



Tenants with Service Animals

A service animal is an animal trained to assist a person with a disability. The assistance provided by the animal must be directly related to the person's physical or mental disability.

There is no standardized identification or certification of service animals in Manitoba. It may be obvious that the animal is trained to assist with a disability that is visible (the person is blind or Deaf). It is often less obvious that the animal is trained to assist with a disability because the disability is invisible (the person has post-traumatic stress disorder or diabetes).

You are always entitled to ask a tenant or potential tenant if their animal is trained to assist them with a disability. While an animal may not have received formal training, if the person relying on the animal can demonstrate that it is an integral part of their disability related treatment program, the animal may be considered a "service animal."

You are also always entitled to ask for more information to clarify the disability-related need. However, those enquiries should be made only when you believe you need more information to assess your obligation to the person. Enquiries should always be made with respect and understanding.

A person who uses a service animal has the right to access any area that is generally accessible to the public.

- The tenant or potential tenant/ unit holder has the right to live in their apartment/ unit with their service animal.
- It would very rarely be reasonable to deny a tenant or potential tenant with a disability access to housing because of their service animal.
- The tenant has the responsibility to ensure their service animal is under their care and control at all times.
- The landlord/ condominium corporation may ask the tenant to remove the animal if the animal's behaviour is disruptive, such as if the animal consistently displays inappropriate behaviour like barking, whining, defecating or snapping. The landlord may begin the process of evicting the tenant on this basis.
- No one should interact with or feed a service animal unless they are given permission by the animal's owner to do so.

- The landlord/ condominium corporation should not charge a tenant an additional fee because of their service animal. The landlord/ condominium corporation should review their policies to reduce barriers for tenants or potential tenants with service animals.
- The preference of other tenants/ unit holders and concerns about possible damage to the apartment/ unit are not valid reasons to evict the tenant with a service animal or refuse housing to the potential tenant with a service animal. The landlord/ condominium corporation should not apply their “no pet” policy to a person with a service animal.
- If another tenant/ unit holder can substantiate a need that restricts them from being around a tenant/ unit holder with a service animal, the landlord/ condominium corporation must make every effort to balance the needs of both individuals. How this is done will vary based on the needs being balanced, but may include implementing measures to keep the service animal at a distance from the other tenant/ unit holder in common areas. Landlords/ condominium corporations should be cautious however not to segregate or isolate tenants with service animals.

Know Your Code!

The Human Rights Code is the provincial human rights law that protects individuals and groups in Manitoba from discrimination. It is administered by The Manitoba Human Rights Commission. There is no charge for filing a human rights complaint or for seeking advice about a human rights concern. *The Code* has special status over all other laws of the Province of Manitoba.

This information is a simplified description of provisions under *The Code*.

For more information:

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Le présent guide est également disponible en français

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