

Can I Get an Assistance Animal if I am a Renter?

What is Maine's Assistance Animal law?

Maine has a law about assistance animals in housing. If you are a person with a disability, your health care professional may say that you need an assistance animal to help you. Health care professionals include a physician, psychologist, physician assistant, nurse practitioner, licensed social worker, licensed professional counselor or other licensed health professional with knowledge of the disability-related need for an assistance animal.

What is an assistance animal?

Assistance animals can be any animal; they are not pets. The only requirement is that:

- They are medically necessary to help with the effects of a disability; **or**
- They are trained to do work or perform tasks for a person with a disability.

The animal does not have to take classes or be certified to be an assistance animal.

Examples:

You have a parrot and it is your emotional support animal. Having and caring for your parrot at home helps with the effects of your depression. Your landlord has a “no pets” policy. But as a renter with a disability your parrot is not a pet, it is an assistance animal.

You need help knowing if there is smoke in your home because of a disability. You have a dog that warns you if there is smoke. The dog is an assistance animal if it really warns you of smoke, even if it hasn't been trained to do that.

Other examples include:

- Seeing eye animal
- Seizure alert animal
- Emotional support animals
- Therapy animals

As a renter, you can have an assistance animal for a physical or mental disability. In housing, service dogs are also called assistance animals. Your landlord must:

- Allow the animal, regardless of pet policy, breed, or weight; and
- Not charge you any pet deposit, even if other tenants must pay one. Assistance animals are not pets.

Note: This law only applies to housing. You don't have the right to have your assistance animal with you in public accommodations like restaurants, stores, or government offices. Assistance animals **may not** be brought into restaurants, stores, hotels, etc. [Read more about service animals and assistance animals at the Maine Human Right's Commission Website](#), or [read our article Service and Assistance Animals in Maine: What's the difference, and what are my rights?](#)

Who is covered by the “assistance animal” law?

The law applies to people with disabilities. Under this law, there are several ways that you can have a disability. Here are some examples:

- You have a physical or mental impairment that substantially limits one or more major life activity; or
 - You have a physical or mental impairment that significantly impairs your physical or mental health; or
 - You have a physical or mental impairment that requires special education, vocational rehabilitation, or related services; and
- The physical or mental impairment is expected to last six months or more.

These definitions include people who have a record or history of having an impairment, or who are perceived as having an impairment.

If you are not sure if your condition counts as a disability under this law, [Maine lists certain conditions that will automatically mean you are disabled if you have that diagnosis](#). These are not the only conditions that count as a disability. You should talk to your healthcare professional if you are not sure or have questions.

I think I qualify. How do I approach my landlord?

Give or send your landlord a letter explaining that you need an assistance animal. Always keep a copy of what you send to your landlord. You should identify your disability related symptoms and how your assistance animal helps you to manage those disability related symptoms. It is important to explain the connection between these two things – the symptoms of your disability and how the assistance animal helps you manage those symptoms.

If your assistance animal does work or performs tasks for you, and if you are asked by your landlord, you can prove your assistance animal is an assistance animal by showing what tasks it does, unless that would be dangerous. You can also ask people who have seen your assistance animal work to prove the animal can do the task. You can share proof of training if your assistance animal has been trained, but your landlord can't make you do this. Certificates that can be purchased online certifying that an animal is an emotional support animal is not the same as a training certificate.

If your disability cannot be seen, your landlord may ask for more information about your disability related need for your assistance animal. You do not need to give your diagnosis or medical coding in your request or in the note from your healthcare professional. Your landlord does not have a right to that personal, private, medication information.

[Sample letter to your landlord](#)

[Sample letter from Health Care Professional](#)

[Informational Maine Human Rights Commission flier to send with your letters](#)

What if my landlord won't accept my assistance animal?

If you think your landlord has illegally discriminated against you by not allowing you to have an assistance animal, [contact Pine Tree Legal](#).

If you would like to file a complaint about illegal housing discrimination, you can file with the Maine Human Rights Commission (MHRC) or the United States Department of Housing and Urban Development (HUD). Before you file, you should [read more about Fair Housing laws in our article "Fair Housing: Your Right to Rent or Own a Home."](#) This article will help you decide where to file your complaint, and explains the steps you will need to take.

More resources

[Learn more about your Fair Housing rights in Maine](#) – we have a Fair Housing Unit and information available in many languages!

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