



# HOUSE BILL 26-1045

## HOUSING PROTECTIONS FOR PEOPLE WITH DISABILITIES

**SPONSORS: REP. CLIFFORD, REP. ZOKAIE, SEN. MICHAELSON JENET**



### BACKGROUND

Federal guidance from HUD and DOJ has long provided essential clarity for housing providers, tenants, advocates, administrative agencies, and courts in interpreting the Fair Housing Act as Amended (FHAA). These guidance documents offer practical, accessible explanations that help both tenants and housing providers resolve accommodation requests without escalating to administrative or court proceedings, saving significant time and resources.

When disputes do reach an agency, these interpretations have supported effective mediation and informed determinations on probable cause. In September 2025, HUD withdrew its 2013 notice on assistance animals, a foundational document that had guided the evaluation of assistance-animal accommodation requests for more than a decade. This withdrawal creates significant uncertainty, increasing the likelihood that housing providers will deny assistance animals as reasonable accommodations—even though such accommodations continue to be widely recognized by federal courts.

As a result, individuals with disabilities may be forced into an untenable choice: their housing or their assistance animal, while lengthy administrative or court processes unfold. Evidence shows a clear link between denials and animals being surrendered at shelters. This comes at a time when the federal government is also significantly reducing services and supports to people with disabilities, and Denver area animal shelters are seeing a massive surge in surrenders of animals. Since January 2025, HUD and DOJ have withdrawn multiple guidance documents, particularly those related to disability rights in housing, compounding instability for both tenants and providers.

### WHAT THE BILL DOES

HB26-1045 requires the following:

- Restores clarity and predictability for housing providers and tenants
- Prevents unnecessary evictions or forced separation of people with disabilities from their assistance animals
- Reduces strain on CCRD by lowering complaint volume and shortening resolution times
- Protects Colorado's disability community and reinforces existing civil rights protections
- Mitigates unnecessary animal surrender and shelter overcrowding

# SUPPORT PEOPLE WITH DISABILITIES



## FREQUENTLY ASKED QUESTIONS

### Why is this updated needed?

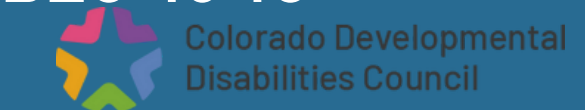
As a result of changes in federal policy, individuals with disabilities may be forced into an untenable choice: their housing or their assistance animal, while lengthy administrative or court processes unfold. Evidence shows a clear link between denials and animals being surrendered at shelters. This comes at a time when the federal government is also significantly reducing services and supports to people with disabilities, and Denver area animal shelters are seeing a massive surge in surrenders of animals.

### Where did these ideas come from?

The bill comes from the following underlying federal guidance from the past 30 years which historically supported interpretations of federal law.

- FHEO-2013-01: Service Animals and Assistance Animals for People with Disabilities in Housing and HUD-Funded Programs (2013)
- Joint HUD/DOJ Statement: Reasonable Modifications under the Fair Housing Act (2008)
- Joint HUD/DOJ Statement: Reasonable Accommodations under the Fair Housing Act (2004)
- FHEO-2020-01: Assessing a Person's Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act (2020)

## Groups who Support HB26-1045



## ENGAGE WITH US



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