

ISSUE #1

Sunrise Lake Property Owners Association, Inc.
Builders and Contractors Rules and Regulations
Amended and Restated September 21, 2011
Amended and Restated April 28, 2014
Amended and Restated October 17, 2016
Amended and Restated 10-24-2019
Amended and Restated November 12, 2022

MARKUP #1 ->

Any person, partnership, or corporation who or which shall violate or permit to be violated the provisions of any rule enacted herby shall, upon being found liable therefor, pay a fine in the amount set forth herein for said offense or offenses plus all court costs, including reasonable attorney’s fees incurred by the Association as result thereof, if any. ~~Each day that a violation is continued shall constitute a separate offense, and thereafter every day shall constitute a separate offense. (Unless specified differently in an individual rule or regulation)~~

In case any building, structure, or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained, or used in violation of any Rule or Regulation, the Association, in addition to other remedies, may institute any appropriate action or proceeding to prevent, restrain, correct, or abate such violation, building, structure, or land, or to prevent in or about such premises, and act, conduct or use constituting a violation.

1. All lots and parcels of land in the Sunrise Lake Community are reserved and to be used for single family residential purposes exclusively, only one dwelling to be erected on any lot. No dwelling shall be smaller than 672 square feet or greater in height than two (2) stories.
2. In addition to all required Dingman Township permits, builders, contractors, and property owners must obtain a permit from the SLPOA for new home construction, and for additions 100 square feet and over such as, but not limited to, outbuildings, decks, and screened porches 100 square feet and larger. Failure to obtain a permit is subject to a \$100.00 fine per day.

New home construction	\$250.00
Additions 100 square feet and over	No Charge

All Builders, Realtors, Abstract companies, land developers and individuals who buy or sell real estate within Sunrise Lake must provide SLPOA with a copy of all permits, deeds, site plans, and any other relevant documents within seven (7) days of said transaction. Failure to do so will result in a fine of \$500.00.

3. Before a permit is issued and construction begins, Builders, contractors and property owners must pay SLPOA all delinquent dues. Builders, contractors, and property owners must also pay any outstanding fines for prior violations of SLPOA Rules and Regulations by Builders and contractors or their employees, and by property owners. Dues, assessments, and fines owed to the SLPOA by such builders, contractors, and property owners must be paid in full by them whether they relate to the lot or lots that are the subject of the building permit or not. If dues, assessments, and fines become due and payable while the construction project is ongoing the SLPOA may revoke any permits if such dues, assessments, or fines are not paid within thirty (30) days of invoices for same. Offenses will be subject to a \$650.00 fine.
4. No building or structure, including water system and/or sewage disposal system, shall be installed without first obtaining the approval in writing of the SLPOA as to location, elevation, plan, and design. SLPOA shall approve or disapprove the location, elevation, plan, and design within fifteen (15) days of submission. Such approvals will not be unreasonably withheld.
5. Buildings to be erected on properties must conform to covenant guidelines set forth in said property covenants/deeds. Failure to do so will result in \$250 fine.

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

BOARD & COUNSEL REVIEW

Sec. N/A (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:

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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).