



IVANAS

A new Illinois law clarifies that condo associations must allow service animals provided their owners have sufficient documentation, unless the need for an animal is apparent.

guise of “being transparent.”

New statute on assistance animals

Effective Jan. 1, the “Assistance Animal Integrity Act” took effect in Illinois, supplementing existing federal law regarding reasonable accommodation requests for assistance animals (i.e., service animals and emotional support animals).

Federal law makes clear that housing providers, including community associations, must reasonably accommodate residents with disabilities by allowing a resident to keep an

assistance animal — even if the association’s declaration or rules and regulations expressly prohibit animals — provided the requester submits documentation that is legally sufficient to support such a request.

The Assistance Animal Integrity Act provides various clarifications and guidelines to association boards to ensure they meet their obligations to disabled residents. Notably, among the guidelines, (i) a therapeutic relationship is required between the requesting resident and the medical provider supplying a medical opinion in support of a reasonable accommodation request, (ii) non-medical service agencies

may provide supporting documentation to bolster reasonable accommodation request, (iii) certificates/licenses procured for a nominal fee without a meaningful assessment through a therapeutic relationship are insufficient under the Assistance Animal Integrity Act in support of a reasonable accommodation for an assistance animal and (iv) an association may require documentation that establishes a disability-related need for each animal requested unless the need for an animal is apparent.

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