



Section 2.12 - Sample Provision Excerpt (Public Preview)

Animals. No kenne! or other facility for raising or boarding dogs or ether animals for commercial purposes shall be kept on any Lor. Only the keeping of ordinary household pets such as dogs and cars, not to exceed two (2) esch in number, is allowed; however, no breeding, raising. er boarding of such peis is parmitted on any Lot.

ISSUE #1



MARKUP #1 ->

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

BOARD & COUNSEL REVIEW

Sec. 2.12 (p. 9): 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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