



Section 2.8.3 - Sample Provision Excerpt (Public Preview)

The Town of Perinton has a leash law. Therefore, as a law abiding citizen and a considerate neighbor, owners will keep their pets under leash control at all times. For the protection of your investment and for good community relations, pets are not allowed to roam the Common Area. Residents and their guests must promptly clean up after their animals.

ISSUE #1



MARKUP #1 ->

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

BOARD & COUNSEL REVIEW

Sec. 2.8.3 (p. 7): 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):

The Town of Perinton has a leash law. Therefore, as a law abiding citizen and a considerate neighbor, owners will keep their pets under leash control at all times. For the protection of your investment and for good community relations, pets are not allowed to roam the Common Area. Residents and their guests must promptly clean up after their animals. Unit owners may report infractions to the...