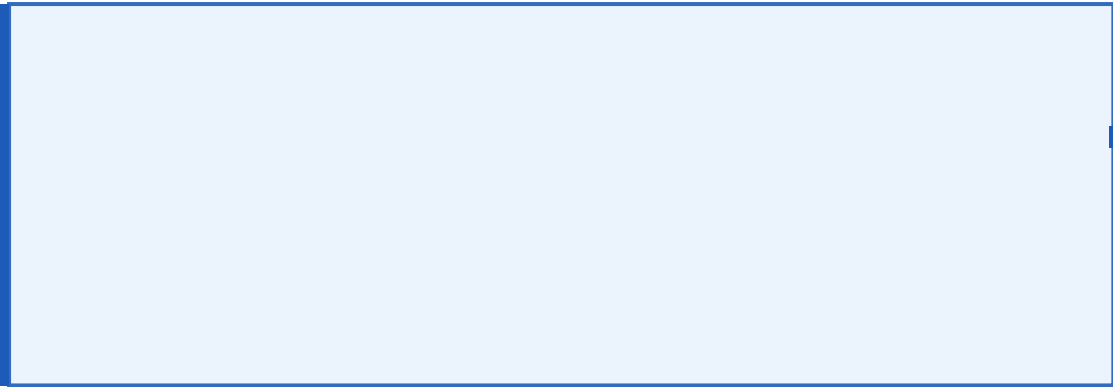


Section C - Sample Provision Excerpt (Public Preview)

HOUSING FOR OLDER PERSONS

Grand Horizons is intended and operated for occupancy by persons fifty-five (55) years of age and older, and, as such, adheres to the requirements of the Housing for Older Persons Act (HOPA) of 1995.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · MANDATORY RESERVE & DEFICIT DISCLOSURE

BOARD & COUNSEL REVIEW

Sec. C (p. 3): 55+ age-restriction covenant omits mandatory HOPA 80% occupancy threshold and biennial age-verification survey procedures.

Statutory / Legal Reference: 42 U.S.C. § 3607(b)(2)(C) (HOPA); 24 C.F.R. § 100.307; Fla. Stat. § 760.29(4)

Statutory Comparison: To maintain the Housing for Older Persons Act (HOPA) exemption from Fair Housing Act familial-status liability, the governing documents and rules must require at least 80% of occupied units to be occupied by at least one person 55 years of age or older and mandate reliable age-verification surveys at least once every two (2) years.

CURRENT WORDING IN DOCUMENT:

HOUSING FOR OLDER PERSONS Grand Horizons is intended and operated for occupancy by persons fifty-five (55) years of age and older, and, as such, adheres to the requirements of the Housing for Older Persons Act (HOPA) of 1995.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Grand Horizons is intended and operated for occupancy by persons fifty-five (55) years of age and older, and, as such, adheres to the requirements of the Housing for Older Persons Act (HOPA) of 1995. Occupancy of a home will only be allowed if at least one person in the home is 55 years of age or older and if all other occupants (excluding Guests) are at least 40 years...