



# THE HOUSING AUTHORITY OF PRINCE GEORGE'S COUNTY

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## Pet Ownership Policy Housing Assistance Division

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## Pet Ownership Policy

Housing Authority of  
Prince George's County

### Housing Assistance Division

Section 227 of the Housing and Urban-Rural Recovery Act of 1983 (12 U.S.C. 1701n-1) provides that no "owner or manager of federally assisted rental housing for the elderly or handicapped may prohibit or prevent a tenant from owning or having common household pets living in the tenants dwelling unit, or restrict or discriminate against any person regarding admission to or continued occupancy of such housing because of the person's ownership of pets or the presence of pets in the person's dwelling unit." The Department of Housing and Urban Development has published the final rule which implements the statute, and established guidelines under which owners or managers of covered housing 91) may prescribe reasonable rules governing the keeping of common household pets and 92) must consult with tenants when prescribing the rule.

The Pet Policy as implemented by the Housing Authority of Prince George's County complies with 24 CFR Subpart C-Section 5.303: Exclusions for animals that assist, support or provide services to persons with disabilities.

The Pet Policy of the Housing Authority specifically does not apply to animals that assist, support, or provide services to persons' with disabilities. The HAPGC will not establish, enforce or apply rules under this policy against animals that are necessary as a reasonable accommodation to assist, support or provide services to persons with disabilities. This exclusion applies to animals that reside on Authority property sites where persons with disabilities live, as well as those that visit the properties.

In accordance with the rule, the Prince George's County Department of Housing and Community Development, hereafter referred to as the Department, amends its Admissions and Occupancy Policy to include rules to govern pet ownership in housing for the elderly and handicapped. For purposes of this rule, the following definitions contained in the Animal Control Ordinance of Prince George's Maryland, shall apply:

#### I. Definitions

1. **Animal** – every non-human species of animal, both domesticated and wild, including, but not limited to dogs, cats, livestock and fowl.
2. **Animal Control Facility** – any facility operated by or under contract with Prince George's County, Maryland, for the care, confinement, detention, or euthanasia or other disposition of animals.
3. **Attack Dog** – any dog trained to attack on demand.
4. **Cage** – any enclosure of limited space, enclosed on the bottom, top and all sides by a wall or otherwise, in which animals or other creatures are placed for any purpose, including confinement or display.
5. **Cat** - domesticated feline. Term "cat" does not include wild or exotic felines.
6. **Disposition** – adoption or placement as a pet in an approved home or humane administration of euthanasia.
7. **Dog** – domesticated male or female canine.
8. **Domesticated Animal** – any animal of a species that has been bred, raised, and is accustomed to living in or about the habitation of man, and is dependent on man for food or shelter.
9. **Exotic Animal** – any animal of a species that is not indigenous to the State of Maryland, and is not a domesticated animal, including any hybrid animal, which is part exotic.

10. **Guard Dog** – dog will detect and warn its handlers that an intruder is present and/or near an area that is being secured.
11. **Keeping or Harboring** – act of permitting or sufferance by an owner or occupant of real property either of feeding or sheltering any domesticated animal on the premises.
12. **Owner** – any person who keeps, has temporary or permanent custody, possesses, harbors, exercises control over or had property right in any animal, livestock or fowl, excluding veterinary hospitals, kennels, pet shops and their employees.
13. **Pet** – domesticated animal kept for pleasure rather than utility.
14. **Public Nuisance Animal** – any animal that unreasonably (1) annoys humans, (2) endangers the life or health of other animals or persons, or (3) gives offense to human senses; or which substantially interferes with the rights of the citizens, other than its owner, to enjoyment of life or citizens other than its owner, to enjoyment of life or property. The term “public nuisance animal” shall mean and include, but is not limited to, any animal which:
  - (a) is repeatedly found at large; or
  - (b) damages the property of anyone other than its owner;
  - (c) molests or intimidates pedestrians or passersby;
  - (d) chases vehicles; or
  - (e) excessively make disturbing noise, including but not limited to, continued and repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the animal is kept on harbored; or
  - (f) causes fouling of the air by odor and causing thereby unreasonable annoyance, or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored; or
  - (g) causes unsanitary conditions in enclosures or surroundings where the animal is kept or harbored; or
  - (h) by virtue of the number or types of animals maintained, is offensive or dangerous to the public health, safety, or welfare; or
  - (i) attacks other domestic animals; or
  - (j) has been found by the Commission for Animal Control after notice to its owner and a hearing, to be a public nuisance animal by virtue of being a menace to the public health, welfare, or safety.
15. **Sanitary** – condition of good order and cleanliness, which minimizes the probability of transmission of disease.
16. **Vaccination** – anti-rabies vaccination using a vaccine type approved by the Maryland State Department of Health and Mental Hygiene or the Maryland Public Health Veterinarian.
17. **Vicious Animal** – animal that attacks, bites or injures human beings or domesticated animals without adequate provocation, or which, because of temperament, conditioning or training, has known propensity to attack, bite or injure human beings or domesticated animals. An animal, which has on one or more occasions caused significant injury to persons, or domesticated animals may be deemed to be a vicious animal.

18. **Wild Animal** – animal, which is not included in the definition of “domesticated animal” and shall include any hybrid animal, which is part wild animal.

## II. Eligibility for Pet Ownership

Residents living in housing for the elderly or handicapped are eligible to keep common household pets. The pets allowed are birds in cages, fish in aquariums and domesticated dogs and cats. In accordance with the definition contained in Part I of The Rule, the following animals are specifically excluded:

- (a) attack dog
- (b) guard dog
- (c) exotic animal
- (d) “vicious” animal
- (e) “wild” animal

## III. Registration

All applicants for admission and residents in occupancy who wish to own a pet must complete a registration form prior to bringing a dog or cat on the premises. Registration for ownership of birds or fish is not required. If the pet remains in occupancy, the registration must be updated annually. After initial registration, annual re-examination will include pet certification. The registration must include:

1. A certificate, signed by a state licensed veterinarian or local authority empowered to inoculate animals, stating that the pet has received all inoculations required by applicable State and Local laws;
2. Information sufficient to identify the pet and to demonstrate that it is a common household pet; and
3. The name, address, and phone number of one or more responsible parties who will care for the pet if the owner dies, becomes incapacitated, or is otherwise unable to care for the pet; and
4. Proof that a dog or cat has been spayed or neutered; and
5. Proof that a flea control program is being maintained.

At the time of registration, staff completing certification must see the pet and sufficient information to identify it must be entered on the registration form. This is to ensure that the animal being registered will be the same as that bought on site. The information on the form may include, but not limited to heights, weight, color(s) identifying marks, name to which animal answers, and in the case of a dog, demonstration that it responds to voice commands. The pet owner will be given a copy of the pet rules and required to sign a statement indicating that he or she has read the rules and agrees to comply with them.

## IV. Restrictions

1. Regardless of the number of residents occupying a unit, pet ownership is restricted to one dog or cat per household.
2. The adult weight of a dog or cat must not exceed 25 pounds.
3. Birds must not be allowed to fly around the apartment, they must remain caged except when owners are cleaning or changing cages.
4. Fish aquariums shall not exceed 15 gallons in weights.

5. Pets are not allowed to roam the building unattended. When they are outside of their apartments, they must be controlled by their owner on a leash or in a carrier.
6. Pets are restricted from the common areas of the building, except for entering or leaving the building under control of the owner. At each site, the common areas in which pets are restricted will be prominently posted. These areas may include, but are not limited to the following:
  - a. elevators
  - b. hallways
  - c. laundry room
  - d. community room
  - e. lobby
  - f. dining room
  - g. kitchen
  - h. stairwells
  - i. offices
  - j. gardens, park areas, building grounds
  - k. reception/sitting areas
7. Pets other than those registered to tenants, are not allowed in the building. This specifically excludes visitors or guests from bringing pets into the building.
8. Residents are prohibited from “keeping or harboring” unregistered pets in their units. The definition of keeping or harboring is defined in Part I of this rule.
9. Pets may not be left unattended for more than 24 hours at a time. If the Department determines that pets are left unattended for more than this time period, by virtue of the voluntary or involuntary absence of the pet owner, the Department will contact the Humane Society or the Animal Control Facility to notify them of the presence and condition of the unattended animal. Their recommendation regarding care, attendance or disposition of the animal will prevail. The Department accepts no responsibility or liability for pet or decision regarding removal.
10. Residents are prohibited from feeding pets outside of their apartment.

V. Financial Obligations

1. As a result of residents’ pet ownership, the Authority incurs additional financial responsibility. Under the final rules establishing the policy, the PHA is allowed to assess certain fees to pet owners. Pet owners will be required to pay a fee of \$125.00. This fee is made as a security deposit and is refundable upon written notification to management that tenant no longer has a pet or upon lease termination. Upon notification, management will schedule a walk through with tenant to assess any damages by the pet. The pet deposit fee may be utilized by the Authority to cover damages or charges associated with pet ownership.

The ACOP is amended to include the following change in the Pet Policy Procedure.

If during the tenancy of a pet owner, the animal dies, is sold or otherwise is no longer living in the unit, the owner may notify the Authority of the change. If the owner has no plan to replace the pet, and makes such a declaration in writing, he/she may ask for return of the security pet deposit. The PHA will conduct a unit inspection for pet related damage and in accordance with established policy will make a decision on return of the deposit.

A resident may also opt to replace a pet without an additional security deposit, but must make a new application and meet all pet policy requirements.

2. At the time of registration pet owners must pay the \$115.00 fee in full.

VI. Pet Owners’ Responsibilities

## 1. Sanitary and Health Standards

Owners must take care to ensure that pets registered to their care do not contribute to the spread of disease or unsanitary conditions. Apartments must be kept clean and free of pet odors at all times.

The Department will designate specific areas at each site where dogs may be curbed. The site will be prominently posted. If dogs are curbed on-site, it must be done in the designated restricted area. Pet owners are responsible for cleaning up the waste left by their pets at the curbing site. Waste must be put in plastic bags, tied and placed in receptacle provided at the curbing site. Under no circumstances should animal waste be brought back in the building.

Cat owners must change litter boxes daily. Litter is not to be flushed down the toilet or deposited in sinks or drains in the apartment. It must be placed in a sealed plastic trash bag and put in the receptacle provided at each site. Kitty litter waste is not to be left outside the apartment or on the floor of the trash room.

## 2. Control of Pets' Behavior/Actions

In addition to the financial obligation discussed in Part IV of this policy, pet owners assume responsibility for the well-being of their pets. No Department or on-site employee will assume any responsibility for the care and attendance of residents' pets. This includes, but is not limited to feeding, providing kennel service, checking on pets in owners' absence, and removing them to another location.

The Department will also hold owners responsible for the actions and behavior of pets registered to their care. Residents are liable for any and all damage, and disturbance caused by their pets. Owners will be assessed charges for damages attributable to pets registered to them. If damage actions of pet are of a nature other than financial, the pet owner is still held liable.

In holding residents responsible for the behavior of their pets, the Department will require owners to rectify damages. Should residents be either unwilling or unable to control the action of their pets, the Department will require that the offending animal be removed from the premises. Any animal that becomes a "public nuisance", as defined in the Prince George's County ordinance (Part I, page 2), will also require removal from site. Failure of the resident to correct animal's behavior/actions or remove it, could result in eviction proceedings.