

THE RESORT'S POLICY DOES NOT ALLOW PETS. IF YOU OR YOUR FAMILY MEMBER OR GUEST NEED TO BRING A SERVICE DOG OR ANIMAL TO THE RESORT, YOU MUST FILL OUT AND SIGN THE FOLLOWING FORM AND EMAIL, FAX OR MAIL IT TO THE RESORT NOT LESS THAN 30 DAYS BEFORE YOUR STAY. THIS WILL ALLOW THE RESORT STAFF THE TIME NECESSARY TO PROCESS YOUR REQUEST AND ASK FOR ADDITIONAL INFORMATION AS MAY BE ALLOWED BY LAW.

UNDER THE AMERICANS WITH DISABILITIES ACT, EMOTIONAL SUPPORT, THERAPY, COMFORT, OR COMPANION ANIMALS (TERMS WHICH ARE USED TO DESCRIBE ANIMALS THAT PROVIDE COMFORT JUST BY BEING WITH A PERSON) HAVE NOT BEEN TRAINED TO PERFORM A SPECIFIC JOB OR TASK, SO THEY DO NOT QUALIFY AS SERVICE ANIMALS. IF THE PET OR ANIMAL IS NOT A SERVICE ANIMAL, AS DEFINED BY THE AMERICANS WITH DISABILITIES ACT AND/OR SECTION 413.08, FLORIDA STATUTES, OR AN ASSISTANCE ANIMAL AS DEFINED BY THE FEDERAL FAIR HOUSING ACT, THE PET OR ANIMAL IS NOT ALLOWED IN OR ON ANY PORTION OF THE RESORT PROPERTY. For more information regarding service animals and assistance animals, please see the attached.

IF THE ANIMAL IS A SERVICE ANIMAL AS DEFINED BY THE ADA, PLEASE ANSWER THE FOLLOWING:

Is the dog a service animal required because of a disability? ____ YES ____ NO

If YES, what work or task(s) has the dog been trained to perform? _____

IF THE ANIMAL IS NOT A SERVICE ANIMAL AS DEFINED BY THE ADA, PLEASE ANSWER THE FOLLOWING:

Does the person have a disability? ____ YES ____ NO (If the disability is not readily apparent or known to the provider, please submit reliable documentation of the disability and the disability-related need for an assistance animal)

If YES, does the person making the request have a disability-related need for an assistance animal? ____ YES ____ NO (If the assistance animal provides emotional support to the person with a disability, please provide documentation **from a physician, psychiatrist, social worker, or other mental health professional** that the animal provides emotional support that alleviates one or more of the identified symptoms or effects of an existing disability)

OWNER

FAMILY MEMBER OR GUEST OF OWNER

DATE SIGNED

DATE SIGNED

UNIT WEEK(S) _____

ASSISTANCE AND SERVICE ANIMALS

In general, pets and other animals are not allowed at the Resort at any time. However, pursuant to the Americans with Disabilities Act, the federal Fair Housing Act, and Section 413.08, Florida Statutes, animals that are service animals or assistance animals may accompany individuals with disabilities to the Resort.

Pursuant to Section 36.104 of the ADA Title III Regulations, “**SERVICE ANIMAL**” means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual’s disability. The provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

Under the ADA, emotional support, therapy, comfort, or companion animals (terms which are used to describe animals that provide comfort just by being with a person) have not been trained to perform a specific job or task, so they do not qualify as service animals.

There are only two questions that may be asked in a situation where it is not obvious that a dog is a service animal. (1) Is the dog a service animal required because of a disability? (2) what work or task has the dog been trained to perform?

The Fair Housing Act clarifies what is and what isn't an “**ASSISTANCE ANIMAL**”. An assistance animal is not a pet. It is an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person's disability.

Housing providers must consider the following: (1) does the person have a disability -- that is, a physical or mental impairment that substantially limits one or more major life activities? (2) Does the person making the request have a disability-related need for an assistance animal? In other words, does the animal work, provide assistance, perform tasks or services for the benefit of a person with a disability, or provide emotional support that alleviates one or more of the identified symptoms or effects of a person's existing disability?

Under the Fair Housing Act, housing providers may ask individuals with disabilities that are not readily apparent or known to the provider to submit reliable documentation of a disability and their disability-related need for an assistance animal. If the disability is readily apparent or known but the disability-related need for the assistance animal is not, the housing provider may ask the individual to provide documentation of the disability-related need for an assistance animal. For example, the housing provider may ask persons with an assistance animal that provides emotional support to provide documentation from a physician, psychiatrist, social worker, or other mental health professional that the animal provides emotional support that alleviates one or more of the identified symptoms or effects of an existing disability. Such documentation is sufficient if it establishes that an individual has a disability and that the animal in question will provide some type of disability-related assistance or emotional support.

In cases where both that ADA and the Fair Housing Act apply, to avoid possible ADA violations the housing provider should apply the ADA service animal test first. If the animal is a service animal, it must be allowed to accompany the individual with a disability to all areas of the facility where persons are normally allowed to go. If the animal does not meet the ADA service animal test, then the housing provider must evaluate the request in accordance with the HUD requirements for assistance animals.

Section 413.08(1)(b), Florida Statutes, defines “individual with a disability” to mean a person who has a physical or mental impairment that substantially limits one or more major life activities of the individual. As used in this paragraph, the term “major life activity” means a function such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working; and the term “physical or mental impairment” means: (a) a physiological disorder or condition, disfigurement, or anatomical loss that affects one or more bodily functions; or (b) a mental or psychological disorder that meets one of the diagnostic categories specified in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association, such as an intellectual or developmental disability, organic brain syndrome, traumatic brain injury, posttraumatic stress disorder, or an emotional or mental illness.

As defined in Section 413.08(1)(d), Florida Statutes, **"SERVICE ANIMAL"** means an animal that is trained to do work or perform tasks for an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work done or tasks performed must be directly related to the individual’s disability. A service animal is not a pet. The provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for purposes of this definition.

As provided in Section 413.08(3)(b), Florida Statutes, to determine the difference between a service animal and a pet, a public accommodation may ask if an animal is a service animal required because of a disability and what work or tasks the animal has been trained to perform.

Pursuant to Section 413.08(3), Florida Statutes, the service animal must be under the control of its handler and must have a harness, leash or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal’s safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler’s control by means of voice control, signals, or other effective means. The care or supervision of a service animal is the responsibility of the individual owner. A public accommodation is not required to provide care or food or a special location for the service animal or assistance with removing animal excrement. A public accommodation may exclude or remove any animal from the premises, including a service animal, if the animal is out of control and the animal’s handler does not take effective action to control it, the animal is not housebroken, or the animal’s behavior poses a direct threat to the health and safety of others.

PLEASE NOTE THE FOLLOWING FROM THE ADA.GOV WEBSITE FREQUENTLY ASKED QUESTIONS ABOUT SERVICE ANIMALS AND THE ADA:

Q17. Does the ADA require that service animals be certified as service animals? A. No. Covered entities may not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal, as a condition for entry.

THERE ARE INDIVIDUALS AND ORGANIZATIONS THAT SELL SERVICE ANIMAL CERTIFICATION OR REGISTRATION DOCUMENTS ONLINE. THESE DOCUMENTS DO NOT CONVEY ANY RIGHTS UNDER THE ADA AND THE DEPARTMENT OF JUSTICE DOES NOT RECOGNIZE THEM AS PROOF THAT THE DOG IS A SERVICE ANIMAL. (Emphasis supplied.)