

Table of Contents

Access Privileges 2

Code of Conduct 2

Residents 2

Non-Residents 2

Guest Policy 3

Aquatic Facility Policies 3

Hours of Operation 3

Pool Rules 3

Guests 4

Holidays 4

Swim Attire 4

Children in Facility 5

Caregiver Policy 5

Diving Boards 5

Wading Pools 5

Water Slides 6

Waterfront Lap Pool 6

Swim Park Splash Pad 6

Parks 6

Park Rules 6

Docks 7

Dock Rules 7

Pet Policy 7

Pet Privileges, Restrictions and Service Animals 7

Tennis Center 7

Hours of Operation 7

Tennis Center Rules 8

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. N/A (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:

Children in Facility
..... 5 Caregiver
Policy

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.

ISSUE #1