Section General - Sample Provision Excerpt (Public Preview)

No pets * No hitting balls ageinst windscreens/fence * No bikes e.bikes skateboards. scooters, aic. misite count This ar
monitored by CCTV Use courts at your uwn risk. The HOA assumes no responsibility for injuries.

MARKUP #1 ->

ISSUE #1

MARKUP #1 · FAIR HOUSING ACT (FHA) LIABILITY RISK

BOARD & COUNSEL REVIEW

Sec. General (p. 1): Pet restriction clause lacks mandatory statutory carveout for assistance and emotional support animals.

Statutory / Legal Reference: 42 U.S.C. § 3604(f)(3)(B) & 24 C.F.R. § 100.204 (Fair Housing Act - Assistance Animals) & HUD FHEO-2020-01

Statutory Comparison: Under federal Fair Housing Act regulations (42 U.S.C. § 3604(f)(3)(B), 24 C.F.R. § 100.204, and HUD Notice FHEO-2020-01), associations cannot apply pet restrictions, breed bans, weight limits, or pet fees/deposits to an individual with a disability who requires a service animal or emotional support animal.

CURRENT WORDING IN DOCUMENT:

No pets * No hitting balls ageinst windscreens/fence * No bikes e.bikes skateboards. scooters, aic. misite count This area is monitored by CCTV Use courts at your uwn risk. The HOA assumes no responsibility for injuries.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

No pets No hitting balls ageinst windscreens/fence No bikes e.bikes skateboards. scooters, aic. misite count This area is monitored by CCTV Use courts at your uwn risk. The HOA assumes no responsibility for injuries. [MANDATORY FEDERAL CARVEOUT]: Provided, however, that these pet restrictions, breed prohibitions, weight limitations, and pet fees shall not apply to verified assistance animals,...