



January 31, 2022

Senate Bill 360 / Enacting the Kansas assistance animals in housing act.

Proponent

Oral in Person and Written Testimony

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As Regional Property Manager for Yarco Company and member of the Apartment Association of Kansas City (AAKC) and the National Apartment Association (NAA) with over 20 years experience in the multi-family industry, I overwhelmingly support Senate Bill 360 to provide law and guidance to protect housing providers, residents, and those with disabilities.

This bill accounts for the guidance and enforcement for housing providers, residents and persons with a disability, the documentation to substantiate the requirement of a support animal and penalty for violation.

There has been many abuses in our industry of those using the emotional support animal as a means to have pets on multi-family communities that would otherwise not be qualified.

Under the Fair Housing Act, refusal to make reasonable accommodations in rules, policies, practices or services to provide a disabled individual with equal opportunity to use and enjoy a dwelling is a prohibited form of discrimination. As a housing provider of several thousand units we have seen a significant increase in reasonable accommodation requests for emotional support animals in recent years. In cases where a property owner may request documentation on the disability-related need for an emotional support animal, federal regulations allow for a broad range of individuals to provide the verification. These individuals include a physician, psychiatrist, social worker or other mental health professional. A lack of clarity in the regulations opens the door for abuse and imposes an unfair burden on property owners, undermining the intent of the Fair Housing Act to help those truly in need of an emotional support animal.

Among the concerns, the individual certifying the resident's need for an emotional support animal is not required to have an actual treatment relationship with the resident. In some cases, residents supply reasonable accommodation request documentation to property owners in the form of a letter purchased online for a fee. This documentation may be provided with little or no contact with a mental health professional, other than a brief consultation, and not as the result of an actual treatment relationship. This bill will help ensure that the benefit of a reasonable accommodation applies only to those who are legitimately in need.

The thorough content of Senate Bill 360 provides the protection to housing providers, residents and those with disabilities to be accommodated fairly.

Please support Senate Bill 360 and vote it out of committee.

Respectfully,

Dennis Watts, CAPS/CPM

Regional Property Manager

