

## Department of Planning and Budget

### 2017 Fiscal Impact Statement

**1. Bill Number:** HB2006

**House of Origin**    ☐ Introduced    ☐ Substitute    ☐ Engrossed  
**Second House**    ☐ In Committee    ☒ Substitute    ☐ Enrolled

**2. Patron:** Carr

**3. Committee:** General Laws

**4. Title:** Virginia Fair Housing Law; rights/responsibilities with respect to the use of assistance animal.

**5. Summary:** Sets out the rights and responsibilities under the Virginia Fair Housing Law (§ 36-96.1 et seq.) with respect to maintaining an assistance animal in a dwelling. The bill establishes a process for the review and approval or denial of a request from a person with a disability for reasonable accommodation to maintain an assistance animal in such person's dwelling. Under the bill, a request for a reasonable accommodation will be determined on a case-by-case basis and may be denied if (i) the person on whose behalf the request for an accommodation was submitted is not disabled; (ii) there is no disability-related need for the accommodation; (iii) the accommodation imposes an undue financial and administrative burden on the person receiving the request; or (iv) the accommodation would fundamentally alter the nature of the operations of the person receiving the request. With respect to a request for reasonable accommodation to maintain an assistance animal in a dwelling, the requested assistance animal shall (a) work, provide assistance, or perform tasks or services for the benefit of the requester or (b) provide emotional support that alleviates one or more of the identified symptoms or effects of the requester's existing disability. In addition, the requested assistance animal will not pose a clear and present threat of substantial harm to others or to the dwelling itself that is not solely based on breed, size, or type or cannot be reduced or eliminated by another reasonable accommodation. An adverse effect on the insurance policy of the owner of the property because of the presence of a certain breed of dog or a certain animal may constitute an undue financial and administrative burden. The bill removes language providing that the terms "individual with a handicap" nor the term "handicap" do not apply to an individual solely because that individual is a transvestite. The bill also defines assistance animal, major life activities, and physical or mental impairment.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Indeterminate. See Item 8 below.

**8. Fiscal Implications:** The fiscal impact of this bill on the Department of Professional and Occupational Regulation (DPOR) is indeterminate. The Virginia Fair Housing Office within DPOR investigates complaints involving the Virginia Fair Housing Law and receives grant funding from the U.S. Department of Housing and Urban Development (HUD). Virginia's substantial equivalency status and associated federal grant funding is based on conformity

between Virginia Fair Housing Law and federal requirements. The effect of this bill on the substantial equivalency status and related grant funding is unknown.

**9. Specific Agency or Political Subdivisions Affected:** Department of Professional and Occupational Regulation.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.