

University Student Housing
Texas Tech University
Service and Assistance Animal Procedure

All Service and Assistance Animal requests must be submitted to Student Disability Services (SDS), located in 335 West Hall, Texas Tech University, Lubbock, TX. After SDS has approved documentation of need for a Service or Assistance Animal, the student is responsible for submitting required documentation to University Student Housing (USH) for final approval.

No animal will be permitted in residence halls or apartments that:

- Is not approved by the SDS office
- Is not approved by the USH office
- Poses a direct threat to the health or safety of others
- Would cause substantial physical damage to University property and other residents
- Would pose an undue financial and administrative burden to the University
- Would fundamentally alter the nature of the University's housing operations

Improper Use of Animals

State of Texas Human Resources Code

Title 8. Rights and Responsibilities of Persons with Disabilities

Sec. 121.006. Penalties for Improper Use of Assistance Animals.

(a) A person who uses a service animal with a harness or leash of the type commonly used by persons with disabilities who use trained animals, in order to represent that his or her animal is a specially trained service animal when training has not in fact been provided, is guilty of a misdemeanor and on conviction shall be punished by:

- (1) a fine of not more than \$300; and
- (2) 30 hours of community service to be performed for a governmental entity or nonprofit organization that primarily serves persons with visual impairments or other disabilities, or for another entity or organization at the discretion of the court, to be completed in not more than one year.

(b) A person who habitually abuses or neglects to feed or otherwise neglects to properly care for his or her assistance animal is subject to seizure of the animal under Subchapter B, Chapter 821, Health and Safety Code.

Standards for Approved Service or Emotional Support Animals

Approval will be granted for one emotional support animal.

Animals must be at least 6 months in age or older.

Restrictions on animal sizes are considered on a case-by-case basis.

All approved service or assistance animals must comply with applicable laws regarding animals, including Chapter 4 – Animals in the City of Lubbock Code of Ordinances, their treatment and care, and must also meet the following standards:

Dogs (Service and Assistance Animals)

- Dogs must be of appropriate age (at least 6 months) for all required immunizations. These must be up-to-date and a copy of the immunization record must be on file with the University Student Housing (USH) Office.
- Dogs must be licensed and a copy of the license must be on file with the USH Office.
- Dogs must be of appropriate age to be spayed or neutered. A copy of the veterinarian's report must be on file with the USH Office.
- A Certificate of Health signed by a veterinarian certifying the dog is healthy and free from any signs of infectious or contagious diseases, parasites, etc. must be on file with USH Office.
- Collars and tags must be worn at all times. The dog must be kept on a leash at all times when outside the residence hall or apartment. Dogs must never be allowed to run freely. (State of Texas Human Resources Code, Title 8 - Rights and Responsibilities of Persons with Disabilities, Sec. 121.005 - Responsibilities of Persons with Disabilities, Part (b) A person with a disability who uses a service or assistance animal shall keep the animal properly harnessed or leashed, and a person who is injured by the animal because of the failure of a person with a disability to properly harness or leash the animal is entitled to maintain a cause of action for damages in a court of competent jurisdiction under the same law applicable to other causes brought for the redress of injuries caused by animals.)
- Dogs must possess friendly and sociable characteristics. A specific dog can be restricted from the premises by the USH Managing Director or designee based on any confirmed threatening or territorial behavior. Dogs that are classified as "Dangerous Dogs" (Texas Health and Safety Code Title 10., Chapter 833, Subchapter A, Sec. 822.041) and "Dangerous Animals" (Lubbock City Ordinance, Chapter 4, Article 4.06, Sec. 4.06.001)
- Dog obedience and training programs are highly recommended.

Domestic Cats (Assistance Animals Only)

- Cats must be of appropriate age (at least 6 months) for all required immunizations. These must be up-to-date and a copy of the immunization record must be on file with the USH Office.
- Cats must be licensed and a copy of the license must be on file with the USH Office.
- Cats must be of appropriate age to be spayed or neutered. A copy of the veterinarian's report must be on file with the USH Office.
- A Certificate of Health signed by a veterinarian certifying the cat is healthy and free from any signs of infectious or contagious diseases, parasites, etc. must be on file with USH..
- Collars and tags must be worn at all times. The cat must never be allowed to run freely, and must be kept on a leash at all times when outside the residence hall or apartment.

Other Assistance Animal Requests

- Texas Tech is a no pet campus. Therefore, University Student Housing cannot approve any other type of Assistance Animal. All animals must comply with the City of Lubbock Code of Ordinances definition of assistance animals; Code 4.01.001. Animals defined as

“Dangerous Wild Animals” in the Texas Health and Safety Code §822.101 (big cats, apes, bears, hybrids of these), primates, high rabies risk animals (bats, fox, raccoon, coyote) venomous animals, domestic animals with unknown health history are not allowed.

- University Student Housing is never required to accept snakes, reptiles, ferrets, rodents, sugar gliders, or spiders since these animals cannot meet vaccination requirements to be certified disease free. The Centers for Disease Control and Prevention (CDC) indicates that assistance animals should be limited to those that cannot possibly transmit zoonotic diseases. Zoonotic diseases are infectious diseases that can be naturally transmitted from animals to humans.

Standards of Behavior by Animal and Animal Owner

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.
- Emotional support animals must not be taken into the residence hall or apartment offices, administrative offices, common space or student living areas.
- Animal waste must be taken care of and any animal handler or 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 Texas Tech University campus. Waste MUST be taken to any residence hall or apartment dumpster for disposal.
- Residents with cats must properly maintain litter boxes. In consideration of the health of the cat and occupants of the apartment or the residence hall room, cat litter box contents must be disposed of properly and regularly. The litter box must be changed with new cat litter regularly as outlined by the manufacturer.
- Animal-accidents within the residence hall room or apartment must be promptly cleaned up using appropriate cleaning products.
- 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 USH contracted professional extermination company at owner's expense. Owners are expected to promptly notify the hall office or USH facilities staff via the **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, USH 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, etc.). Animals which constitute a threat or nuisance to staff, residents or property, as determined by the USH Managing Director or designee, must be removed within seven (7) days of notification. If Texas Tech 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 pet 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 also must give a deadline as to length of time the plan will take to complete. Any action plan must meet the approval of the USH Managing Director or designee. The day after the deadline for removal from the apartment, USH 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.
- An animal must not be involved in an incident where a person experiences either the threat of or an actual injury as a result of the animal's behavior. The animal owner 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 USH residence life staff via the hall office if the animal has escaped its confines and is unable to be located within eight (8) hours.
- 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. (State of Texas Human Resources Code, Title 8 - Rights and Responsibilities of Persons with Disabilities, Sec. 121.005 - Responsibilities of Persons with Disabilities, Part (a) - A person with a disability who uses a Service or Assistance Animal is liable for any damages done to the premises or facilities by the animal.)

Cleaning and Damages

- When the resident moves out of his/her apartment/residence hall room, or no longer owns the animal, the apartment/residence hall room will be assessed to determine if damage to department property can be attributed to the animal. USH 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 animal owner has an obligation to make sure that 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 USH staff.