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Episode 2: Service Dogs

Call from the Agent: My client wants to move into a planned community that doesn't allow dogs. She has 2 dogs she claims are for "emotional support" and says her doctor will write a note to this effect. Does the community have to accept the dogs?

The Response: No, the community can legally disallow the dogs. The client misperceives the meaning of "service dog" within the law. The Americans with Disabilities Act (ADA) defines "service dog" as one that is "individually trained to do work or perform tasks for the benefit of a person with a disability." This is consistent with SC Code §47-3-920(4). "Emotional support animals" are expressly excluded under both statutory schemes.