



IS YOUR ROOMMATE AN ANIMAL?

KEEPING ANIMALS IN NYC HOUSING

DO NOT GIVE UP YOUR ANIMAL OR LEAVE YOUR HOME WITHOUT SEEKING LEGAL GUIDANCE!

Generally, tenants have the right to remain in their home unless evicted by an NYC Marshal or Sheriff after the landlord has gone through the housing court process. Your immigration status and lease terms do not affect these rights.

IF YOU FACE HOUSING DISCRIMINATION OR NEED ADVICE ABOUT YOUR TENANT RIGHTS, CALL 311 AND ASK FOR THE TENANT HELPLINE.

In some situations, New Yorkers have the right to keep an animal, even if their lease prohibits pets.

PETS

If you live in a private building with three or more units and have kept a pet openly for three or more months before the landlord moved to enforce a no-pet clause, you may have the right to keep your pet, per the NYC Administrative Code. Collect evidence that your pet has not been a secret from your landlord or building staff/agents such as the doorman or super. Among other items, you might have:

- Adoption paperwork or veterinary records, indicating, for example, how long you've had the pet and that you've taken your pet in and out of the building.
- Letters from neighbors who have seen the pet.
- Examples of times you've taken your pet through the lobby.
- Deliveries to your unit of pet supplies such as litter or pet food.
- Instances where pets and/or supplies (e.g. a litter box) were visible when repairs were done in your unit.



NYC Tenant Protection Cabinet



nyc.gov/Animals-Housing

ASSISTANCE ANIMALS

Assistance animals, including service and emotional support animals (ESAs), are not pets, and tenants with them have protections under city, state and/or federal laws, including the U.S. Fair Housing Act and the NYC Human Rights Law.

- Service Animals are trained to perform specific tasks to assist someone with a disability.
- Emotional Support Animals (ESAs) provide emotional support or other assistance that helps treat the symptoms of a disability. An ESA does not need to be trained to do a specific task, and any animal that is legal to own and maintain in New York City can qualify as an ESA.
- A letter from a treatment provider may be needed to state that an ESA alleviates the symptom of a disability or explain the need for a service animal if the need or the service the animal would provide is not apparent or known. You do not need to disclose information about your specific disability.
- Housing providers—including shelters and other forms of temporary and supportive housing—must provide a reasonable accommodation to permit service animals or emotional support animals (ESAs) unless doing so would cause an undue hardship. Policies that: (1) limit pet sizes or breeds; (2) impose pet fees/deposits; or (3) indicate that no pets are allowed, are not applicable to these animals.