

Section 3.27 - Sample Provision Excerpt (Public Preview)

may be kept on a single Lot. Pit bull terriers (pit bulls) may not be kept on any Lot. No pets with a history or incidents of aggressive behavior to people or property, either in Creek Meadows or elsewhere, may be kept on any Lot. The Association may require the removal of any such pet from the Property by giving 10 days' written notice to the pet's owner.

ISSUE #1



MARKUP #1 ->



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

BOARD & COUNSEL REVIEW

Sec. 3.27 (p. 12): 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):

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