Section VILLAGES OF CYPRESS LAKES CA - Sample Provision Excerpt (Public Preview)

* No pets allowed * Swimsuits only, no jeans, cut off jeans or basketball shorts allowed in the pool * Anyone under the age of 15 is not allowed in the pool unsupervised without an adult present * No underaged guest allowed without a resident adult present.

ISSUE #1

MARKUP #1 ->

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

BOARD & COUNSEL REVIEW

Sec. VILLAGES OF CYPRESS LAKES CA (p. 2): 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:

* No pets allowed * Swimsuits only, no jeans, cut off jeans or basketball shorts allowed in the pool * Anyone under the age of 15 is not allowed in the pool unsupervised without an adult present * No underaged guest allowed without a resident adult present.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

No pets allowed Swimsuits only, no jeans, cut off jeans or basketball shorts allowed in the pool Anyone under the age of 15 is not allowed in the pool unsupervised without an adult present No underaged guest allowed without a resident adult present.