



TO: NYCHA Residents Who Wish to Keep Their Dogs
FROM: ASPCA, NYC AC&C, and the Mayor's Alliance for NYC's Animals
DATE: June 8, 2009
RE: NYCHA Residents' Rights

1. The ASPCA, NYC Animal Care & Control, and Mayor's Alliance for NYC's Animals are concerned that breed-specific bans and weight restrictions may result in people unnecessarily giving up their dogs. **If you are a NYCHA resident, we want you to know that you may have the legal right to keep your dog.** We have provided the following information to help you.
2. If you are told to remove your dog, you may ask for a hearing at NYCHA headquarters (250 Broadway, NY, NY). **You will have opportunities throughout the grievance process to remove your dog and still retain your home.**
3. The NYCHA Project Manager will first want to meet with you to discuss your dog. This is **not** your hearing, and if you are unable to resolve the issues at this stage, you may still request a hearing at NYCHA headquarters without risking the loss of your home.
4. Contact Darryl Vernon (212-949-7300; dvernon@vgllp.com) to let him know if you have scheduled a hearing at 250 Broadway. (Also contact him if you had difficulty registering by the April 30th registration deadline for dogs of any breed up to 40 pounds.)
5. Attempt to register your dog with NYCHA management, and save all the paperwork, even if your registration is rejected. Also, save any other documentation regarding the dog (such as a license, service dog registration, veterinary records, and NYCHA instructions).
6. You may have rights to keep a dog without regard to size or breed if:
 - a) you have a serious physical disability [*NYS Public Housing Law 223 (a)*]
 - b) you have been diagnosed with any mental or physical impairment and a doctor says the pet helps you cope with your condition [*Federal Fair Housing Act*]
 - c) your dog is a "service dog" and/or is registered with the NYC Department of Health and Mental Hygiene as a "service dog" [*NYS Civil Rights Law 47*]
7. Only a judge or NYCHA hearing officer can tell you to remove your dog, after a hearing has taken place. Remember not to sign anything before or at your hearing unless you understand and are sure you want to agree to what you are signing.
8. At the hearing, in which you will have an opportunity to be heard, you can bring legal representation (that you have hired or otherwise obtained) and present evidence and defenses. If you lose, you will have an opportunity to challenge any NYCHA determination against you and your dog in the NYS Supreme Court.