

RESOLUTION OF THE BOARD OF DIRECTORS OF CROMWELL PARK
Compliance with Federal and State Law regarding Assistance Animals

WHEREAS, the Cromwell Park at Salem Condominium Association (the "Association") is a Virginia Nonstock Association, duly organized and existing under the laws of the Commonwealth of Virginia; and

WHEREAS, the Declaration of Covenants, Conditions and Restrictions of Cromwell Park ("Declaration"), at Section 9.3, provides the Association with the power to promulgate Rules and enforce the deed restrictions, covenants and rules duly enacted; and

WHEREAS, the Rules and regulations for Cromwell Park specifically limit the ability of residents to have pets or animals within the property owned by the Association including the individual residence units; and

WHEREAS, the State and Federal Fair Housing Acts ("Acts"), and related regulations, apply to the Association; and

WHEREAS, the Acts require the Association to provide reasonable accommodations for residents with disabilities, including the ability to keep assistance animals regardless of any existing ban on domestic pets.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Association hereby adopts the following Resolution by and on behalf of the Association, which shall become immediately effective:

1. As required by Federal and State law, on request to the Association or its appointed agent/manager, a person with a disability requiring an assistance animal, including a dog, must be granted an accommodation from the limitation on pets/animals in certain instances.

2. Where a request is made for a reasonable accommodation to keep such assistance animal, the Association may ask a resident with a disability to submit reliable documentation of their disability related need for an assistance animal along with a photo of the animal. For instance, where the animal is an emotional support animal, the inquiry may include a request for a letter from a physician, psychiatrist, social worker, or other mental health professional stating the need for such assistance animal. If the disability is readily apparent, neither the Association nor its appointed agent may ask for documentation of the disability. Where the disability-related need for the assistance animal is not readily apparent, but the disability is, the Association or its appointed manager may only inquire into the disability-related need for an assistance animal.

3. A request for a reasonable accommodation to pet restrictions to keep an assistance animal in the Association property may only be denied where the resident does not have a readily apparent disability and is unable to provide reliable documentation of that disability, or there is no relationship between the disability and need for the assistance animal. While considering the request, the Association may, but is not required to, allow the animal in question to be considered temporarily an assistance animal until a final determination is made.

4. The Acts permit the Association to deny access to a specific assistance animal, or to revoke a license, if that animal: (1) poses an individualized and direct threat to safety; (2) is unable to control waste elimination; or (3) the animal is not kept under the control of the animal's owner or another individual capable of keeping the animal under control when outside of the owner's Unit. The denial of access to such animal will not affect access of the disabled resident to the Association.

5. All assistance animals must be under the direct control of the resident, or another person able to exercise direct control of the animal, at all times when outside of the resident's Unit and in the common areas. Direct control shall be when the animal is securely enclosed in a cage or crate or on a leash of suitable length. No assistance animal shall be left unattended in the Common Elements or Limited Common Elements, whether tied to a structure or other object, in a vehicle, or otherwise not within the sight and reach of the resident, or a person acting for the resident with the ability to exercise direct control of the animal.

6. No resident may permit an assistance animal to relieve itself within the Cromwell Park property, other than areas that may be designated or approved by the Board of Directors from time to time. Residents with assistance animals shall immediately remove and dispose of excrement left by the resident's animal in the resident's trash receptacle or other receptacle designated by the Association. All animal excrement shall be removed from a resident's own property on a regular basis so as to maintain a healthy environment and to eliminate nuisance from odor or otherwise.

7. No resident with an assistance animal shall permit such animal to create a nuisance in the Association by engaging in prolonged and uncontrolled barking.

8. A pre-printed form which complies with the provisions of this Resolution may be developed and provided by the Association for all persons seeking an approval of an assistance animal. No deposit or fee shall be required to make such request or maintain such approval.

The undersigned hereby certify that the foregoing Resolution was adopted by the Board of Directors of the Association on January 11, 2018.



GARY E SCOTT, PRESIDENT

ATTEST:


Nicole M. Keros, SECRETARY