

Section 5 - Sample Provision Excerpt (Public Preview)

PETS & PET-OWNER RESPONSIBILITIES SCE is proud to be a pet-friendly complex. Kindly remember that the privilege of pet ownership can be withdrawn by the Board should any pet cause unreasonable noise or disturbances, or does harm to people or property.

ISSUE #1



MARKUP #1 ->



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

BOARD & COUNSEL REVIEW

Sec. 5 (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):

PETS & PET-OWNER RESPONSIBILITIES SCE is proud to be a pet-friendly complex. Kindly remember that the privilege of pet ownership can be withdrawn by the Board should any pet cause unreasonable noise or disturbances, or does harm to people or property. The Board of Directors may, at its sole discretion, require permanent removal of a pet after 10 days' written notice.