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No Dogs for Condo Renters

Q & A

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Q. *I own in a condo building that allows only owners to have dogs. Renters have been circumventing the rule by submitting a note from a therapist to the management company saying the dog is part of their therapy. Is it true that a condominium can be kept from enforcing its rules by a note from a therapist?*

A. Jeffrey R. Metz, a Manhattan real estate lawyer, said that rules against pets are generally enforceable in condominium units, even if applied selectively for renters and not owners.

But, he said, in cases where residents have filed a complaint with the city's Human Rights Commission, it has ruled that "a doctor's letter indicating therapeutic value for the animal has been enough to sustain a complaint."

Still, a building owner or manager is entitled to reasonable assurances that the need is genuine and may ask the commission to investigate further before a final decision is made, he added.

Mr. Metz notes that timing is crucial, because the city's pet law requires owners to take legal action within 90 days of the animal's first appearance in the building.