

**SERVICE ANIMAL/EMOTIONAL SUPPORT ANIMAL (ESA) REQUEST FOR
ACCOMMODATION INFORMATION PACKAGE**

Lyndhurst H Service and Emotional Support Animal Policy

Effective March 11, 2025

Day Visits

Service Animal and Emotional Support Animal (“ESA”) day visits are permitted without Board approval as long as Lyndhurst H rules are followed and the dog does not cause a disturbance.

Overnight Visits

Lyndhurst H’s approval process for Service Animals and Emotional Support Animals staying overnight require Board approval prior to residency.

The Unit Owner will need to apply to the Board for an accommodation for the Service Animal and or Emotional Support Animal. We require the following Information from the unit owner requesting the reasonable accommodation:

1. Unit owner requesting the accommodation and unit number, telephone number, and email address
2. What type of reasonable accommodation are you applying for: Service Animal or Emotional Support Animal
3. The full name of the person needing the reasonable accommodation.

To obtain Board approval, the unit owner will need to provide with the information contained in this package in order for the Board needs to make an informed decision. This information package has been FHEO Notice: FHEO-2020-01 [Assessing a Person’s Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act] issued on January 28, 2020 which is effective until Amended, Superseded, or Rescinded.

SERVICE ANIMAL: REQUEST FOR ACCOMMODATION

Under the ADA, “*service animal*” means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual’s disability.” The Unit Owner will need to answer the following questions:

1. **Is the animal a dog?** Yes or No
2. **Is it readily apparent that the dog is trained to do work or perform tasks for the benefit of an individual with a disability?**
Yes or No
3. **Is the animal required because of a disability?** Yes or No
4. **What work or task has the animal been trained to perform?**

[While there are ADA restrictions on what we can ask about Service Animals, our lawyer advised that it would not be unreasonable to ask for documentation that supports what the Service Animal has been trained to do.]

In addition to answers to the above, the Association will also require from the unit owner:

1. Unit Owner Request for Accommodation;
2. Service Animal Registration; and
3. Veterinarian’s Health Certification.

ESA: REQUEST FOR REASONABLE ACCOMMODATION

1. Does the person have an observable disability or does the Association already have information giving them reason to believe that the person has a disability? Yes or No

[Under the FHA, a disability is a physical or mental impairment that substantially limits one or more major life activities. While some impairments may seem invisible, others can be readily observed. Observable impairments include blindness or low vision, deafness or being hard of hearing, mobility limitations, and other types of impairments with observable symptoms or effects, such as intellectual impairments (including some types of autism), neurological impairments (e.g., stroke, Parkinson's disease, cerebral palsy, epilepsy, or brain injury), mental illness, or other diseases or conditions that affect major life activities or bodily functions.²⁹ Observable impairments generally tend to be obvious and would not be reasonably attributable to non-medical causes by a lay person.

Certain impairments, however, especially including impairments that may form the basis for a request for an emotional support animal, may not be observable. In those instances, a housing provider may request information regarding both the disability and the disability related need for the animal. Housing providers are not entitled to know an individual's diagnosis.]

2. Has the person requesting the accommodation provided information (e.g. Statement from a Qualifying Health Professional) that supports that the person seeking the accommodation has a disability? Yes or No

We require a statement from a qualified health professional (e.g. physician, licensed healthcare professional, professional representing a social service agency, disability agency, or clinic) that confirms that there is a nexus between the ESA and the disability and that he/she has been treating the applicant for the disability, and has conducted at least one in-person or tele-health treatment:

The Association will not accept documentation that has been downloaded from the internet because some websites sell certificates, registrations, and licensing documents for assistance animals to anyone who answers certain questions or participates in a short interview and pays a fee. Under the Fair Housing Act, a housing provider may request reliable documentation when an individual requesting a reasonable accommodation has a disability and disability-related need for an accommodation that are not obvious or otherwise known. In HUD's experience, such documentation from the internet is not, by itself, sufficient to reliably establish that an individual has a non-observable disability or disability-related need for an assistance animal.

The Board of Directors reserves the right to conduct annual reviews of:

- I) Annual Service Animal/ESA Certifications (if applicable)
- II) Vaccination records
- III) Review of ongoing needs (ESAs only)
- IV) Review of any complaints regarding Service Animal/ESA.

3. Has a Veterinarian's Health Certification for the animal been provided? Yes or No

We will require a copy of the Veterinarian's certification that all shots / inoculations are up to date and a color-copy photograph of the animal.

LYNDHURST H RULES FOR APPROVED SERVICE ANIMALS OR ESAs

1. **Lyndhurst H has no authority over other Associations', Master Management's, or CenClub's property and, therefore, Lyndhurst H's approval only permits the approved Service Animal or Emotional Support Animal ("ESA") to be on Lyndhurst H Condominium Association property only.**
2. The Service Animal or ESA cannot be a nuisance to Association members and residents. Examples, but not limited to, nuisance behavior include: barking, biting, aggressive behaviour, attacking, owners failure to properly dispose of excrement waste, not maintaining dog under control at all times, failure to comply with all state and local ordinance and statutes, insect/extermination issues and/or sanitation/odor problems, etc. Should the Service Animal or ESA become a nuisance to others, the Association reserves the right to have the Service Animal or ESA permanently removed from Association property. The Corporation reserves the right to request a non invasive DNA sample swab of the Service Animal or ESA at the expense of the owner.
3. The Service Animal's or ESA's owner must clean up and properly dispose of all of the animal's excrement waste on Association property. Should the animal urinate on the building's catwalks or in the elevator, etc, the owner is to wash the affected area immediately. This also applies to instances where the animal makes a general mess (e.g. dirty paw tracks, etc) on the common property.
4. The Service Animal's or ESA's owner must keep the Service Animal or ESA under their control at all times. This can be done by keeping the Service Animal or ESA on a short lease, or in a carriage, or by personally carrying the animal.
5. The Service Animal's or ESA's owner must provide proof of licensure of the animal with the County and provide the Association with current and updated vaccination records, immunization and veterinarian records ANNUALLY, and, if applicable, all certifications trainings the animal possesses.

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6. The Service Animal's or ESA's owner is liable for any damage caused to Association property by the Service Animal or ESA.
7. Some disabilities may be temporary and resolve in time and the Board reserves the right to validate the ongoing need for an ESA. Approval may be withdrawn if the applicant is no longer disabled.
8. Visitor Service Animals or ESAs are permitted for day visits without prior approval by the Association.
9. Visitor Service Animals or ESAs staying overnight require prior approval by the Association before residency.

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LYNDHURST H SERVICE ANIMAL/ESA REGISTRATION

Registration of your Service/ESA with the Association is important in cases of emergency should, for example, the Service/ESA needs to be rescued or the Association needs to enter your unit to deal with an emergency and you are not there.

Applicant's name:

Unit Number:

Animal's name:

Breed:

Colour:

Weight (lbs):

Animal's Gender (M/F):

Vets Name:

Vets Phone #:

Emergency Contact Name and Phone #:

Does animal have special training or certifications: yes/no

Photo of animal:

Vet certification:

Florida Statute Section 817.265

False or fraudulent proof of need for an emotional support animal:

A person who falsifies information or written documentation, or knowingly provides fraudulent information or written documentation, for an emotional support animal under s. 760.27, or otherwise knowingly and willfully misrepresents himself or herself, through his or her conduct or through a verbal or written notice, as having a disability or disability-related need for an emotional support animal or being otherwise qualified to use an emotional support animal, commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. In addition, within 6 months after a conviction under this section, a person must perform 30 hours of community service for an organization that serves persons with disabilities or for another entity or organization that the court determines is appropriate.