Top 10 Myths About Service & Assistance Animals

1. **Any Animal Can be a Service Animal** – **FALSE** – A service animal can ONLY be a dog or a miniature horse. In Colorado, a person cannot claim that a duck, pig or cat is a service animal. However, such animals may qualify as an assistance animal for housing purposes.

2. **Service Animals Must be Certified & Wear Identification** – **FALSE** – Service animals must be individually trained, but there is no specific certification or identification (such as a vest or tags) required.

3. **Service Animals Can Never Be Kicked Out of a Business** – **FALSE** – If any animal, even a service animal, is out of control of the owner or not housebroken, that animal can be asked to leave a business. However, the business owner must make its services or goods available to the person with a disability.

4. **Only Large Dogs Can be Service Animals** – **FALSE** – Some small dogs are individually trained to perform tasks, such as detecting seizures or alerting to noises. So, for service dogs, size does not matter.

5. **Landlords Can Require Notarization of a Doctor’s Note** – **FALSE** – A note from a person’s doctor stating that they have a disability that substantially limits one or more major life activities and that the animal helps mitigate the effects of the person’s disability is sufficient in and of itself – no notary required.

6. **Landlords Can Require Use of a Specific Form** – **FALSE** – A person needs only to submit a note complying with #5. Landlords can have model forms, but cannot require tenants to use them.

7. **Landlords Can Charge Pet Fees for Assistance Animals** – **FALSE** – An assistance animal is not considered a “pet” under the law, so a landlord may not charge a pet fee for these animals.

8. **Only Doctors May Attest to a Person’s Need for an Assistance Animal** – **FALSE** – Anyone with knowledge of the individual and how the animal helps can attest to the need for the animal. However, a doctor or other medical provider must certify that the person has a disability.

9. **“Therapy Animal” is a Term that Encompasses Service, Assistance, Emotional Support, and Companion Animals** – **FALSE** – Therapy animals are taken to hospitals, schools and other facilities to provide therapy to the people there – they are not animals used to help an owner with a disability. As such, businesses and housing providers do not have to allow access to therapy animals.

10. **Assistance Animals Are Allowed to Go Anywhere** – **FALSE** – Assistance animals are allowed in housing, but not in places open to the public like restaurants and grocery stores.

*** DISCLAIMER: This is not intended as legal advice, but rather for informational purposes only. Always consult a lawyer if you have questions about your legal rights. ***