

Section 1 - Sample Provision Excerpt (Public Preview)

(26) Pets. No pets of any size or type are allowed at any time.
(27) Food. You may bring prepared food and drinks onto the roof. Cooking is not permitted. Please use non-breakable cups, plates, etc.

ISSUE #1



MARKUP #1 ->



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

BOARD & COUNSEL REVIEW

Sec. 1 (p. 4): 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:

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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
AMENDED AND RESTATED JUNE 1, 2020 HOUSE RULES OF 771 WEST END AVENUE, INC. General
(1) These Amended and Restated House Rules are established by 771 West End Avenue, Inc., as Lessor, for the premises located at 771 West End Avenue, pursuant to Article 13 of the Proprietary Lease of each Lessee (the "Lease").