

Flora Parke Homeowners Association Governing Document Clarifications
Rev. 3 – November 2, 2023

- 3. Within 20 feet of a crosswalk at an intersection.
- 4. Vehicles cannot be parked directly apart from each other on opposite sides of street.
- 5. Vehicles cannot be parked on curve or turn in the roadway.
- 6. No vehicle parking at any time in the center of a Cul-de-sac.

14. **Section 5.28 Common and Maintenance Areas:** No one is allowed to enter into an electric power, irrigation or pond control area without HOA approval and authority. Anyone caught using HOA outlets, water or accessing electric mains without explicit HOA authorization will be charged with theft and prosecuted to the full extent of the law.

ISSUE #1

15. **Section 5.28 Common and Maintenance Areas (Park):** Per posted signs no pets are allowed in the park at any time. All pets must remain leashed at all times in all public areas inside Flora Parke.

MARKUP #1 ->

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

BOARD & COUNSEL REVIEW

Sec. 5.28 (p. 3): 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:

Common and Maintenance Areas (Park): Per posted signs no pets are allowed in the park at any time. All pets must remain leashed at all times in all public areas inside Flora Parke. 3
Flora Parke Homeowners Association Governing Document Clarifications Rev. 3 - November 2, 2023 Exhibit A Flora Parke Homeowners Association

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).