

Sunscape Estates RV Park Cooperative
55 Year Age Restriction Policy
The Fair Housing Amendments Act of 1988 (the “Act”)
Housing for Older Persons Act 1995
(Department of Housing and Urban Development: 24 CFR Part 100)

INTRODUCTION

The Fair Housing Act (Title VIII of the Civil Rights Act) (“Act”) exempts “housing for older persons” from the Act’s prohibition against discrimination because of familial status. Section 807 (b)(2)(C) of the Act exempts housing intended and operated for occupancy by persons 55 years of age or older which satisfies certain criteria HUD has adopted implementing regulations further defining the “housing for older persons” exemption at 24 CFR part 100, sub part E (Housing for Older Persons Act, hereinafter “HOPA”).

Sunscape Estates RV Park Cooperative is qualified for the exemption as a community for 55 year or older persons. The intent is stated in the Rules and Regulations of the community and this 55 Year Age Restriction Policy (hereafter, the “Policy”).

This Policy’s purpose is to accumulate in one place for easy reference the age restriction policy adopted by Sunscape Estates RV Park Cooperative within the rules and broad discretion permitted under the Act and HOPA. The Board of Directors, in its sole discretion, may add, delete or change its policies within the scope permitted by the Act and HOPA, Arizona State laws or local laws.

Qualification for Exemption under the Fair Housing Amendments Act of 1988 and HOPA

In accordance with the ACT and HOPA, Sunscape Estates RV Park Cooperative has clearly indicated its intent to qualify as housing for older persons age 55 years or older in the following ways:

Rules and Regulations

1. The term “member” is defined as at least one adult 55 years of age or older, living on one RV lot on a seasonal or continuing basis.
2. Full Time Residents must be at least 55 years of age or older.

SUNSCAPE ESTATES RV PARK COOPERATIVE

AGE RESTRICTION POLICY

1.Occupancy Age Restrictions

- 1.1 All Full Time Residents in a unit must be 55 years of age or older. Spouses older than 19 years of age but younger than 55 years of age may also reside in a unit so long as the other spouse is 55 years of age or older.
- 1.2 Persons over the age of 19 but under the age of 55 may visit as guests for a maximum period of 30 days per calendar year.

- 1.3 These age restrictions apply to owners, renters and house guests who occupy the dwelling unit in the absence of the age qualified owner or renter.

2. Occupancy Exception

- 2.1 Should a spouse 55 years or older die or otherwise cease residing in the Sunscape Estates RV Park Cooperative, the other spouse, who must be listed on the Share Lease Agreement or Certificate is younger than 55, the younger spouse may continue to occupy the unit.
- 2.2 There are no other exceptions for other non-age qualified persons who come into possession of a unit in Sunscape Estates RV Park Cooperative.

3. Verification of Age (24 CFR 100.307)

- 3.1 All occupants whether owners, renters or house guests of absentee owners, must show evidence of eligible occupancy.
- 3.2 Sunscape Estates RV Park Cooperative will conduct surveys at least every two years and maintain a data base to verify age compliance as required by HOPA. All residents of Sunscape Estates RV Park Cooperative are required to respond to the surveys unless a response to a survey has already been provided, in which case a reliable affidavit of current compliance is all that is required.
- 3.3 Information gathered in support of the occupancy verification will be segregated in a separate file and are considered confidential and not generally available for public inspection. They are created for the sole purpose of complying with HOPA and are to be kept separate from the general or resident files that may be widely accessible to employees or other residents.
- 3.4 A summary of occupancy surveys shall be available for inspection upon reasonable notice and request by any person.

4. Disclosure of 55 Age Restriction Policy

- 4.1 Any owner or other person who sells or rents units in Sunscape Estates RV Park Cooperative shall disclose in the advertisements, purchase or rental documents that Sunscape Estates RV Park Cooperative is a 55-year age restricted community under HOPA. In the case of a rental unit in Sunscape Estates RV Park Cooperative, the rental agreement shall verify the age qualifications as required by this Policy.
- 4.2 A copy of this Policy shall be provided to every Owner/Seller/Lessor to any prospective buyer or lessee to read and acknowledge. This document is to be included as part of the Purchase or Lease documents.
- 4.3 Disclosure shall also be made to any persons permitted by the owner or renter to occupy the unit as house guests in the absence of the age qualified owner or renter. At least one house

guest of such absentee owner or renter must be age qualified.

4.4 Non-disclosure by the owner/seller/lessor shall not prevent SunscapE Estates RV Park Cooperative from enforcing this age restriction policy against the owner or renter for non-compliance.

4.5 All "For Sale" or "For Rent" signs in SunscapE Estates RV Park Cooperative shall prominently display that this is a "55 + Adult Park".

5. Enforcement

SunscapE Estates RV Park Cooperative will vigorously seek any and all remedies available to it by law including, but not limited to, fines and other legal remedies against the offending Owner's property for non-compliance by the Owner, renter or house guests.

Approved: _____
Board of Directors

____/____/____
Date