**Adult Family Home (AFH) Information Sheet**

Reasonable Accommodation and Non-Discrimination for Service Animals

**Review** [**Chapter 388-76 WAC**](https://app.leg.wa.gov/wac/default.aspx?cite=388-76&full=true) **for current licensing requirements**

**What state law applies to non-discrimination and service animals?**

* The Washington State Law Against Discrimination does not allow discrimination against a person with a disability who uses a trained dog guide or service animal. You must reasonably accommodate a person with a disability who uses a trained dog guide or service animal.

**What is discrimination?**

* Discrimination is to treat a person differently because of the person’s race, color, age, disability, or use of a service animal. See [Chapter 49.60 RCW](https://apps.leg.wa.gov/rcw/default.aspx?cite=49.60&full=true).

**What is reasonable accommodation?**

* Reasonable accommodation is a change to a policy or practice so that a person with a disability has the same opportunities as a person with no disability. See the federal [Americans with Disabilities Act of 1990](https://www.eeoc.gov/statutes/titles-i-and-v-americans-disabilities-act-1990-ada).

**What is a service animal? What is a dog guide?**

* A service animal is trained to help people with disabilities.
* A dog guide is trained to guide blind persons or assist hearing-impaired persons.

**What does a dog guide or service animal do?**

* Dog guides or service animals do many different tasks, such as alert a deaf person to sounds (telephone, doorbell, and fire alarms), alert a person with a seizure disorder to an oncoming seizure, carry and pick up things for someone who uses a wheelchair, and assist with balance and opening doors.

**If I have a “no pet” policy, can I not accept someone in my adult family home?**

* The laws are clear that a service animal is not a pet. You must change your “no pets” policy to allow the use of a service animal by a person with a disability. A “no pets” policy may continue, but you must allow service animals.

**What if a service animal threatens people or other animals?**

* You may ban a service animal from your home if it poses a threat to others. You may not guess how a service animal may act. Consider each situation separately.
* While you may ban a service animal that is a threat, you should give the resident who uses the service animal the option of staying at the home without the service animal.

**How can I tell if an animal is really a service animal and not just a pet?**

* You may ask for a health care professional’s statement that the person has a disability and is assisted by a service animal. You may not ask for details or the type of the person’s disability.

**Do I have to take care of the service animal?**

* No. The owner of the service animal must take care of the animal. You are not required to provide care or food for the animal.

**Can I charge an extra fee for residents with service animals?**

* No, you may not charge a fee for a service animal.

**What if I ignore these laws and rules?**

* You may be in violation of the federal Americans with Disabilities Act (ADA) as well as state law.

**For more information, see the following:**

* [Federal requirements for service animals](https://www.ada.gov/service_animals_2010.htm)
* [Non-discrimination for use of service animal](https://apps.leg.wa.gov/rcw/default.aspx?cite=49.60.222)
* [Unfair practice](https://app.leg.wa.gov/RCW/default.aspx?cite=49.60.215)
* [Misdemeanor for interference](https://apps.leg.wa.gov/rcw/default.aspx?cite=9.91.170)
* [Freedom from discrimination](https://apps.leg.wa.gov/rcw/default.aspx?cite=49.60.030)
* [Exercise of resident rights](https://apps.leg.wa.gov/rcw/default.aspx?cite=70.129.020)
* [Reasonable accommodation](https://apps.leg.wa.gov/RCW/default.aspx?cite=74.42.450)

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