Section LIST BELOW THE COMPLETE NAMES OF - Sample Provision Excerpt (Public Preview)

LIST BELOW THE COMPLETE NAMES OF
PEOPLE WHO WILL OCCUPY CO-OP
RELATIONSHIP
AGE
HOBBIES OR SPECIAL INTERESTS:
HOW MANY CARS DO YOU OWN?

ISSUE #1

EED A PARKING SPACE?
AMOUNT O MONTHLY RENT TO BE PAID: $
WHO WILL RESIDE IN APT?
NO PETS A RE ALLOWED IN THE CO-OP APARTMENT - INITIALED BY APPLICANT:
_____
SIGNATURE OF CO-OP...

MARKUP #1 ->

MARKUP #1 · FAIR HOUSING ACT (FHA) LIABILITY RISK
BOARD & COUNSEL REVIEW

Sec. LIST BELOW THE COMPLETE NAMES OF (p. 1): 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:
LIST BELOW THE COMPLETE NAMES OF PEOPLE WHO WILL OCCUPY CO-OP RELATIONSHIP AGE HOBBIES OR SPECIAL INTERESTS: HOW MANY CARS DO YOU OWN? WILL YOU NEED A PARKING SPACE? AMOUNT OF MONTHLY RENT TO BE PAID: $ WHO WILL RESIDE IN APT? NO PETS ARE ALLOWED IN THE CO-OP APARTMENT - INITIALED BY APPLICANT: _____ SIGNATURE OF CO-OP...

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).