

- 11. No lifeguards are on duty.
- 12. See additional Rules posted by the pool deck.

B. GYM – Available 6 am to 11 pm

- 1. Use a spotter when lifting weights.
- 2. Return weights to the rack after use. Do not drop weights.
- 3. Wipe down equipment after use.
- 4. Food or drinks other than plastic-bottled water or sports drinks are not allowed in the gym.
- 5. Wear appropriate gym attire.
- 6. Horseplay is prohibited.
- 7. No pets, except for trained service animals on a leash, are allowed in the gyms.
- 8. Please be considerate of others who are waiting to use the facilities.

C. TENNIS COURTS – Available 6 am to 11 pm

- 1. ~~Proper attire and rubber-soled shoes shall be worn on the courts.~~
- 2. Court times are on a first-come, first-served basis. Please see Security for availability.
- 3. Courts are for tennis only – No rollerblading, skateboarding, bike riding, no children’s play, etc. permitted.
- 4. ~~No pets, except for trained service animals on a leash, are allowed on the tennis courts.~~

D. BARBECUE – Available 11 am to 11 pm

- 1. Grills are for the exclusive use of Residents and their guests. A reservation is required.
- 2. Obtain information regarding the reservation and sign the protocol on CondoControl.
- 3. A \$20.00 refundable deposit is required for BBQ, payable on CondoControl.
- 4. Time frames for usage are from 11 AM to 3 PM, 3 PM to 7 PM, or 7 PM to 11 PM.
- 5. Only persons 18 years of age and older may operate the grills.
- 6. Grills shall be attended to at all times.
- 7. Noise level shall be kept to a minimum. This includes audio devices.
- 8. Water at the fish cleaning station and faucet is available to extinguish uncontrolled flames.
- 9. Use proper receptacles for trash and recycling. Leave tables and benches clean and ready for the next grillers.
- 10. Use only the brush provided to scrub the grill after each use.
- 11. Only charcoal may be used, and when you are finished, leave it to cool. Do not attempt to remove ashes.
- 12. No pets, except for trained service animals on a leash, are allowed at the barbecue area.
- 13. The grill is locked; contact Security for the key.

E. CAR WASH — Available 24 hours

- 1. Car washing is only allowed in the space provided.
- 2. Use biodegradable cleaning products.
- 3. Remove the vehicle immediately after washing. The car wash is not a parking space.

F. RECREATION, LOUNGE ROOMS — Available 6 am to 11 pm

- 1. Parties in the recreation room shall make the reservation on CondoControl at least 48 hs in advance. A \$300.00 refundable deposit is required.
- 2. The room shall be left clean and undamaged before you leave. If it is not, a \$35.00 cleaning fee will be deducted from your deposit. If there is damage, fees will be deducted from your \$300.00 deposit, and the owner will be billed for the balance.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 2 (p. 8): 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(b), 3604(f), 3607(b)(2) & 24 C.F.R. §§ 100.304 - 100.307 (HOPA)

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:

Court times are on a rst-come, rst-served basis. Please see Security for availability. 3. Courts are for tennis only - No rollerblading, skateboarding, bike riding, no children’s play, etc. permitted.

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.

ISSUE #1