

Emotional Support Animal (ESA) Procedure

All Emotional Support Animal (ESA) requests must be submitted to the Student Access and Resource Center via the online Housing Accommodation Application (<https://bachelor.accessiblelearning.com/s-UTA/ApplicationHousing.aspx>).

Emotional Support Animal (ESA) Type Requests

• ESA types are animals commonly kept in households: dog, cat, small bird, rabbit, hamster, gerbil, other rodent, fish (10 gal. tank or smaller), turtle, or other small, domesticated animal that is traditionally kept in the home. Reptiles (other than turtles), barnyard animals, monkeys, kangaroos, and other non-domesticated animals are not considered common household animals. (www.hud.gov) If the individual is requesting to keep a unique type of animal that is not commonly kept in households as described above, then the requestor has the substantial burden of demonstrating a disability-related therapeutic need for the specific animal or the specific type of animal. The individual is encouraged to submit documentation from a health care professional confirming the need for this animal. (www.hud.gov)

Standards for Approved Emotional Support Animal (ESA)

- ESAs that can be house trained must be house trained.
- ESAs that can be immunized must be current and remain in compliance with all required immunizations.
- ESAs must be kept in a secured enclosure when the resident is not present.
- Crates, secure enclosures (cages) for ESA should match the weight of the animal.
- ESAs that pose a direct threat are not allowed.
- Due to the small size of the rooms, ESAs should be limited to 60 lbs.
- Emotional support dogs and cats that are able to be spayed/neutered should be spayed/neutered.
- For an ESA other than a dog or cat, the best fit for a cage is 30" wide by 20" deep so it can fit on top of the dresser or desk.
- When an ESA other than a cat or dog is out of its cage, the animal should be held by the student or near the student.

Additional requirements for Emotional Support Animal (ESA) After Approval

- ESA must always be collared and leashed when outside the resident's room and must never be allowed to run freely.
- ESA is not to be chained, tethered, or tied to anything while outside of the room, suite or apartment.
- Dog obedience and training programs are highly recommended.
- All ESA waste should be disposed of properly.

Improper Use of Animals

Residents with an Emotional Support Animal (ESA) are expected to have read and follow the State of Texas Human Resources Code, Title 8. Rights and Responsibilities of Persons with Disabilities, Sec. 21.006. Penalties for Improper Use of Emotional Support Animals. <https://codes.findlaw.com/tx/human-resources-code/hum-res-sect-121-006.html>

Standards of Behavior Expected for Animal and Animal Owner

A certain level of obedience (when possible) and domesticity is expected of and ESA living in "pet-free" residential areas. Health, sanitary, safety, and disruptive standards must be maintained as follows:

- Animals require daily food and attention, as well as a daily assessment of their general health, behavior and overall welfare.
- Animals cannot be left unattended overnight at any time. If the owner must be away, they must either take the animal with them, or make arrangements for them to be cared for elsewhere, which **does not** include other residence hall or apartment spaces.
- The owner of the ESA must provide emergency contact information to facilitate continuity of care for the animal in the event of an emergency. Once the emergency contact has been notified, they will have 24-hours to pick up the animal.
- ESAs must not be taken into the residence hall or apartment offices, administrative offices, common spaces, dining locations, or student living areas. ESAs are only approved to be in the residence hall room of the approved resident. Animals (if applicable) may be taken to and from the room to relieve themselves but must not be allowed to roam.
- Animal waste must be taken care of, and any animal owner must comply with Sec. 4.01.002- Animals defecating on public and private property. Animal feces, defined as cat litter box contents and any solid animal waste, must be disposed of properly. It is the owner's responsibility to remove feces from University grounds, dispose of it in a plastic bag, and then place that bag in the garbage dumpsters outside. Cleanup must occur IMMEDIATELY. Animal feces may not be disposed of in any trash receptacle or through the sewer system inside any building on the University of Texas at Arlington (UTA) campus. Waste MUST be taken to a dumpster for disposal.

- Residents must properly maintain litter boxes and clean cages (secure enclosures). In consideration of the health of the animal and occupants of the apartment or the residence hall room, litter box contents and cage beddings must be disposed of properly and regularly. The litter box must be changed with new cat litter regularly as outlined by the manufacturer. The cage bedding must be changed regularly as outlined by the bedding manufacturer.
- Animal accidents within the residence hall room or apartment must be promptly cleaned up using appropriate cleaning products. Cleaning of cages must be kept up.
- Regular and routine cleaning of floors, kennels, cages, and litter boxes must occur. The odor of an animal emanating from the residence hall room or apartment is not acceptable. (see Cleaning Section below)
- Any flea infestation must be attended to promptly by the University Facilities Management contracted professional extermination company at owner's expense. Owners are expected to promptly notify the hall or apartment staff and the University Facilities and Management staff via the **fixit** (www.uta.edu/fixit) work order system and arrange for extermination when a flea problem is noted. Animal owners may take precautionary measures such as: flea medications prescribed by veterinarians, flea and tick collars, taking your animal to the veterinarian for flea and tick baths. However, the owner or Apartment and Residence Life staff may not use chemical agents and insecticides to exterminate fleas and ticks. Because not all precautions listed above can prevent flea and tick infestations, the owner is responsible for extermination costs after vacating the residence hall room or apartment.
- Animals must not be allowed to disrupt others (e.g., barking continuously, growling, yowling, howling, chirping, etc.). Animals which constitute a threat or nuisance to staff, residents or property, as determined by the University Apartment and Residence Life or Office of Community Standards staff, must be removed within seven (7) days of notification. If UTA Police Department personnel determine an animal poses an immediate threat, animal control may be summoned to remove the animal. If the behavior of an animal can be addressed by the owner and the owner can change the behavior of an animal so the animal does not have to be removed, then a written action plan must be submitted by the owner. The action plan must outline the action to take place to alleviate the problems and must give a deadline as to length of time the plan will take to complete. Any action plan must meet the approval of the University Apartment and Residence Life and/or Office of Community Standards staff. The day after the deadline for removal from the apartment, University Apartment and Residence Life staff will do a residence hall room or apartment inspection to check damages and infestation and then the mandatory cleaning and extermination will be scheduled. Any animal owner found not adhering to the removal directive will be subject to disciplinary action, which could include contract cancellation.
- The owner of the ESA will take all reasonable precautions to protect university staff and residents, as well as the property of the University and of the residents.
- The owner will notify University ARL staff via email or applicable hall office staff if the ESA has escaped its confines and is unable to be located within eight (8) hours of the animal being discovered missing.
- **All liability for the actions of the animal (bites, scratches, etc.) is the responsibility of the owner. Violations concerning any of the aforementioned may result in the resident having to find alternative housing off-campus for the animal and as warranted, may also result in a resident being in breach of their housing contract.**

Cleaning and Damages

- When the owner of an ESA moves out of his/her apartment/residence hall room, or no longer owns the ESA, the apartment/residence hall room will be assessed to determine if damage to department property can be attributed to the animal. University ARL maintains the right to conduct inspections annually for the purpose of assessing damage caused by the animal or otherwise determine the resident's compliance with this procedure.
- The ESA owner has an obligation to make sure the apartment/residence hall room is as clean as the original standard. If the apartment or room has carpeting, this also includes regular vacuuming and spot cleaning. Damages and extraordinary cleaning caused by the animal are the responsibility of the resident. Replacement or repair of damaged items will be the financial responsibility of the animal owner and assessed by members of the University ARL staff.