

AMENDED AND RESTATED
RULES AND REGULATIONS
OF
ALTA MAR CONDOMINIUM ASSOCIATION, INC.

SUBSTANTIAL REWORDING OF RULES AND REGULATIONS –
SEE CURRENT RULES AND REGULATIONS FOR PRESENT TEXT

INTRODUCTION: It is the goal of the Association to maintain luxurious and economically well-managed Common Elements and it is believed that these rules will aid in attaining this goal. Your Board of Directors welcomes the assistance of all the Owners in the enforcement of these regulations.

Violations should be reported to Management in writing, not to the Board or Officers of the Association. Owners are responsible for compliance of their Guests, Invitees and Tenants.

Every Owner, Occupant, Tenants, and Guest shall comply with these Rules and Regulations as set forth herein, any and all Rules and Regulations which from time to time may be adopted, and the provisions of the Declaration, Bylaws, and Articles of Incorporation of the Association, as amended from time to time. Failure of an Owner or Occupant to so comply shall be grounds for action which may include, without limitation, an action to recover sums for damages, injunctive relief, or any combination thereof. The Association shall have the right to suspend access rights in the event of failure to comply.

The Association may levy and impose a reasonable fine of \$100.00 per day for each violation (in addition to reimbursement for damages), for failure of the Owner of the Unit or its Occupant, Licensee, or Invitee to comply with any provisions of the Declaration, the Articles of Incorporation, the Bylaws or Rules and Regulations adopted by the Association. Subsequent violations will result in fines of the maximum amount permitted by law. Fines for ongoing violations may be up to \$1,000.00.

In addition to the terms, provisions, agreements, covenants, conditions, and restrictions contained in the Declaration, the Articles of Incorporation, and the Bylaws, the following Rules and Regulations shall apply to the use of the Units, Common Elements, and Limited Common Elements.

1. RULES AND REGULATIONS GOVERNING USE

1.1 Guests. Guests staying longer than overnight must register with the Office so that Management knows who is in the building and can account for everyone in the event of an emergency. Guests staying longer than 30 days in a calendar year must submit to a background check.

1.1.1 Owners may have Guests with pets. Guests and pets staying longer than overnight must register with the Office.

ISSUE #1

1.1.2 Tenants may not have overnight Guests when they are not in residence.

1.1.3 Tenants may not have Guests with pets, nor may they pet-sit in their Unit.

Amended and Restated Rules and Regulations

Page 1 of 10

MARKUP #1 ->

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

BOARD & COUNSEL REVIEW

Sec. 1.1.3 (p. 2): 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; HUD Notice 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:

Tenants may not have Guests with pets, nor may they pet-sit in their Unit. Amended and Restated Rules and Regulations

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Provided, however, that these pet restrictions, breed prohibitions, weight limitations, and pet fees shall not apply to verified assistance animals, including service animals and emotional support animals required as a reasonable accommodation under the Fair Housing Act (42 U.S.C. § 3604(f)(3)(B); 24 C.F.R. § 100.204; HUD Notice FHEO-2020-01).