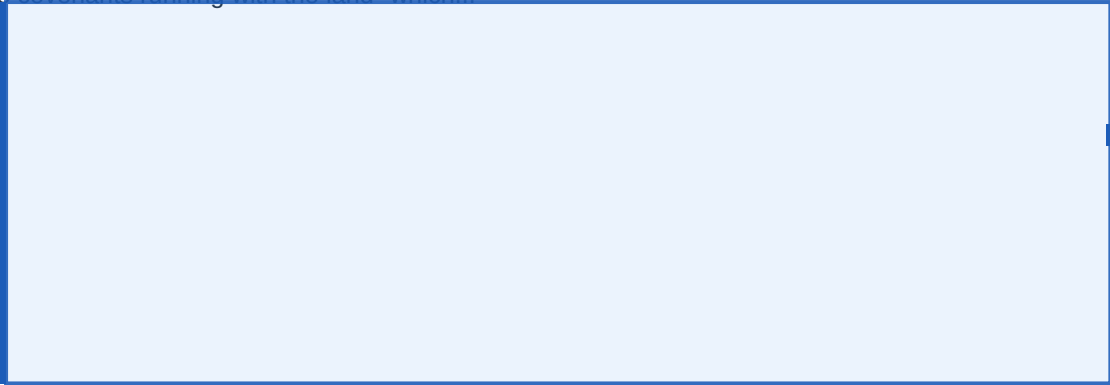


Section ACTIONS TO ENFORCE THE AGE RESTRICTIONS - Sample Provision Excerpt (Public Preview)

ACTIONS TO ENFORCE THE AGE RESTRICTIONS
OF RESIDENTS IN SUN CITY CENTER

WHEREAS, as stated in the Articles of Incorporation, the Board of
Directors ("the Board") shall enforce on behalf of all residents that private zoning known
as "restrictive covenants running with the land" which

ISSUE #1



MARKUP #1 ->



MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. ACTIONS TO ENFORCE THE AGE RESTRICTIONS (p. 1): Potential Issue for Review: 55+ age-restriction covenant omits mandatory HOPA 80% occupancy threshold and biennial age-verification survey procedures - look for this language in other governing documents, standalone policies, or amendments that were not included in this review.

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:

ACTIONS TO ENFORCE THE AGE RESTRICTIONS OF RESIDENTS IN SUN CITY CENTER ***** WHEREAS, as stated in the Articles of Incorporation, the Board of Directors ("the Board") shall enforce on behalf of all residents that private zoning known as "restrictive covenants running with the land" which...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

First look for this language in other governing documents, standalone policies/resolutions, or amendments not included in this review. If not already addressed in another document (and if applicable to this community), incorporate: In compliance with the Housing for Older Persons Act (42 U.S.C. § 3607(b)(2)(C), 24 C.F.R. § 100.307, and Fla. Stat.