

Disability Law

New Yorkers dog apartments with pet restriction waiver requests

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By [Stephanie Francis Ward](#)



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Serious depression, heart disease and chronic pain are three disabilities that can probably get tenants around pet restrictions, the [New York Times](#) reports, and more people are asserting their right to do so.

According to the article, pet restriction waivers are hot topics at New York dog parks and pet-centric online message boards. The laws defining disabilities, the article notes, are broad.

Adam Leitman Bailey, a lawyer, told the paper that he reviews at least one building pet waiver request a month. They usually involve dogs, he says, and he recommends approving about half the requests he reviews.

As an example of a request he turned down, Leitman Bailey mentioned a doctor's letter from a patient who had Type 2 diabetes, and other unspecified medical conditions. The letter noted that walking the dog was good exercise for the patient, and spending time with the dog "greatly elevated" the patient's mood.

Another person in a no-dog building was successful in getting a waiver for her canine based on a therapist letter, which noted the woman had anxiety and the dog in question had belonged to her father, who recently died. The woman also retained a lawyer who specializes in disability waivers, and she estimates that she paid the lawyer approximately \$3,000 in fees.

The woman, who asked that her name not be used, told the New York Times that everything the letter said was true. She also said that if she didn't inherit her father's dog, she probably would not have taken her.

New Yorkers with service dogs also claim that they are frequently accused of faking their ailments.

"I would rather a few people slip through the cracks and cheat the system than have the regulations made harder on people who need service dogs," says Kody Keplinger. She is legally blind and has a German shepherd service dog named Corey.

"It is a very complicated issue," Keplinger says, "and I understand it's frustrating for landlords and co-ops."

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