

# When it Comes to Emotional Support Animals, a Turkey is Not Fowl Play

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Several days ago, we all cackled when Fox News aired a story questioning whether a turkey is “fowl play”. The story involved an airline passenger accompanied by a turkey. The airline permitted the turkey to board the flight and to obtain its own seat once the passenger demonstrated the turkey was, in fact, an emotional support animal.

Notwithstanding that most condominium documents contain a prohibition against residents keeping animals on the premises, the New Jersey Law Against Discrimination and the Federal Fair Housing Law may require a “reasonable accommodation” to an emotionally or physically impaired individual.

Boards can adopt a resolution that establishes a clear and concise procedure to follow once a request for a support animal is received.

The individual making the request must establish that he or she suffers from a disability, as defined by law, and requires the physical assistance or emotional support of an animal to reasonably accommodate the disability. The fact that the association may be required to allow the animal does not exempt the maintenance of the animal from the condominium rules and regulations which may prohibit barking that disturbs the peace of other residents. The rules may also limit certain malicious breeds.