

Section 16 - Sample Provision Excerpt (Public Preview)

No radio or television aerial shall be projected through a window or attached to or hung from the exterior of any Home without prior written approval of the Board of Directors. The Board of Directors, upon the request of any Owner, shall allow the installation of any hook-up necessary to provide cable television service to the Home.

ISSUE #1



MARKUP #1 ->



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

BOARD & COUNSEL REVIEW

Sec. 16 (p. 16): 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: The FCC Over-the-Air Reception Devices rule (47 C.F.R. § 1.4000, as expanded by the 2021 OTARD Report and Order, FCC 21-10) preempts community association restrictions that prohibit, charge application fees for, require prior architectural approval for, or impose sub-1-meter (39.37-inch) diameter caps on the installation, maintenance, or use of television broadcast antennas, direct-broadcast...

CURRENT WORDING IN DOCUMENT:

No radio or television aerial shall be projected through a window or attached to or hung from the exterior of any Home without prior written approval of the Board of Directors. The Board of Directors, upon the request of any Owner, shall allow the installation of any hook-up necessary to provide cable television service to the Home.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

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