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Blind tenant's guide dog barks at night. What to do?

Rent Watch: Advice for landlords and tenants.

August 22, 2010 | By Martin Eichner

Question: I live in the apartment next to a woman who is blind and has a seeing-eye guide dog. It barks for what seems to be hours at a time, especially late at night. I am losing sleep. Our manager says the woman is entitled to have a guide dog. He says he can't do anything about the dog's behavior because he would be sued for discrimination. Don't I have any rights in this situation?

[Redacted text]

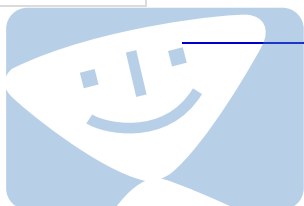
Answer: Your manager correctly understands that the fair housing laws protect tenants who have disabilities and who need service animals such as guide dogs to reasonably accommodate their disabilities. Housing providers must allow disabled tenants to use service animals, even if there is a no-pets policy for the property.

However, any accommodation must be "reasonable." It cannot result in an unreasonable disruption of the housing provider's business. If the dog's behavior is causing a nuisance to other tenants such as you, the provider is not obligated to ignore that behavior.

Try contacting your local fair housing or mediation program for help explaining the application of the reasonable accommodation principles to the manager. An outside agency could also bring all the affected parties together to find a solution that works for everyone, such as obtaining behavior training for the dog.

Eichner is director of Housing Counseling Programs for Project Sentinel, a mediation service based in Sunnyvale, Calif. To submit a question, go to <http://www.housing.org>.

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