

ISSUE #1

MARKUP #1 ->

26. Members and guests must abide by the slide rules posted at the steps of the slide. ~~Only one person at a time is allowed to go down the slide, with the exception of children under 42” when accompanied by an adult. Floats are prohibited on the slide.~~
27. Members shall not loan their pool pass to anyone for any reasons. Persons without a pool pass will be considered trespassers.
28. In case of an emergency, please call 911. A phone is located next to the entrance of the Men’s Room.
29. No pets are allowed in the pool area.
30. Please use the back parking when utilizing the pool.
31. Anyone caught vandalizing Club property will be prosecuted and lose their amenity privileges.

TENNIS RULES

1. The “Rules of Tennis” as adopted by the United States Tennis Association (USTA) from time to time shall apply at all times, except when in conflict with the local rules.
2. Proper tennis attire shall consist of tennis shoes (not basketball or jogging shoes) and tennis clothing (apparel manufactured expressly for tennis). In cold weather, sweatshirts are permitted in colors or traditional white. Jeans, bathing or beach attire is not permitted.
3. Courtesy and consideration should be observed at all times. Players and spectators should not walk across or behind a court while a point is being played. Players should not enter the court when play is in progress, and must enter in the appropriate area closest to the back of the court they will use. Disregard for court courtesy should be reported to the Club Management.
4. Proper tennis etiquette should be observed at all times. Excessive noise, racquet throwing or profanity is not permitted at any time.
5. The Club will adopt a procedure for reserving court times.
6. Each player must register before playing. Failure to register prior to play means the player has no standing on the courts.
7. Players who fail to cancel their reservation one (1) hour prior to their scheduled court time or who do not register ten (10) minutes prior to their court time will be charged a fee equal to the court fee for Accompanied Guests.
8. Players must promptly relinquish their court to the next players at the end of their playing period. Once a player is off the court, the Member may sign up for the next available court time.
9. Doubles may reserve a court for one and one-half hours and singles may reserve a court for one hour (except for certain excluded times).
10. Each group of players can only reserve one (1) time period per evening. You can only sign up for the posted time periods.

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 10 (p. 11): Occupancy or amenity restriction discriminates based on familial status / disability or imposes an overbroad age restriction under the Fair Housing Act and HOPA.

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: The Fair Housing Act (42 U.S.C. § 3604(b)) prohibits familial-status discrimination against families with children - including adult-only rental age floors (e.g., 24+), mandatory hourly pool exclusions targeting all minors under 18, blanket Common Area parental-escort rules for children, and caps on grandchildren - unless the community actively qualifies as 55+ Housing for Older Persons under 42 U.S.C. § 3607(b)(2) and 24 C.F.R. §§ 100.304 - 100.307 (which regulates occupancy rather than fee-simple title ownership and does not authorize intrusive medical/disability disclosures for live-in caregivers under 42 U.S.C. § 3604(f)).

CURRENT WORDING IN DOCUMENT:

children under 42” when accompanied by an adult. Floats are prohibited on the slide. 27. Members shall not loan their pool pass to anyone for any reasons. Persons without a pool pass will be considered trespassers. 28. In case of an emergency, please call 911. A phone is located next to the entrance of the Men’s Room. 29. No pets are allowed in the pool area. 30. Please use the back parking when utilizing the pool. 31. Anyone caught vandalizing Club property will be prosecuted and lose their amenity privileges.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Any age-based occupancy restriction shall be enforceable only while the Association actively qualifies as "Housing for Older Persons" pursuant to 42 U.S.C. § 3607(b)(2)(C) and 24 C.F.R. §§ 100.304 - 100.307, including maintaining at least 80% occupancy of units by at least one person 55 years of age or older and conducting mandatory biennial age-verification surveys. Absent active HOPA qualification, no restriction shall discriminate on the basis of familial status.