# HOA Animal Policies: What You Need to Know

When people live in communities, they must adhere to common rules. Homeowners Associations (HOAs) often create these rules and bylaws, ensuring people can live safely and that maintaining the neighborhood is taken care of.

One increasingly important aspect that HOAs control is animal ownership. As of 2023, [62%](https://www.pewresearch.org/short-reads/2023/07/07/about-half-us-of-pet-owners-say-their-pets-are-as-much-a-part-of-their-family-as-a-human-member/) of U.S. households own a pet (with [51%](https://www.pewresearch.org/short-reads/2023/07/07/about-half-us-of-pet-owners-say-their-pets-are-as-much-a-part-of-their-family-as-a-human-member/) of pet owners viewing their pet as a part of their family). Clearly, pet ownership is an important aspect of people’s lives. HOAs need to be aware of what HOA animal policies they can enforce for their communities.

## Why Do HOA Animal Policies Exist?

HOA animal policies are designed to ensure the safety and health of residents. Clear guidelines ensure the entire community can coexist peacefully with the residents’ beloved pets.

These laws and bylaws are usually not a total ban on having any kind of pet—though ‘no pet’ communities exist. Common restrictions include:

* Not allowing for specific types of pets, such as exotic animals
* Setting a maximum number of pets
* Rules around aggressive behavior
* Bans on commercial breeding
* Registering a pet with HOA
* Leashing while walking pets
* Spaying/neutering regulations
* Proper waste disposal
* Noise levels such as from barking
* Limitations on property damage

**Also read:** [Homeowner Association Lawsuits: What to Do When Your HOA is Sued](https://www.mcgowanprograms.com/blog/homeowners-association-lawsuits-what-to-do-when-your-hoa-is-sued/)

## Are there exceptions?

The [Federal Fair Housing Act](https://www.hud.gov/program_offices/fair_housing_equal_opp/fair_housing_act_overview) and [Americans with Disabilities Act](https://www.ada.gov/) (ADA) guarantee residents the right to have service animals, ensuring people living with disabilities can enjoy a greater quality of life. However, according to the ADA, only dogs can be denoted as service animals and must provide essential functions distinguishing them from pets.

Many people also have emotional support animals (ESAs), which provide comfort and relief. However, the law considers emotional support animals separate from service animals, which [are not protected](https://www.fsresidential.com/corporate/news-and-events/articles/what-you-need-to-know-about-service-animals) by the ADA. This means that HOA animal policies may state emotional support animals are not permitted, though exceptions are often made.

There are also exceptions for people who already own a pet. These are known as [Grandfather Clauses](https://www.cedarmanagementgroup.com/hoa-pet-restrictions/#:~:text=Given%20the%20many%20issues%20that,being%20of%20the%20entire%20community.), which kick in when a community decides to go ‘no pet.’ It prevents undue stress on families that wish to remain with their beloved pets.

## How should HOAs manage their pet policies?

HOAs have a responsibility to make their animal policies clear to all members of the association. Ensuring [board members](https://www.mcgowanprograms.com/blog/effective-record-keeping-and-procedures-in-hoa-meetings/) and residents are informed makes it easier to enforce any policies.

Additionally, HOAs should be clear on what they can and cannot ask for:

* Understand that asking individuals about their specific disability is a [violation of the ADA](https://www.fsresidential.com/corporate/news-and-events/articles/what-you-need-to-know-about-service-animals). HOAs may only ask whether the dog is a service animal required because of a disability and what work or task the dog performs.
* However, states often require licenses and registration for service animals, and HOAs are [permitted](https://www.fsresidential.com/corporate/news-and-events/articles/what-you-need-to-know-about-service-animals) to request them.

Another key aspect of effective HOA animal policies is for the HOA to understand the laws around pet ownership rights at the national, state, and local levels. Always follow these laws and ensure policies are in compliance. Updating policies to remain compliant should be done as transparently as possible to avoid confusion among association members—while providing exceptions for those pet owners who have built their lives around policies that may have changed.

**Also read:** [Minimize Risk with 6 Best Practices for HOA Email Communications](https://www.mcgowanprograms.com/blog/minimize-risk-with-6-best-practices-for-hoa-email-communications/)

## HOAs are There to Help Everyone

Ultimately, HOA animal policies exist for the benefit of both the HOA and its members. Many of these policies simply enforce pet owners to clean up after their pets and ensure they are not disturbing other residents. As a result, most pet owners are more than willing to comply with HOA animal policies, and banning pets altogether does not reflect the current state of pet ownership in the U.S.

Instead, HOAS should have clear, transparent HOA animal policies that are compliant with laws such as the ADA. The result will be safe and appealing communities where HOAs do not have to deal with pet-related problems.

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