

O.R. 1542 PG 0362

EXHIBIT A

AMENDMENTS TO THE DECLARATION OF CONDOMINIUM OF VILLA NOVA,
A CONDOMINIUM.

Amendment 1. That Article V COMMON ELEMENTS be amended to read
as follows:

1. The common elements of the Condominium shall include the following.
(f) All outside surfaces of walls, except for glass or screened
surfaces of windows, and except for windows and doors interior
surfaces of windows and doors of the various Units, which said glass
and screen surfaces, windows and doors are part of the respective
Unit and are not common elements.

Amendment 2. That Article IX be "Substantially revised.
See Article IX for present text."

2. Article IX AMENDMENT This Declaration may be altered or amended
by the affirmative vote of the owners of at least two-thirds (2/3rds)
of the Units of the Association at a regular annual meeting or a
Special Meeting called for that purpose. No amendment of this
Declaration shall be effective unless evidenced by a certificate of
the Association, executed with the formalities required of a
conveyance of real property and recorded in the Public Records of
Sarasota County, Florida. No such amendment shall discriminate
against any Unit or Units or Unit Owner or class of Unit owners,
and no amendment shall affect the easements referred to hereinabove.

Amendment 3. That subsection (c) of Article XI RESTRICTIONS
be amended to read as follows:

3. (c) No pets shall be permitted or maintained in a Unit or on
common elements, except for one dog weighing under 15 pounds or the
average adult weight of the species of which is under 15 pounds or
one cat. Occupants presently having a dog or cat may retain the
animal until its demise, but it cannot be replaced.

Explanation Proposed deletions are shown in struck-through type and
proposed additions are underlined except when the proposed revision
substantially revises an Article. In the latter case the revised
language will be identified by the following language "Substantially
revised see Article --- for present text."

MARKUP #1 ->

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

BOARD & COUNSEL REVIEW

Sec. XI (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:

RESTRICTIONS be amended to read as follows1 . 3. (c) No pets shall be permitted or
Maintained in a Unit or on common elements, exee-t ~or ene dog we-ghing ~nder i5 ~o~nds
er ~he average edal~ we-ght ef ehe epec-ee ef wh~ch ~s ander iS poands er one eae.

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).

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