



MARKUP #1 ->

In accordance with the by-laws of the Association and the covenants, conditions, and restrictions set forth in the Declaration of Condominium, the following rules, and regulations (“House Rules”) were approved by the Board of Directors of the Ocean Breeze of Perdido Owners Association, Inc., on August 31, 2022. The Board has the authority and responsibilities of amending the foregoing rules as may be deemed necessary, to upkeep the premises in good condition and to provide comfort and security to all its occupants.

These House Rules are effective, August 31, 2022, and supersede any previous issues. They apply to all owners and occupants of Ocean Breeze Condominium and to all other persons who are on the premises at any time, including agents, employees, guests, licensees, invitees, owners, and tenants. Infractions can result in evictions or fines.

- **No-Smoking:** Smoking is prohibited in all indoor and outdoor common and limited common elements of the Condominium Property of Ocean Breeze of Perdido Condominium including, but not limited to, hallways, elevators, stairways, foyers, pool areas, decks, patios, balconies, exterior landings, front steps, entrance ways, rooftops, storage areas, parking areas, driveways, walkways, lawns, beach areas, and building facilities. This includes cigarettes, cigars, vapes, e-cigs, marijuana, etc. Owners are subject to fines if they or their guests are in violation.
- **Parking:** Only one approved temporary parking permit per condominium unit may be in use at any one time and must be visibly displayed in the visiting vehicle when parked at Ocean Breeze. All vehicles must have either a valid Ocean Breeze Owner parking permit or an approved temporary parking permit. Unauthorized vehicles will be subject to towing at vehicle owners expense. Boats, trailers, and oversized vehicles are not allowed on the property. All vehicles, including attachments, must fit within the marked parking space.
- **Personal Items on Beach:** Tents/Canopies and personal chairs and umbrellas must be set up in the designated areas according to the beach layout sign posted on the beach. Broken items must be removed from the beach by the owner of the item(s) and properly discarded. All personal items are to be removed from the beach every evening. Any items left unattended that are not in or by the provided beach corral, one hour after sunset are subject to being discarded. This includes, but is not limited to, tents, tent frames, personal beach chairs, umbrellas, litter, etc., (Escambia County Ordinance).

ISSUE #1

Pets: Only registered pets of unit owners are allowed on the property. Pets shall be maintained on a leash when outside of the condominium unit. Unit owners are defined as those persons holding the deed to the property and no others regardless of affiliation to the owner are allowed pets, including friends or relatives. Occupants of rental units are NOT permitted to have any pets on the premises. Person(s) accompanying pets outside of the unit shall immediately clean up and deposit all such fecal material in the provided dog waste container. Pets are not allowed in the pool area, the common fenced areas at the rear of the buildings or on the beach (Escambia County Ordinance).

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

BOARD & COUNSEL REVIEW

Sec. N/A (p. 1): 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:

Pets: Only registered pets of unit owners are allowed on the property. Pets shall be maintained on a leash when outside of the condominium unit. Unit owners are defined as those persons holding the deed to the property and no others regardless of affiliation to the owner are allowed pets, including friends or relatives.

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).