

# Pets in People Places

*Responsible Pet Ownership in Multi-Unit Housing*



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## *The Pet Project*

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**I**n the past decade the medical, social, and emotional benefits of pet ownership—particularly for senior citizens—have attracted widespread media attention. But despite this increased awareness of the role of pets in our lives, “No Pets Allowed” remains the rule in most multi-unit housing.

Groundless fears about unruly pets and irresponsible owners can be difficult to overcome. Such was the sentiment among many residents and public officials in 1983 when the Massachusetts Society for the Prevention of Cruelty to Animals (MSPCA) initiated a bill in the Massachusetts legislature that would allow pets in state-aided housing for seniors.

But many people’s attitudes changed in 1986–87 during a year-long Pet Pilot Project. Commissioned by the Joint Committee on Housing and Urban Development and conducted by the MSPCA and the Massachusetts Executive Office of Communities and Development (EOCD), the project involved 24 pet owners among 280 tenants living in seven local housing developments.

Throughout the program, the MSPCA and EOCD ombudsmen met with tenants and housing managers to explain the project guidelines, set up pet committees comprised of managers and both pet-owning and non-pet-owning tenants, act as liaisons to public officials, and serve as program troubleshooters.

With assistance from the Massachusetts chapter of the National

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Association of Housing and Redevelopment Officials (NAHRO), the MSPCA and the EOCD developed a set of field-tested guidelines to protect non-pet-owning residents, pet owners, and the animals themselves. The MSPCA believes that ensuring the welfare of the individual animal also guarantees the welfare of people.

The Pet Pilot Project was a resounding success. The final report of the project stated that “these seniors proved themselves to be responsible pet owners in every way.” Two years later, in 1989, the Massachusetts “Pets in Elderly Housing” bill became law. Following the bill’s passage, the MSPCA and the EOCD together presented four regional workshops for housing personnel to ensure a smooth transition from the former no-pets policy to one allowing pets.

The state’s Pets in Elderly Housing Program now serves as a model across the country, affording many senior citizens all the health and social benefits of companion-animal ownership.

This booklet provides a blueprint for the introduction of pets into multi-unit housing for seniors and others. Written as a guide for designing a workable pet policy in both public and private multi-unit housing, it is intended to offer helpful advice to anyone—residents, managers, housing boards, and elected officials—who must make decisions on the critical issue of allowing pets in rental housing.

The MSPCA gratefully acknowledges the generosity of The Pet Food Institute of Washington, D.C. and the Charles H. Farnsworth Charitable Trust of Boston, Massachusetts, without whose combined support this publication would not have been possible.



# Humane Housing — for Animals and People

**T**he issue of allowing pets in rental housing, whether private or public, has generated heated debate for years. The controversy will continue to grow as increasing numbers of rental units turn into condominiums and as more individuals cannot afford to purchase homes of their own. Senior citizens moving into assisted housing will be especially affected.

Humane societies and animal-control agencies confront one major result of the problem, since "Landlord refuses to allow pets" now ranks as one of the most frequent reasons for surrendering a pet to an animal shelter. It is a rare week in which humane societies across the country do not receive at least one phone call from an individual desperately seeking rental housing that allows pets. Welfare officials and congressional representatives are also asked to help.

The most heartbreaking calls come from senior citizens. Many face a sad choice: surrender a cherished pet in order to qualify for subsidized housing, or struggle to stay on in their own homes in order to keep their dog or cat.

To remedy the situation, in the early 1980s U.S. Representative Mario Biaggi and U.S. Senator William Proxmire introduced a bill in Congress that would allow seniors and disabled residents of federally subsidized housing to keep pets under

certain conditions. The bill eventually became law in November 1983, with rules and regulations promulgated in 1986. Humane societies and senior citizens hailed this landmark piece of legislation as an end to the forced separation of seniors and their cherished (and in many cases *only*) companions in life.

**The key to a workable pet policy rests with a commitment to the principles of responsible pet ownership and respect for the rights of non pet owners and pet owners alike.**

Several states now allow pets in state-assisted housing. California passed a "Pets in Elderly Housing" law in 1982, one year before the federal law. In 1989, following a year-long pilot program involving seven state housing authorities, the Massachusetts legislature passed a law establishing a program of pet ownership in state-aided public housing for seniors and disabled residents. This successful program has since been expanded to include family housing. New Jersey's law affects both private and public housing for senior citizens.

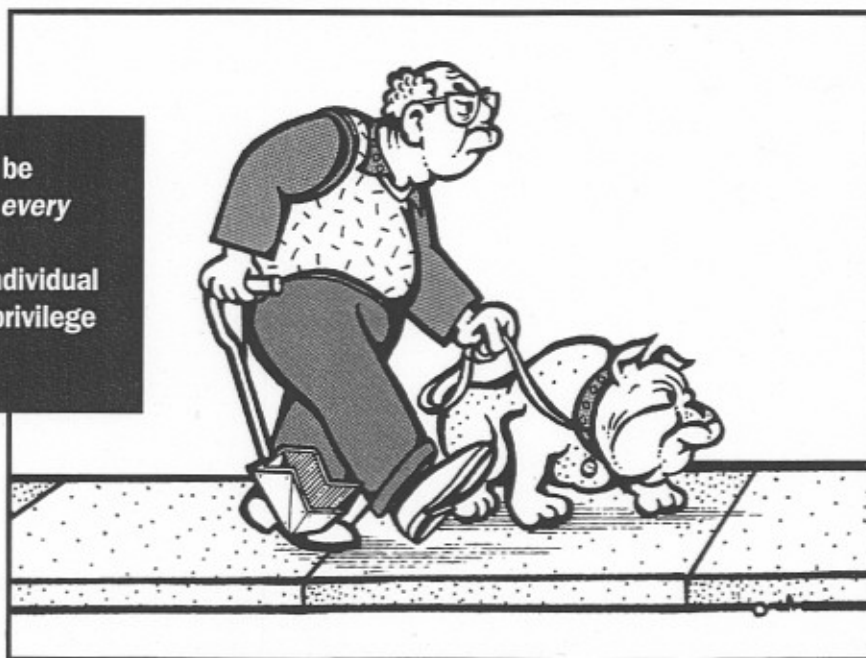
While federal and state laws allowing pets in elderly housing cover only a narrow segment of the multi-unit housing market, the success of these programs demonstrates that pet ownership and rental housing can be compatible. The keys to a workable pet policy are: a commitment to the principles of responsible pet ownership, and respect for the rights of non pet owners and pet owners alike.

# The Basis for Pets in Housing: Responsible Pet Ownership

**R**esponsible pet ownership demands a commitment to provide for the physical, behavioral, and psychological needs of a pet for its *entire* lifetime. The day a new pet comes home marks the beginning of a special friendship. Through the years, that pet will never outgrow the need for its owner's care and protection.

The decision to acquire a pet requires careful consideration—especially for people living in multi-unit housing. Pets can become scapegoats for non-pet-related disputes, so pet owners must be model tenants *in every way* so as not to jeopardize both individual animals and the privilege of pet ownership. By ensuring that their neighbors, other animals, and the environment are not negatively affected, pet owners will help to build an even more rewarding relationship with their pets.

Pet owners must be model tenants *in every way* so as not to jeopardize both individual animals and the privilege of pet ownership.



## The Decision to Adopt a Pet

A resident of multi-unit housing, like any prospective pet owner, needs to answer the following questions before bringing an animal into the home:

**1. Do I have the time to care for a pet properly?** It takes time to train, exercise, and groom a pet. Small or medium-sized dogs can live happily in small apartments, but they must be walked at least twice daily.

**2. Am I financially able to provide for my pet's needs?** This includes food, supplies, a license, and veterinary care.

**3. Am I willing to obey the laws related to animal care and control?** Become familiar with your housing unit's regulations on pets and your community's licensing and leash laws.

**4. Do I have my landlord's or condo board's consent to bring an animal into my home?** Never attempt to sneak your pet into a "No Pets" building. It can only lead to trouble for you and your pet.

**5. Am I willing to have my cat or dog spayed or neutered?** This essential part of responsible pet ownership will produce a more sociable pet and ensure that it does not contribute to pet overpopulation.

**6. Have I examined my own motives for getting a pet?** Do you want to give love and companionship as well as receive it? What are your needs and expectations? Is owning a pet the best way to meet those needs and expectations?

**7. Do I have a support system to ensure that my pet will be taken care of even if I can no longer do so myself?** In the event of your illness or death, your pet will need consistent, loving care.

**8. Am I at home during the day, and if not, do I have a regular schedule?** Do you travel frequently? If your schedule prevents you from providing consistent care for your pet, perhaps you should forego pet ownership at this time in your life.

**9. Can I make provisions for pet care if I must be away from home temporarily?** A reliable alternate caretaker is essential in case you are delayed getting home, are called out of town unexpectedly, or become ill.

**A reliable caretaker is essential in case you are delayed getting home, are called out of town unexpectedly, or become ill.**



## What Kind of Pet Is Best for Me? Choosing Wisely for a Long-Term Commitment

The decision to adopt a pet can be the beginning of a mutually rewarding friendship. But before your heart melts at the sight of soulful eyes or a wagging tail, you need to think carefully about the kind of pet that will fit into your lifestyle over the long term. A dog's average life span is 12 years; a cat's, 16 years. Will your animal companion be able to depend on you now and in the future? Questions you should ask include:

**1. What is the history of the animal?** If it is a dog, can you observe one or both of its parents? If it was given up by a previous owner, what was

the reason? Will the previous owner take the animal back if your new pet is not a good match?

**2. How old is the animal?** If it is a puppy or kitten, how has it been socialized with other animals and people? Is the animal comfortable with children and lots of activity, or is it more of a "one-person pet?"

**3. Is the animal house-trained or paper-trained?** If you don't have the time and patience to train a new puppy, consider adopting an older animal—you'll have less work and fewer surprises.

**4. What are the physical or behavioral needs of this particular animal or breed?**

Does its temperament match your own? Avoid the temptation to acquire an outsized or macho dog for protection. Even small dogs can be effective watchdogs, and they are much more likely to be welcome in multi-unit housing.

**5. Has the animal been housed in a kennel, a shelter, or a backyard?**

Are you welcome to inspect the facilities? It is best to acquire a pet from a source where the owner or the staff helps to match your interests with the prospective pet's needs.

**6. Is the dog or cat bright-eyed and energetic?** Are its coat and ears clean and free from parasites? Does it respond to you?

**7. Is the animal in good health?** What information is available about its shots and medical history?

**8. If an animal is presented as a gift, am I taking enough time to decide to accept it?** A pet should never be acquired on impulse—yours or anyone else's.



Is the animal comfortable with children and lots of activity, or is it more of a "one-person pet?"



# Spaying and Neutering Helps Animals—and People

You and your pet will both benefit from having your pet sterilized. Sterilized pets tend to be more gentle and affectionate, and they live more happily indoors. Spaying (for females) and neutering (for males) are simple procedures, performed under anesthesia at your veterinarian's office. They can help your pet lead a happier and healthier life in the following ways:

- Spaying prevents female pets from having kittens or puppies, thus eliminating the health risks and expenses that accompany pregnancy, delivery, and motherhood. Surgical sterilization also prevents diseases of the reproductive system in both males and females.
- Spaying or neutering removes a pet's urge to roam in search of a mate. Females no longer go into heat, with the annoying yowling and carpet staining. Male cats and dogs no longer gather outside for nightly serenades.
- Male cats no longer need to spray the furniture to mark their territory. Male cats and

dogs that go outside have fewer fights with other animals, as they no longer need to compete for mates. They are less likely to be hit by cars, because they are more inclined to stay close to home.

- Apartments are not the best places in which to raise litters of puppies and kittens. Several growing animals require much more space and attention than one adult pet.

- Spaying or neutering need not be expensive. Most humane societies can help pet owners find low-cost sterilization programs in their local communities.

- Spaying and neutering are necessary to stop the tragedy of pet overpopulation. Each year millions of healthy animals across the country must be destroyed

simply because homes for them cannot be found. We each need to take action to stop adding more litters to our already-overburdened communities.

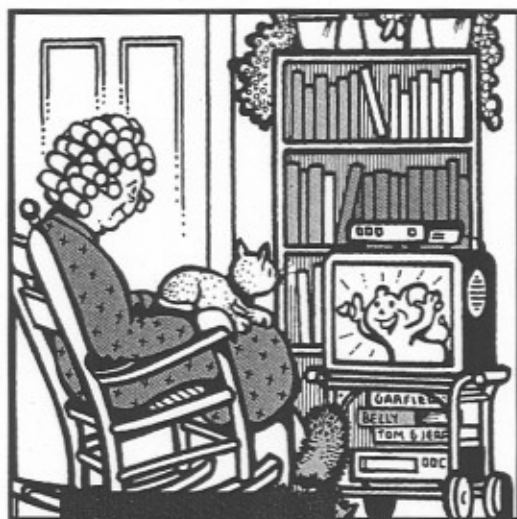


**Sterilized pets tend to be more gentle and affectionate, and they live more happily indoors.**

# Pets in Housing and the Law

## Federal Laws—Tenants and Property

The federal “Pets in Elderly Housing” law applies to federally assisted rental housing developments that are designated *exclusively* for residency by elderly or disabled persons. This law states, in part:



**No owner or manager of any federally assisted rental housing for the elderly or handicapped may prohibit or prevent any tenant in such housing from owning common household pets...**

No owner or manager of any federally assisted rental housing for the elderly or handicapped may—

- (1) As a condition of tenancy or otherwise, prohibit or prevent any tenant in such housing from owning common household pets or having common household pets living in the dwelling accommodations of such tenant in such housing; or
- (2) Restrict or discriminate against any person in connection with admission to, or continued occupancy of, such housing by reason of the ownership of such pets by, or the presence of such pets in the dwelling accommodations of, such person.

*Sec. 227.(a)*

Trying to determine just which properties do and do not come under the law can be confusing. Part of the reason is that the eligibility criteria under the law are property-based rather than tenant-based. This means that a senior citizen living in family housing open to residents of mixed ages will not be protected under the federal “Pets in Elderly Housing” law. Similarly, a number of property-based subsidy, loan, and insurance programs are subject to the law, while tenant-based rental-assistance programs such as the Section 8 certificate program are not.

When in doubt about the status of a development, check with the housing manager or the regional office of the Department of Housing and Urban Development (HUD). Some “federally assisted” properties are publicly owned and operated by HUD or the local housing authority. Others, while privately owned and managed, may be subject to federal laws if they participate in certain federal loan, subsidy, or insurance programs.

## A Recommendation from the National White House Conference on Aging, 1981

**Whereas**, the companionship of animal pets is a source of security, helps to keep aged persons physically active and responsible through caring for their pet, fulfills their need for giving and receiving affection, and has been proven to have measurable therapeutic effects on their physical and emotional health, and

**Whereas**, the forced separation of older persons from their companion animals upon entering housing projects for the elderly inflicts immeasurable emotional suffering and often leads to severe psychological trauma and consequent mental and physical deterioration, including loss of the will to live.

The comfort of a companion animal is a civil right not to be denied responsible pet owners.

The cooperation of the United States Congress, the Delegates to the 1981 White House Conference on Aging, the respective federal, state, county, and municipal agencies and the practitioners in the medical, veterinary, social service and other helping professions is hereby urged to end this senseless cruelty and to establish humane policies and regulations ensuring that the human/companion animal bond can remain intact for responsible pet owners, in federally funded housing for senior citizens and the handicapped.

**The companionship of animal pets is a source of security, helps to keep aged persons physically active...and has been proven to have measurable therapeutic effects on their physical and emotional health.**



Nothing in this resolution should prevent the owner of rental housing, or the local housing authority or any other appropriate authority of the community where the housing is located from establishing reasonable rules on the number, size, kind or conduct of the pets allowed.



### State Laws—the Massachusetts Model

A small number of states have passed laws protecting pet ownership in state-funded senior housing. Some are patterned after the federal law, which establishes a mandate, while others, such as the Massachusetts law, are designed as waiver programs.

With either approach, special attention must be given to informing seniors about their pet-ownership options under the law. Under a mandate, the landlord must allow tenants to own pets if the tenants meet certain conditions. Under a waiver, where a “no-pet clause” remains in the lease, the tenant applies for and receives a document giving the tenant the ability to keep a pet. Pet ownership provisions should be clearly stated in the lease.

**Appeal Provision.** In a unique provision of Massachusetts law, if a senior tenant’s application for a pet-ownership waiver is denied by the local housing authority, he or she may appeal that denial to the Executive Office of Communities and Development (EOCD), the state office that manages all local housing authorities.

A clear understanding of the expectations and responsibilities of pet owners and management will ensure the successful introduction of companion animals into multi-unit housing.



The agency then reviews the housing authority’s decision to insure that the denial of a pet waiver was made on the basis of objective standards. If the agency finds that the applicant is able to care for a pet and can provide necessary documentation, the state will issue a pet-ownership waiver directly to the resident.



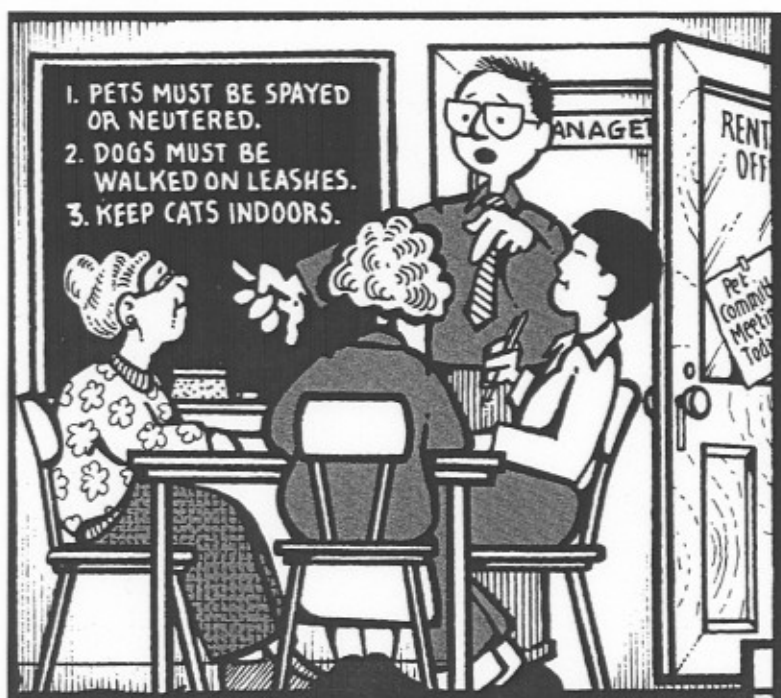
# Establishing Pets-in-Housing Guidelines

## Recommended Ground Rules

The following suggested guidelines for responsible pet ownership are designed to assist in meeting the needs of pets, pet-owning tenants, non-pet-owning tenants, and housing managers. Recognizing that each housing community is unique, these guidelines have enough flexibility built into them to address a variety of living situations, ages, and locations.

Combined with the efforts of a caring and compassionate management, a clear understanding of the expectations and responsibilities of pet owners and management will ensure the successful introduction of companion animals into multi-unit housing.

A well thought out pet policy will address resident and management concerns about pet ownership before they become problems.



Emphasizing "caring for each other" rather than "policing each other," the pet committee provides peer pressure and peer support for responsible pet ownership.

**When introducing companion animals into multi-unit housing, the housing community should follow these recommendations:**

- Pet-ownership agreements between housing management and residents must be in writing. Pet owners must sign a pet-owners lease agreement.
- Any resident who wishes to keep a companion animal must inform management in writing.
- All pet owners must be able to control their pets via leash, pet carrier, or cage.
- A companion animal should be defined as a common household pet such as a dog, cat, small caged bird, guinea pig, gerbil, hamster, rabbit, or fish. Reptiles, exotic animals, and birds of prey are not household pets.



**A companion animal is defined as a common household pet such as a dog, cat, small caged bird, guinea pig, gerbil, hamster, rabbit, or fish.**

- Any limitation on the number of pets per apartment must be specified in the guidelines.
- Each animal should be considered on its individual merit, subject to the facilities available. The size of a dog is not directly related to its desirability as a resident.
- Applications for ownership of individual dogs of a vicious or aggressive disposition should be denied. This is not intended to mean a ban on any specific breed.
- Applications for ownership of puppies and kittens should be more closely reviewed because of the special needs and behavioral activities of such young animals.
- All dogs and cats must be spayed or neutered.
- Cats must be kept indoors.
- Management cannot require that cats be declawed.
- Management should reserve the right to require dog owners to substitute their apartment for a comparable unit on a lower floor.
- A pet committee must be established.

## The Role of the Pet Committee

A successful pet policy requires the commitment of everyone in the housing community—housing managers, maintenance staff, pet owners, and non pet owners. Because both pet owners and non pet owners want a clean and safe apartment community, a pet policy is more likely to succeed if the residents take an active role in managing it.

A pet committee consisting of pet-owning tenants, non-pet-owning tenants, veterinarians, and knowledgeable persons from local humane groups can help tenants and management in the solution of pet problems. By acting as the first line of complaint-receipt as well as complaint-resolution, the pet committee can alleviate the housing manager's involvement with tenants' questions and complaints concerning pets. The number of individuals should be uneven—ideally, three to five—to allow for a majority rule in a vote decision.

Written complaints are made to the pet committee, which then approaches the pet owner and attempts to reach a resolution. The pet committee reminds residents to comply with the guidelines, while providing support for those who need assistance. The committee could assist residents by:

- Helping pet owners secure good veterinary care and obtain discounts on such procedures as spaying and neutering;
- Referring tenants to pet-behavior consultants when obedience problems occur;
- Making contacts with local humane societies to assist with general animal-related problems in the facility;
- Providing educational material on proper pet care and responsible pet ownership; and
- Resolving complaints and requesting management assistance when necessary.

Emphasizing “caring for each other” rather than “policing each other,” the pet committee provides peer pressure and peer support for responsible pet ownership.

The pet committee may establish a fee, in graduating amounts, not to exceed \$10, to be collected from pet owners failing to clean up after their animals.

In cases of multiple infractions of the rules, the pet committee may inform the pet owner and management that further notice shall be cause for termination of the pet-owner's pet lease agreement.



**A well thought out pet policy will address resident and management concerns about pet ownership before they become problems.**



**A successful pet policy requires the commitment of everyone in the housing community—housing managers, maintenance staff, pet owners, and non-pet owners.**



## **Tenant Obligations**

It is the pet-owning tenant's responsibility to see that the pet has a positive effect on the quality of life in the housing community. A good neighbor and considerate pet owner will:

- Be responsible for proper pet care, including good nutrition, grooming, exercise, flea control, routine veterinary care and yearly inoculations.
- Clean up after the pet inside the apartment and anywhere on development property. A pooper-scooper and a disposable plastic bag should be carried by the owner, who will dispose of pet waste in a receptacle determined by the management.
- See that dogs or cats wear identification tags and collars when outside the unit.
- Keep the unit clean and free of pet odors, insect infestation, waste and litter.
- Keep the pet restrained at all times in hallways, elevators, community rooms, dining rooms and other common areas. Pets are not to be tied outside or left unattended on a patio or porch.
- Register any visitors with pets with management. Visitors will be allowed as long as they generally conform to the pet guidelines.
- Not allow a pet to disturb neighbors with excessive barking, whining, chirping, or other unruly behavior.
- Be responsible for any pet-related damage to the unit or to common areas of the development. Some developments may require tenants to purchase personal liability insurance as a condition of pet ownership.
- Pay a refundable pet-damage deposit of \$150.00 or one month's rent, whichever is less. This amount should be payable over time and need not be paid in full before bringing the pet into the development.
- Provide management with:
  - a) a color photo and identifying description of the pet;
  - b) the name and address of the pet's veterinarian;
  - c) veterinary certificates of spaying or neutering; feline leukemia testing; and rabies and other inoculations when applicable;
  - d) a dog or cat licensing certificate in accordance with local and state laws;
  - e) identification of emergency boarding accommodations; and
  - f) the names of two alternate caretakers who will assume immediate responsibility for the care of the pet should the owner become incapacitated. These caretakers must be verified in writing by signing the pet owner's lease agreement.



## Management Responsibilities

Management support for responsible pet ownership will do more to ensure compliance with the guidelines than anything else. Housing managers are responsible for:

- Clearly posting information on pet-ownership options;
- Advising pet owners about the pet-ownership guidelines;
- Establishing a pet committee for in-house pet ownership management;
- Providing instructions on the disposal of pet waste;
- Properly safeguarding records of owner's and pet's pertinent information, deposits, complaint investigations, and warnings;
- Referring all written complaints to the pet committee, informing the resident of any rule infractions, and notifying the pet committee of attempts at resolution.
- Carrying out the pet committee's recommendations by issuing warnings or terminating the pet rider of a pet owner who does not follow the guidelines.



## Privately Managed Property

Landlords can increase the marketability of their apartments by welcoming responsible pet owners. According to a 1991 survey by the American Veterinary Medical Association, nearly 58 percent of U.S. households now own a pet of some kind. Cats, in particular, have steadily been increasing in popularity since the mid 1980s.

Careful screening of prospective tenants is important, however, as is a commitment to the principles of responsible pet ownership. The guidelines for establishing pets in housing programs outlined in this chapter can be easily adapted to privately owned rental housing. Use them to establish and maintain a good working relationship among residents and between pet owners and landlords.

**Nearly 58 percent of U.S. households now own a pet of some kind. Cats, in particular, have steadily been increasing in popularity since the mid 1980s.**

## Finding an Apartment That Allows Pets

Finding an apartment that will accept your pet depends on your ability to market yourself as a responsible pet owner. Follow these guidelines when looking for such housing:

- Don't answer ads that say No Pets.
- Check all newspapers—local neighborhood shoppers as well as the big daily papers.
- When making inquiries by phone, talk about the apartment, not the pet.
- Represent yourself rather than go through a real-estate agent. Pet owners who work with an agent may be shown fewer properties and miss important opportunities to make a personal impression on prospective landlords—often the key factor when you're seeking permission to share an apartment with a pet.
- Contact small individual landlords rather than big property-management companies.

- Meet the landlord in person, go see the apartment, then bring up the question of having a pet. Be forthright about why you didn't bring up the pet question right away.



Give your prospective landlord a copy of this booklet and agree to follow the guidelines for responsible pet ownership.

- Get letters from your veterinarian, former landlords, and neighbors documenting that you are a responsible pet owner.
- Offer to let your prospective landlord meet your pet and see your current apartment.
- Offer to pay a reasonable pet-damage deposit or secure liability insurance to cover the cost of any pet-related damage.
- Give your prospective landlord a copy of this booklet and agree to follow the guidelines for responsible pet ownership.

## Other Resources

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**For the senior pet owner.** A growing number of people from the medical, legal, social service, and religious communities are willing to offer assistance and serve as advocates for senior pet owners.

**For the disabled pet owner.** In cases where a disabled tenant has a medical or emotional need for a pet, a landlord may be asked to make a "reasonable accommodation" to allow the pet under the Americans with Disabilities Act of 1990.

**If you have questions about the laws in your state,** contact your local state legislators or the district office of your congressional and senate delegation. Local officials in your city or town may be of assistance as well.

For more information, please contact:

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Prevention of Cruelty to Animals  
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350 South Huntington Avenue  
Boston, MA 02130  
(617) 522-7400

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American Humane Association  
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322 Massachusetts Avenue, NE  
Washington, DC 20002  
(202) 543-7780

American Society for the  
Prevention of Cruelty to Animals  
(ASPCA)  
424 East 92nd Street  
New York, NY 10128  
(212) 876-7700

Delta Society  
P. O. Box 1080  
Renton, WA 98057  
(800) 869-6898

Humane Society of the United  
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Companion Animals Division  
2100 L Street, NW  
Washington, D.C. 20037  
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*For additional copies of this brochure,  
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