

DEER PARK RV OWNERS ASSOCIATION
FOR FAIR HOUSING ACT COMPLIANCE 55 PLUS
PROPOSAL

USE AND OCCUPANCY RESTRICTIONS

Fair Housing Act Compliance. In order to comply with the Federal Fair Housing Act (42 U.S.C 3600-3620) and current Regulations promulgated by the Department of Housing and Urban Development thereunder, the following restrictions apply to the Property:

Age Restriction. Deer Park RV Owners Association is a 55 Plus community resort. At least one resident of each Lot must be 55 years of age or older (the Qualifying Resident), no person under the age of 55 may reside on the Lot unless the Qualifying Resident is residing on the Lot, and no person under the age of 18 years shall be permitted to occupy the Lot except as a Guest (the Age Restriction).
<https://www.justice.gov/crt/fair-housing-act-1/>

- a) Proof of age upon purchase or rental of a lot is required to be submitted to the Association prior to Lot sale closure or rental agreement.
- b) One (1) of the two (2) residents permitted to occupy a lot must have passed a fifty-fifth (55th) birthday at the time of occupancy.
- c) A second resident of the household must be at least forty (40) years of age. (Exception: when the Board has granted written approval.)
- d) No child may reside in the Association as a resident.
- e) Special Age Waivers. A temporary waiver may only be granted to the owner, non-owner occupant, an immediate family member or legal representative upon written request.

When the owner/non-owner occupant is not occupying a lot due to health or hardship reasons, age restrictions may be temporarily waived under the following conditions:

- i) Opening/closing the premises
- ii) Preparation for sale or rental
- iii) Other circumstances the Board deems appropriate

The request for a special age waiver must be approved by the Board prior to occupancy and include:

- i) The specific health/hardship reason(s)
- ii) What is to be accomplished
- iii) The time frame involved
- iv) The names of the party(ies) to occupy the unit (no more than two (2) adults)

Tenants, Lessees and Owners. The Age Restrictions apply to all occupants, whether Owners, residents, Tenants, Lessees or otherwise, and regardless of whether such occupancy is a result of a written or verbal agreement, purchase contract or other agreement or arrangement.

Notices and Advertising Requirements. There shall be one or more notices posted in the community indicating that it is a 55 or over community. All advertising or sales, rental, or related material for Lots within Deer Park RV Owners Association must include reference to Deer Park RV Owners Association as a 55 Plus Community and all agreements, leases or other occupancy arrangements must disclose the existence of these policies and procedures.

Age Restriction Exceptions. If a Qualifying Resident dies or terminates residency of a Lot as a result of illness, divorce, or legal separation, and if the remaining resident is not 55 years of age, so long as (1) at least 80% of the Lots in Deer Park RV Owners Association have a Qualifying Resident, and (2) the remaining resident is at least forty (40) years old, the Association shall have the right, if it reasonably determines that the lifestyle of the remaining resident is believed to be compatible with the mature

lifestyle intended in Deer Park RV Owners Association, to elect to allow the remaining resident to reside on the Lot without violation of the Age Restrictions. The board shall have the right to approve a limited number of occupant(s) less than 55 years of age for hardship or compassionate reasons.

Existing lot owners as of the effective date of the 55 Plus may will the property to adult children, provided that the 80 percent level of ownership is maintained. Renting of these properties shall comply with the 55 Plus rule.

Facilities and Services. Facilities and services specifically designed to meet the physical or social needs of older persons, as may be required by the Act or the Regulations shall at all times be available to residents of Deer Park RV Owners association.

Self-Certification. The Association shall take advantage of and comply with the requirements of any self-certification procedures provided for in the Regulations.

- a) Survey of Owners every two years.
- b) Keep documentation showing that at least 80% of the Lots have at least one individual over 55.
- c) Notices and Advertising markets only to this older age group.

Policies and Procedures. The Association shall adopt and publish policies and procedures that demonstrate the intent to operate as a 55 and over community.

Underage Restrictions. No person or persons under the age of eighteen (18) shall reside upon a Lot for more than a reasonable period or periods during any calendar year, which period or periods shall be governed by applicable provisions of the Association Rules.