



JAMES G. DIBBINI  
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*Attorneys At Law*  
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## What You Need to Know about the Westchester County Dog Law

If you own or manage residential rental property in **Westchester County**, it's important to understand the county's specific law governing dogs in buildings—**even when your lease includes a no-pet clause**.

Westchester County has a local law that can limit your ability to enforce a no-dog provision if certain conditions are met. This law is similar to New York City's "three-month rule" and is designed to protect tenants who keep dogs in their apartments **openly and without objection**.

### **Westchester County Dog Law: Chapter 695.11**

Under **Westchester County Laws Chapter 695.11**, landlords **waive their right to enforce a lease's no-dog clause** if all of the following apply:

1. The dog has been in the apartment for **3 Months or more**, and
2. The landlord or their agent **knew** the dog was there, and
3. The landlord did **not take legal action within that 3 Month period**.
4. The property qualifies as a **multiple dwelling**, meaning it is a residential building occupied by three or more families, each living independently in separate units.
5. The property is **not public housing** (i.e., not owned/operated by a public housing authority).

In other words, if a dog has lived in the apartment openly and notoriously for at least 3 Months and the landlord does nothing to enforce the lease during that time, the tenant may be allowed to keep the dog—**even if the lease prohibits pets**.

### **Exceptions to the Rule**

You may still be able to take action **despite the 3 Month rule** if:

- The dog poses a **nuisance, interferes substantially with the health, safety or welfare of other tenants**, or causes **property damage**
- The tenant is violating **local animal control or housing codes**
- The dog qualifies as a **dangerous animal** under New York State law

### **What Landlords Should Do**

If you become aware that a tenant is keeping a dog in violation of the lease:

1. **Act quickly**—issue written notice and/or consult your attorney immediately.
2. **Document everything**—photos, communications, witness observations.
3. **Consult legal counsel**—our office can help determine whether a legal holdover proceeding is appropriate to enforce your lease.

Remember: **Waiting too long may result in a permanent waiver of your right to enforce the no-pet clause as to that specific dog**.

### **Important Note on Service Animals**

This law does **not override** federal or state housing laws regarding **service animals** or **emotional support animals (ESAs)**. Those situations are

handled under the **Fair Housing Act** and **New York Human Rights Law**, and different legal standards apply.

At [James G. Dibbini & Associates, P.C.](#), we represent landlords across Westchester County and New York City. If you're facing a potential dog-related dispute or need help protecting your property rights, we're here to guide you through the process.

The attorneys at James G. Dibbini & Associates, P.C. collectively have over 60 years of experience providing legal services in the areas of:

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