\_\_\_\_\_, and on the following roll call vote:

AYES:

NAYS

ABSENT:

ABSTAIN:

Approved: \_\_\_\_\_  
Chairperson

Attest: \_\_\_\_\_  
Secretary



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### Service Animal Policy

#### SERVICE ANIMALS

The purpose of this policy is to provide guidance to Stanislaus Regional Housing Authority staff who may encounter service animals on the premises at any Authority Administrative, Office or Operational building.

Requirements and regulations for service animals are set forth under the Americans with Disabilities Act (ADA), as well as California Access Laws as recorded in the California Civil Code.

#### Service Animals Defined

According to the ADA, service animals are defined as **dogs** that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include; guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability.

Service animals must be harnessed, leashed, or tethered unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

Someone training a service animal has the same access and rights as stated above and shall keep the animal leashed and tagged as a "guide dog, signal dog or service animal."

In addition to the provisions related to service dogs, ADA regulations have a new, separate provision about miniature horses that have been individually trained to do work or perform tasks for people with disabilities. Entities covered by the ADA must modify their policies to permit miniature horses, where reasonable.

The regulations set out four assessment factors to assist entities in determining whether miniature horses can be accommodated in their facility. The assessment factors are:

- Whether the miniature horse is housebroken;
- Whether the miniature horse is under the owner's control;
- Whether the facility can accommodate the miniature horse's type, size, and weight; and
- Whether the miniature horse's presence will compromise legitimate safety requirements necessary for safe operation of the facility.

When it is not obvious what service an animal provides, only limited inquiries are allowed. Stanislaus Regional Housing Authority staff may only ask two questions:

- Is the service animal required because of a disability and
- What work or task has the service animal been trained to perform?

Stanislaus Regional Housing Authority staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the service animal, or ask that the service animal demonstrate its ability to perform the work or task. Allergies or fear of animals are not appropriate reasons to exclude a service animal.

Animals whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA or California law.

### **Where Service Animals are Allowed**

Under the ADA and California law, state and local governments, businesses, and nonprofit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is normally allowed to go.

Owners cannot be denied housing for owning a service animal even if there is a prohibition on pet ownership as a condition of residency.

In all cases, owners are liable for any provable damages caused by their service animal.

### **Enforcement**

The following Penal Code sections apply to service animals:

- **Penal Code section 365.5(c)** - Anyone who prevents a disabled person from exercising the rights entitled to them is guilty of a misdemeanor;
- **Penal Code section 365.6** – Anyone who intentionally interferes with the use of a service animal by harassment or obstruction is guilty of a misdemeanor; and,
- **Penal Code section 365.7** – Anyone who knowingly or fraudulently represents themselves as a service animal trainer is guilty of a misdemeanor.

A person who believes their right of admittance to or enjoyment of one of these facilities has been violated, may contact Stanislaus Regional Housing Authority's Business Operations department for further assistance.