8. No more than three (3) people in a 2-bedroom unit and no more than two (2) people in a one-bedroom unit will be accepted or allowed to reside full time.

MARKUP #1 ->

ISSUE #1

9. No children under eighteen (18) shall be permitted to reside on a permanent basis.

10. Pets are limited to the following: one (1) per unit, either a cat OR dog, must not exceed 20 lbs. and not permitted to roam free throughout the common areas. Proof of vaccinations must be provided. Reptiles of any kind are forbidden.Dogs must be leashed and are to be walked on sidewalks and kept away from the grass immediately adjacent to the building and outside 1st floor residences.

11. Owners are responsible to clean up after their pets, and manage their behaviors i.e.barking, aggression and destruction of property. If persistent complaints are received, the Board reserves the right to revoke this privilege.

12. Barbecuing on the balcony is strictly forbidden.This is a city ordinance and subject to severe penalties.

13. Every unit owner must leave apartment keys at the office. Entrance security fobs must not be given to non-occupants.The minimum cost to replace a security fob is $100.00.

14. A unit owner or lessee cannot use more than two washing machines and two dryers at one time, even if other machines are available. Liquid detergent only! No powder. The last wash cannot start after 8 PM. NO WASHER/DRYERS ARE ALLOWED IN THE CONDO UNITS!

15. For sanitary and health reasons, garbage MUST be placed in plastic trash bags and securely tied. Help keep our home clean.

16. We participate in recycling. Canisters are located in the trash room for the disposal of these items. All recyclables must be cleaned before depositing in their canisters. Only clean containers. Do not put plastic grocery bags in the recycling containers.This is a city ordinance and non-observance is subject to city penalties.

17. Moving in/out time for residents will be between 9 AM and 7 PM.

18. Carpeting is prohibited on open balconies for structural integrity reasons.

19. No feeding wild animals on or near building property.

20. Painting on open balcony must be white.

MARKUP #1 · CONFLICTS WITH FED LAW — BOARD & COUNSEL REVIEW

Sec. 9 (p. 2): Occupancy or amenity restriction discriminates based on familial status / disability or imposes an overbroad age restriction under the Fair Housing Act and HOPA.

Statutory / Legal Reference: 42 U.S.C. §§ 3604(b), 3604(f), 3607(b)(2) & 24 C.F.R. §§ 100.304 - 100.307 (HOPA)

Statutory Comparison: The Fair Housing Act (42 U.S.C. § 3604(b)) prohibits familial-status discrimination against families with children - including adult-only rental age floors (e.g., 24+), mandatory hourly pool exclusions targeting all minors under 18, blanket Common Area parental-escort rules for children, and caps on grandchildren - unless the community actively qualifies as 55+ Housing for Older Persons under 42 U.S.C. § 3607(b)(2) and 24 C.F.R. §§ 100.304 - 100.307 (which regulates occupancy rather than fee-simple title ownership and does not authorize intrusive medical/disability disclosures for live-in caregivers under 42 U.S.C. § 3604(f)).

CURRENT WORDING IN DOCUMENT:
No children under eighteen (18) shall be permitted to reside on a permanent basis.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Any age-based occupancy restriction shall be enforceable only while the Association actively qualifies as "Housing for Older Persons" pursuant to 42 U.S.C. § 3607(b)(2)(C) and 24 C.F.R. §§ 100.304 - 100.307, including maintaining at least 80% occupancy of units by at least one person 55 years of age or older and conducting mandatory biennial age-verification surveys. Absent active HOPA qualification, no restriction shall discriminate on the basis of familial status.