

**RESOLUTION OF AND RULES AND REGULATIONS OF
THE BOARD OF DIRECTORS OF XANADU CONDOMINIUM ASSOCIATION, INC.**

FAIR HOUSING ACCOMMODATION - ANIMALS

WHEREAS, the Board of Directors (hereinafter "Board") of Xanadu Condominium Association, Inc. (hereinafter "Association") bears responsibility for the administration and management of Xanadu, A Condominium ("Condominium") and related improvements, located at 750 North Atlantic Avenue, Cocoa Beach, Florida 32931; and

WHEREAS, The Declaration of Condominium ("Declaration") prohibits pets (the "Animal Policy"); and

WHEREAS, Federal, State, and local laws require the Board to make reasonable accommodations in its policies and practices if said accommodation alleviates or ameliorates the effects of a disability which impairs one or more life activities.

WHEREAS, the Board of Directors hereby adopts Rules and Regulations regulating emotional support animals.

NOW, THEREFORE, in consideration of the foregoing, it is hereby resolved as follows:

1. Any individual that requires a reasonable accommodation in the form of a waiver of the Animal Policy shall notify the Association and provide information to the Board of Directors in compliance with Federal, State and local fair housing laws justifying the need for such accommodation. To facilitate the process, a package containing the Policy and Procedure for Disabled/Handicapped Owner or Resident to Request Reasonable Accommodation (Exhibit "A"); Request for Reasonable Accommodation (Exhibit "B"); and Animal Registration (Exhibit "C") will apply and be used, and may be obtained from the Association and must be fully completed. Any materially incomplete forms and/or material missing information will delay the Board's review process.

2. Owners or residents are prohibited from acquiring, maintaining or bringing any pet/animal onto the Condominium property in violation of the Animal Policy unless the animal has been approved and properly registered in accordance with the Reasonable Accommodation Policy and Procedure.

3. Rules and Regulations:

(a) When outside of the unit, all animals must be accompanied by an attendant who shall if possible have animal firmly held by collar and leash.

(b) No animals shall be permitted to run at large outside the unit.

(c) The owner/custodian of each animal and/or the individual walking same, shall be required to clean up after the animal and dispose of all solid waste.

(d) No animal shall excessively bark or act in an aggressive nature, including attacking or biting other residents and guests.

(e) The animal shall be inoculated at least every three (3) years and the Association shall be provided with evidence of same.

THIS RESOLUTION HAS BEEN ADOPTED AT A DULY NOTICED AND CONVENED MEETING OF THE BOARD OF DIRECTORS HELD ON _____, 2020.

_____ DIRECTORS VOTED IN FAVOR; and

_____ DIRECTORS VOTED OPPOSED

_____ UNANIMOUS

Dated: _____, 2020

By: _____
Secretary

Xanadu Condominium Association, Inc.

Exhibit "A"

**Policy and Procedure for Disabled Owner or
Requester to Request Reasonable Accommodation - Animals**

Background: Under the Federal and State Fair Housing Acts, an owner or other requester who is disabled /handicapped may request reasonable accommodation(s) in the Association's rules, policies, practices, or services when such accommodation(s) may be necessary because of his/her disability/handicap. For more information on the rules pertaining to requests for reasonable accommodation, please review the Joint Statement of the Dept. of Housing and Urban Development and the Department of Justice on Reasonable Accommodations under the Fair Housing Act at www.usdoj.gov/crt/housing/jointstatement_ra.htm.

Objective: To establish policies and procedures for meeting the requirements of applicable state, federal and local law relating to disabled or handicapped individuals with respect to animals.

Policy: The policy of the board of directors of Xanadu Condominium Association, Inc. is to make every attempt to provide reasonable accommodations to disabled or handicapped residents in accordance with applicable state and federal law.

PROCEDURE RELATING TO ANIMALS

Submittal of Request: A disabled owner or requester should complete the Association's form entitled Request for Reasonable Accommodation, and provide documentation from a treating medical provider if required by the terms of the Request for Reasonable Accommodation. If the accommodation is granted, the owner or requester must complete the Animal Registration form. The completed forms should be delivered or mailed to the Association or its management office. The Association will consider all requests for a reasonable accommodation no matter how the request is made; however, use of the supplied forms will expedite the process.

Procedure for Reviewing a Request for Reasonable Accommodation: Upon receipt of the requested form (or information supplied) for a disabled owner or requester's request for a reasonable accommodation(s) from the Animal Policy, the request forms will be reviewed by the Board of Directors, and the owner or requester will be notified in writing of the Board's decision. If additional information is required by the Board, the submitting owner or requester

will be so advised in writing. Additionally, it may be necessary for the Association's legal counsel to review the documentation submitted in support of a request for a reasonable accommodation. If the matter is referred to the Association's legal counsel, the owner or requester will be notified in writing. The Association endeavors to complete its review and provide a response within fifteen (15) days of receipt of the Request and any required supporting documentation.

If the request is approved, any decision of approval will be provided in writing. If disapproved, the reason for disapproval will be provided in writing. Delivery will be by e-mail if the Association has an e-mail address or by regular mail.

The Association may request advice from its legal counsel concerning any requests for a reasonable accommodation. **The requester consents to the disclosure of all documentation in support of the request to the Association's legal counsel.**

Additional Information

An individual's need for an accommodation may change over time as a result of changes in the individual's own level of disability/handicap or impairment, treatments available to mitigate a disability/handicap, and/or other circumstances affecting the individual. What qualifies as reasonable in one set of circumstances may not be reasonable or necessary in another. If and when circumstances change, it is your responsibility to notify the Association if you need, or no longer need, a reasonable accommodation and to update any information concerning the disability/handicap.

Maintaining an Assistive/Emotional Support Animal

Should a request for a reasonable accommodation to the Animal Policy be granted, the Association reserves the right, pursuant to Florida law, to pursue violations of the Declaration and Rules and Regulations of the Association with respect to the assistive/emotional support animal. Additionally, the approval of the animal may be withdrawn if the requesting party is no longer disabled.

All information received by the Association in conjunction with a disabled owner's or requester's request for reasonable accommodation will be kept confidential in compliance with Florida Statute section 718.111(12)(c)(3)(b). If any other resident or owner inquires as to why a special accommodation appears to have been made, the Association representative's response will be: "a fair housing reasonable accommodation has been granted."

Xanadu Condominium Association, Inc.

Exhibit "B"

REQUEST FOR REASONABLE ACCOMMODATION

Name of Person Requesting a Reasonable Accommodation:

Address: _____

Daytime Phone #: _____ Evening Phone#: _____

1. I am a person with a disability/handicap as defined by one or more of the following: **A physical or mental impairment that substantially limits one or more major life activities; or a record of having such an impairment; or is regarded as having such an impairment.**

If I am not the person with a disability/handicap, the following member of my household or a visitor has a disability as defined above:

Name: _____

Relationship to you: _____

2. As a result of this disability/handicap, I am requesting an exception to the Association's express, written and strictly enforced Animal Policy set forth in the Declaration of Condominium, as amended from time to time to allow an assistive/emotional support animal to reside in or visit my dwelling unit as a reasonable accommodation.

3. This request for a reasonable accommodation is such that the animal in question alleviates or ameliorates the effects of the disability.

Check only one of the following (a), (b) or (c) that applies:

(a) _____. The disability is physical in nature which is open and obvious and it is clear which major life activities are impaired and how the animal will alleviate or ameliorate the effects of the disability. The Board may wish to meet with you if this line is checked.

(b) _____. The disability is physical in nature but either the disability is not open and obvious or it is not clear which major life activities are impaired or how the animal will alleviate or ameliorate the effects of the disability.

(c) _____. The disability is mental or emotional in nature.

If “(b)” or “(c)” above is checked, a letter from your medical provider must be submitted (i) indicating that the patient is under the care of the medical provider; (ii) the name(s) of the emotional support/assistive animal(s) involved; (iii) describing the major life activity or activities impaired; (iv) describing how the animal(s) alleviate(s) or ameliorate(s) the effects of the disability and (v) if more than one (1) animal is involved, how each one by name provides the accommodation. All of such information must be contained in the medical provider’s opinion. If “(a)” above is checked, once the Board meets with you, the Board if appropriate may request such letter from a medical provider.

I understand that the information obtained by the Association will be kept completely confidential as required by Florida Statute section 718.111(12)(c)(3)(b) and used solely to evaluate my request for a reasonable accommodation.

Please return this form, along with the Acknowledgment of Policy and Procedure for Disabled Owner or Requester to Request Reasonable Accommodation – Animals and any documentation if required above from a medical provider as promptly as possible so that the Association can evaluate your request.

Signed:

Date:

Requesting Party

Xanadu Condominium Association, Inc.

Exhibit "C"

ANIMAL REGISTRATION

APPLICANT'S NAME _____

ADDRESS _____

ANIMAL'S NAME _____ BREED _____

_____ MALE _____ FEMALE _____ COLOR _____ WEIGHT _____

DATE ANIMAL ACQUIRED _____ ANIMAL'S TAG NUMBER _____

VETERINARIAN _____

IN CASE OF EMERGENCY CONTACT: _____

APPLICANT'S SIGNATURE

DATE _____

ATTACH:

- PHOTOGRAPH OF ANIMAL

- COPY OF VETERINARIAN'S CERTIFICATION THAT ALL SHOTS/INNOCULATIONS ARE UP TO DATE