

Guidance concerning Hotels

Advocates for Service Animal Partners provides this material for informational purposes only. Material contained here is not legal advice. If you need legal advice, please contact an attorney licensed to practice law in your state.

This information concerns the protections afforded to individuals accompanied by service animals under Federal law. Most states have statutes that offer greater protections, including criminal remedies for violations. Please consult your particular state statutes for more information about the state laws that may apply in a specific geographic area.

The Americans with Disabilities Act (ADA) considers an inn, hotel, motel, or other place of lodging, except for an establishment located within a building that contains not more than five rooms for rent or hire and that is actually occupied by the proprietor of such establishment as the residence of such proprietor a place of public accommodation (42 USC 12181(7)(A)). Lodging establishments may not require documentation for the service animal (28 CFR Section 36.302(c)(6)) or charge pet deposits or other fees because of the presence of the service animal, but may charge the individual for any damage caused by a service animal if it is their policy to charge other guests for damages they cause (28 CFR Section 36.302(c)(8)). Places of lodging may not restrict an individual accompanied by a service animal from pools, restaurants, fitness centers, or any place other guests are generally allowed (28 CFR Section 36.302(c)(7)). The dog must be kept under the handler's direct control and must be

kept on a leash or tether, unless doing so would interfere with the tasks or work the animal was trained to perform (28 CFR Section 36.302(c)(4)). Individuals accompanied by service animals may not be required to accept a room that is designated for the disabled, on a specific floor, one generally required for guests with pets, or any other accommodation, aid, service, opportunity, or benefit which such individual chooses not to accept (42 USC 12201(d)).

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