

Section 6 - Sample Provision Excerpt (Public Preview)

. "WARNING SIGNS" such as: "No Trespassing" and "Dog on Premises" are also allowed. These signs must be no larger than 10" x 14" in size. Warning signs shall be appropriate, and not more than two will be allowed.

c. "CONTRACTOR'S SIGNS" Contractors are not allowed to put their advertising signs on any work site.

ISSUE #1



MARKUP #1 ->



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

BOARD & COUNSEL REVIEW

Sec. 6 (p. 9): 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 (Fair Housing Act - Assistance Animals) & HUD 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:

. "WARNING SIGNS" such as: "No Trespassing" and "Dog on Premises" are also allowed. These signs must be no larger than 10" x 14" in size. Warning signs shall be appropriate, and not more than two will be allowed. c. "CONTRACTOR'S SIGNS" Contractors are not allowed to put their advertising signs on any work site.

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).