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The Associated Landlords of Kansas (TALK) was created in 1981 by a group of people from across Kansas to "Promote a strong voice in the legislature, a high standard of ethics, and provide educational opportunities for landlords." Some of our members helped create The Residential Landlord-Tenant Act of 1975, a model of fair law for both landlords and tenants.

In this 2019 legislative session, we will continue to work for fair and decent housing for all.

Testimony on H.B. 2152

We are testifying in favor of this Bill in order to help protect the rights of those who have a legitimate need for an Emotional Support Animal (ESA). The increasing abuse of that right by those who wish to circumvent "no pet" policies by obtaining online certificates using false or misleading information could eventually cause the Federal Government to reevaluate, or even eliminate that right.

Requiring a Kansas licensed physician, psychiatrist, social worker, or other mental health professional who has met with the patient in person, is sufficiently familiar with the patient and the disability, and is legally and professionally qualified to make the determination is a common sense way to guarantee that the applicant is properly evaluated, given the care and respect that they deserve, and to screen out those who are simply trying to beat the system for their own selfish purposes.

Attached you will see a very small sampling of the multitudes of offers to be certified for an ESA taken straight from the internet just a few days ago. I have highlighted important legitimate information, offers to instantly or within 48 hours get your certificate for a "nominal" fee, and even a discussion about whether an applicant should, or should not think about getting what the author refers to as a "weird" ESA.

Again, I wish to emphasize that we are NOT in opposition to Emotional Support Animals. We feel that there is a very legitimate need by some people in our communities, and with this proposal we seek to protect their rights by making sure that those in need are properly diagnosed and cared for by certified professionals, and to weed out those who are attempting to abuse the existing Federal law.

If we can be of help to you in any area concerning property rights, tenants, or landlords, please feel free to contact us at your convenience.

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Zone 1

Landlords of Lawrence Inc.
Landlords of Johnson County, Ks Inc.
K.C.KS. Landlords Inc., Wyandotte Co.
Eastern Kansas Landlords Assoc., Miami Co.
Franklin Co. Landlords Assoc.
Osage Co. Landlords Assoc.

Zone 2

Labette Co. Landlords Assoc.
Geary County Landlords Inc.
Shawnee Co. Landlords Assoc.
Salina Rental Property Providers Inc.
South Central Kansas Landlord Assoc.
Serving Sumner and Reno Counties

Zone 3

Central Kansas Landlords Assoc.
Bourbon County Landlords Assoc.
Cherokee County Landlords Assoc.
Crawford County Landlords Assoc.
Montgomery County Landlords Assoc.
Rental Owner Inc., serving Sedgwick County

Proposed Kansas Assistance and Service Animal Integrity Act

An Act

Creating the Kansas Assistance Animal Integrity Act; providing definitions for assistance animal and disability; creating requirements for documentation of the need for an assistance animal in housing; and providing for the offenses of misrepresentation of entitlement to assistance animal and misrepresentation of an animal as assistance animal.

The Legislature of the State of Kansas hereby enacts as follows:

Section 1. Short Title

This act shall be known as the Kansas Assistance Animal Integrity Act.

Section 2. Definitions

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Assistance animal.” An animal that qualifies as a reasonable accommodation under the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, or similar local law. This term shall include an emotion support animal when such animal qualifies as a reasonable accommodation.

“Disability.” A physical or mental impairment, which substantially limits one or more major life activities, (or as defined in K.S.A. 44-1002 and amendments thereto).

Section 3. Subject to the following a landlord shall provide a reasonable accommodation to a tenant making request for an assistance animal:

(a) A landlord who receives a request from a person to make an exception to the landlord’s policy prohibiting animals, or limiting the size weight, breed, types or number of animals on the landlord’s property, because the person requires the use of an assistance animal, may require the person to produce reliable documentation of the disability and disability-related need for the animal unless the disability-related need for an assistance animal is readily apparent or known to the landlord.

(b) If the person seeking a reasonable accommodation for an assistance animal has a disability, which is not readily apparent, that person shall provide written evidence:

- 1) describing the person’s disability-related need for the assistance animal;

2) from a Kansas licensed physician, psychiatrist, social worker, or other mental health professional who:

- (i) has met with the patient in person;
- (ii) is sufficiently familiar with the patient and the disability; and
- (iii) is legally and professionally qualified to make the determination.

(c) Where the disability related need for an assistance animal is not readily apparent or known to the landlord, the landlord may require the requesting party to submit on an annual basis the written evidence required in subsection (b).

Section 4. Immunity

Notwithstanding any other law to the contrary, a landlord shall not be liable for damages or injuries caused by a person's assistance animal permitted on the landlord's property as a reasonable accommodation to assist the person with a disability pursuant to the Fair Housing Act, the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 or any other relevant federal, State or local law.

Section 5. Misrepresentation of the entitlement to assistance animal.

- (a) A person commits the offense of misrepresentation of entitlement to an assistance animal if the person intentionally:
 - 1) misrepresents to another that a person has a disability or disability-related need for an assistance animal in housing; or
 - 2) makes materially false statements for the purpose of obtaining documentation for the use of an assistance animal in housing.
- (b) A person who violates subsection (a) of this section commits a Class A misdemeanor.
- (c) If a person commits the offense of misrepresentation of entitlement to an assistance animal the landlord may proceed with any action allowed under K.S.A. 58-2564 or K.S.A. 58-25-120.

Section 6. Misrepresentation of animal as assistance animal.

- (a) A person commits the offense of misrepresentation of an animal as an assistance animal if a person intentionally:
 - 1) Creates a document that misrepresents an animal as an assistance animal for use in housing;
 - 2) provides a document to another falsely stating that an animal is an assistance animal for use in housing; or
 - 3) fits an animal, which is not an assistance animal, with a harness, collar, vest or sign that the pet is an assistance animal for use in housing.
- (b) A person who violates subsection (a) of this section commits a Class A misdemeanor.

- (c) If a person commits the offense of misrepresentation of an animal as an assistance animal the landlord may proceed with any action allowed under K.S.A. 58-2564 or K.S.A. 58-25-120.

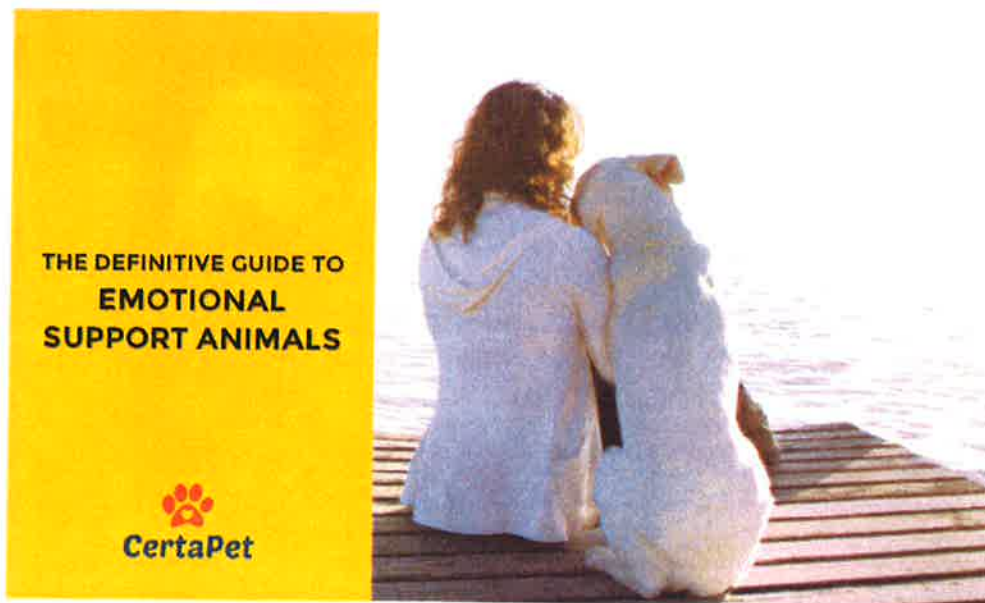
Section 7. Severability.

The provisions of this act are severable. If any word, phrase, clause, provision, section or subsection of this act, or the application thereof is found unconstitutional or otherwise unenforceable or invalid, such portion shall not effect the validity of the remaining portions of this act.

Section 8. Effective date



Emotional Support Animal Guide: 2019 Update



Summary

- ✓ An emotional support animal (ESA) is an animal that helps alleviate symptoms of an emotional or mental disability through companionship and affection.
- ✓ An ESA can only be prescribed to a patient by a Licensed Mental Health Professional.
- ✓ You can take a quick and free screening test to know if you could potentially qualify for an emotional support animal.
- ▶ [You can take the test and receive instant results here \(/get-started/\)](/get-started/)
- ✓ ESA owners are protected by laws and afforded travel and housing benefits among others.





CertaPet

(<https://www.certapet.com/>)

- 5.2.2 - Don't Fall for Scams
- 5.3.3 - Don't go to websites offering instant approval
- 5.4.1 - Don't receive assistance from a provider who does not offer any follow-on service or care
- 6. Emotional Support Animal Registration/Certification
 - 6.1. Emotional Support Dog/Service Dog Registration: How to Know If it is a Scam
- 7. Frequently Asked Questions about Emotional Support Animals
 - 7.0.1. What is an Emotional Support Animal 'Certification'? Do I need to get my ESA 'certified'?
 - 7.0.2. Are Emotional Support Animal Registration Sites Legitimate?
 - 7.0.3. Do emotional support animals require training?
 - 7.0.4. Does my dog need an emotional support animal vest to travel or live with me?
 - 7.0.5. Is the ESA letter all I need to become an emotional support animal owner?
 - 7.0.6. What happens when the airlines staff or landlord ask to see my proof that I'm an ESA owner? Are they just asking for my ESA letter?
- 8. The 2 Main Emotional Support Animal Laws
 - 8.1. Flying Laws 101: The Air Carrier Access Act
 - 8.2. Housing Laws 101: The Fair Housing Act
- 9. Emotional Support Animal vs. Service Animal vs. Therapy Animal
 - 9.1. How to Differentiate Between Emotional Support Dogs and Service Dogs
 - 9.2. Here's a quick rundown on what ESAs, Service Animals, & Other Companion Animals Can and Cannot Do:
- 10. Emotional Support Dog for Sale? How to Find an ESA in Your City/State/Campus?
- 11. How to Ask Doctor for Emotional Support Animal Letter?



What is an Emotional Support Animal (ESA)?

An emotional support animal is a dog, or cat, or other pet that helps alleviate symptoms of an emotional or mental disability through companionship and affection.

Also called assistance animals, ESAs aid your day-to-day life with structure and care.

Appropriate Emotional Support Animals

There is no set rule of what animals can or cannot be considered ESAs; however, many airlines, landlords, and, most importantly, licensed mental health professionals will not allow or write an emotional support animal letter for a pet who does not provide you with the proper care you need for an mental/emotional condition.

The animal must be beneficial for your health and not put you or anyone else in harm's way.

Overall, most dogs and cats are recognized as appropriate emotional support





Step 1:
Free 5-Minute
Online Pre-Screening



Step 2:
15-Minute Licensed Mental
Health Professional Online
Consultation



Step 3:
Receive Your
ESA Letter



An ESA Letter from CertaPet provides:

- Recognition that you are a patient on a case-by-case basis under a licensed mental health professional's care for mental or emotional disabilities.
- Verification that you are significantly limited by an individual disability, such as depression or a similar condition, affecting your mental well-being.
- Prescription for an emotional support dog (also known as a companion dog), or other support animal, as a necessary reinforcement for your mental health within 48 business hour

Once you receive the letter, you are free to use it whenever you travel or live with your animal.

That's it.

To better clarify, watch the process and see just how CertaPet helps you get the treatment you need. The right way.




 "After high school, I felt like there was nothing left for me. I felt I was living everyday - day by day. I also moved to a new city so had no friends or family to go too. I felt so lost and depressed. Then I got my ESA dog Chip, and my whole life flipped. I had a treat to be with him for the rest of my life. Our animal care pet helped make this all happen and thank you guys so much for that!!"

- Lyssa Helton



What NOT to Do When Getting an ESA

More and more people today abuse the use of emotional support animals. This can be anyone including:

- Individuals who bring their exotic pets to the airport requesting emotional support animal accommodation
- Websites and services claiming they offer emotional support animal certification or registration
- Those who bend the truth in order to fly or live with their pet for free

If you think your emotional and/or mental disability qualify for an emotional support animal letter, then there are 4 important items to make sure to NOT do in the process of becoming an ESA owner.

1 - Don't lie to your therapist

Though this rule goes without saying, please understand emotional support animals are not ordinary pets and trying to get one without a specific disability only hurts real ESA owners in the long run.

2 - Don't Fall for Scams

One major reason individuals do not take the need for an emotional support animal serious is due to the fact there are sites and services out there that claim they certify/register the pet. You end up paying for non-legitimate documents that do not hold up in any court of law, nevertheless airports or accommodations.

A major repercussion of falling for ESA scams is not just denied access when traveling or living with your assistance animal.

The punishment for misrepresentation of an emotional support animal or any assistance animal for that matter (service dog/animal) could be:

- A Fine Up To \$ 1,000
- All Time
- Hours of Community Service

CertaPet
 Resolve any legal rights over assistance animals
 (<https://www.certapet.com/>)

3 - Don't go to websites offering instant approval

When a site offers an instant approval upon submitting a questionnaire or application, there is a good chance the service is a scam.

In order to properly become an ESA owner, you first need to fill out assessment, which will be reviewed by an LMHP. They will determine if you could benefit from an emotional support animal.

4 - Don't receive assistance from a provider who does not offer any follow-on service or care

Getting an emotional support animal is not a one time occurrence. You will need a provider who offers follow on care service after you receive your letter.

For example, many airlines require additional documentation and forms alongside the ESA letter. With follow on service, you will receive the assistance you might need to travel or live with your ESA.

CertaPet helps patients receive both follow-on service (additional forms after your letter) and follow on care through our platform in order for you to not only become an ESA owner but overall, to track your emotional/mental wellbeing.

Emotional Support Animal Registration/Certification

Emotional support animal registration or emotional support animal certification is not real.

You do not need to register your ESA in any database to be a legal emotional support animal owner.

Emotional Support Dog/Service Dog Registration: How to Know If it is a Scam

All assistance animal registration and certification should be avoided at all cost. No matter if it is called "national service dog registry", "emotional support dog certification", or any of the like, stay clear.



To fight these scams, learn the 5 main elements to look out for in an assistance animal service.



5 Ways to Spot a 'Fake' Emotional Support Animal Service

01 THE NAME
(It's often in the name!)

02 ASKS YOU TO CERTIFY/REGISTER

03 APPROVES YOU INSTANTLY

04 THE LETTER IS NOT SIGNED BY A LEGITIMATE LMHP

05 NO FOLLOW-UP SERVICE

US NATIONAL SERVICE DOG OFFICIAL

The very last thing to take notice of is the name. Sites that have "national", "US", "official" involved by "emotional support service" should register with the state or in the first case for a fake ESA service. No such thing as a "national emotional support animal registry".

Be wary of "register" for "fake" animals. Be cautious of being a user role or to register a pet in their database as a scam waiting to happen. The only thing you hope is an ESA letter signed by an LMHP.

Most people nowadays, want a fast and quick service for almost everything, but be careful. If the ESA site approves you instantly for an Emotional Support Animal then chances are your application wasn't evaluated by a real Licensed Medical Health Professional and likely to be approved by a national animal service.

Any ESA letter provided by a "fast-approved" website is from someone who is not a licensed professional and you should check if they're authorized to approve your order in the first place. Remember to get a real LMHP letter, which should be added to the box.

You should make sure that an ESA service has a good support service that will help you over when you need a document. They should be able to respond to your request, and be able to provide information and help with the process. With no follow-up service, there is no way to get help with your animal.

Frequently Asked Questions about Emotional Support Animals

What is an Emotional Support Animal 'Certification'? Do I need to get my ESA 'certified'?

Are Emotional Support Animal Registration Sites Legitimate?

Do emotional support animals require training?



(From Certapet page 10 Of 25)

5 Ways to Spot a 'Fake' Emotional Support Animal Service

04

THE LETTER IS

NOT SIGNED BY

A LEGITIMATE

LMHP

Any ESA letter signed by

a non-licensed professional

or one who is not

licensed to practice in

your state is fraud. A way

to check if they're authorized

to approve your letter is by their license

number and contact

information, which should

be stated at the top.



The Official US Service Animal & Support Animal (ESA) Registry

Register Your Service Animal, Emotional Support Animal, or Apply for a Letter from a Licensed Mental Health Professional Travel & Housing.



Emotional Support Animal
Click Here to Register



Service Animal
Click Here to Register



Click For Doctor's Letter
Airlines & Housing

Why Choose USServiceAnimals.org?

Click here to learn why USServiceAnimals.org will always stand behind its services.

Scammed by a Fraudulent ESA Website?

Our lawyers want to help! We have seen too many fraudulent sites. Click here to report the scam.

We're Here to Help

Our outstanding customer service team is here when you need them. Registering with us gives you access to our in-house attorneys any time you need them. Contact us anytime, we'll be happy to help you.

Registration for Life of Animal

Your service animal or emotional support animal will be registered with the and Support Animals Registry Database for the entire life of the animal.

Registration Benefits

- All orders have an option of digital copies of your certificate of registration and photo ID so you can print them out for immediate use.
- Registration is valid for the lifetime of your animal.
- Your service animal or emotional support animal will be placed in the official US Service and Support Animal Registry Database.
- We are always here to help you. Just call us and see (985) 570-5341
- Our staff attorneys will get involved and help if your rights are being violated. Registration gives you access to our legal team.
- We offer Doctor Letters for Airline Travel & Housing so you can fly with your animal and live with your animal without hassle.

Easy Registration Process

ESA DOCTOR'S APPROVAL IN 24-48 HOURS



WANT TO LEGALLY BRING YOUR PET ANYWHERE YOU GO? 🐾

You can with an ESA Approval

➤ Click To Qualify Instantly!

* Federal Laws Protect Your Rights

An Emotional Support Animal (ESA)

Your pet can be with you everywhere! What you need is an ESA Doctor's approval which will:

Get Your Emotional Support Animal Letter Online In 10 Minutes

An Official Letter From Our Licensed Physicians Allow You To Live And Fly With Your Pet Legally & Hassle Free.

Pay \$59 For Any One Letter (Housing/Travel) Or Get The 2-In-1 Recommendation For Just \$79

GET ESA LETTER

Keep your pet in a no pet policy home. No fees to fly with your animal. If you're not approved, you don't pay!

Easy Process, Fast Delivery



Apply Online



Get Evaluated by a Doctor via Video Chat



Receive your ESA letter through e-mail and a hard copy via regular mail.

Excellent



938 Reviews on TrustSpot (https://trustspot.io/store/Steady-Care-Medical)



Feb 04, 2019

Christopher Debo

Easy experience and cost effective. Had my card in minutes.



Feb 02, 2019

Christine Sutton

Easy, fast and professional. I would just like a receipt Please

Pricing

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[LOGIN](#)

Package 3 \$219

- Online Consultation
- ESA Certification Letter
- ID Card
- ESA Vest
- Unlimited Housing / Airline Forms (by request)

ORDER TODAY!

Package 2 \$189

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- ESA Certification Letter
- ID Card
- Unlimited Housing / Airline Forms (by request)

ORDER TODAY!

Package 1 \$159

- Online Consultation
- ESA Certification Letter
- Unlimited Housing / Airline Forms (by request)

ORDER TODAY!



Latest News



Toilet Train Your ESA Puppy In 3 Easy Steps

Dogs are incredibly smart animals. In fact, the average pooch can understand about 165 words, with the smartest dogs learning well over 200. This intelligence is what



February 6, 2019

2 Myths About ESAs, Busted!

Ever since dogs were first domesticated by humans, they have served as great companions animals. They help humans bust



February 4, 2019

Weird Emotional Support Animals: Should I Get One?

Thinking you might not be suited for a traditional emotional support animal (ESA)?



Weird Emotional Support Animals: Should I Get One?

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[7 Unusual But Great Emotional Support Animal Options](#)



Thinking you might not be suited for a traditional emotional support animal (ESA)? If a dog or cat doesn't fit exactly with your needs, you might want to consider getting one of the more weird emotional support animals as a pet. There are pros and cons to getting an exotic ESA versus a typical animal. Here's a breakdown of questions you should ask yourself if you want to know whether you should get a weird emotional support animal.

What do I specifically need my ESA for?

The first aspect you need to think through is why you're getting an emotional support animal to begin with. It's important for you to consider your mental illness diagnosis (PTSD, anxiety, depression, etc.) and what your particular symptoms are. Determining why you need an ESA can help you narrow down your search for what type of animal would be best suited to your situation. Ask yourself if you'll be needing a constant companion (which could rule out some exotic animals that aren't permitted on flights or in businesses) or if you'll be needing an ESA who can cuddle up with you and show affection (which crosses animals like reptiles off your list). Taking the time to ponder these questions is essential, since you'll be wanting to make sure you're getting an ESA that fits your needs – and not all exotic animals will fit the bill.

