

THE CLARIDGE HOUSE COOPERATIVE, INC.

RESOLUTION NO. 2023-1

RULES FOR ANIMALS

Recitals

- A. Section 13 of the By-Laws provides that the affairs, property and interests of the Corporation shall be managed by its Board of Directors (“Board”), which may exercise the powers of the Corporation, except to the extent expressly reserved to the shareholders.
- B. Pursuant to Section 26 of the By-Laws the Board has the authority to adopt Rules.
- C. Under the Fair Housing Act, the Corporation is obligated to make a “reasonable accommodation” for a disabled resident, or the disabled guest of a resident, which may include allowing a disabled resident or disabled guest to have an assistance animal determined to be necessary in connection with a disability (“Assistance Animal”).
- D. Section 4.3(v) of the Rules and Regulations currently prohibits all animals on the Corporation’s property (“Property”), including individual apartments, with the exception of Assistance Animals for disabled residents and their disabled guests.
- E. The Board previously adopted Resolution # 2018-1 to address matters related to Assistance Animals (referred-to in that Resolution as “Support Animals”).
- F. By this Resolution, for the benefit and protection of the Corporation and of residents, the Board wishes to permit residents to have certain pets, subject to Management Approval, and to adopt a comprehensive set of Rules for pets and for Assistance Animals.

NOW, THEREFORE, the Board hereby repeals all previous Rules governing pets and Assistance Animals, including without limitation Section 4.3(v) of the Rules and Regulations and Resolution # 2018-1, and adopts the following Rules as a new Section 9 of the Rules and Regulations:

9. ANIMALS

A. Board and Management Consent.

1. No animal of any kind shall be kept in any apartment or elsewhere on the Property without the prior written consent of Management.
2. Any resident who wishes to have an animal on the Property must submit a written request for the Management’s consent.
3. Management shall review each such request and shall promptly notify the requesting resident of Management’s decision as to whether consent will be given for the resident to have the animal.

4. The Board from time to time may specify the types, sizes and breeds of animals that may be kept as “pets.” However, under the Fair Housing Act, Assistance Animals legally are not considered to be “pets.” Assistance Animals shall not be limited to specific types, sizes or breeds, but each request for an Assistance Animal shall be considered individually by the Board, on a case-by-case basis.

B. Rules Applicable to All Animals.

The following Rules shall apply to all animals on the Property, including pets, and also including Assistance Animals for disabled persons:

1. Any resident who wishes to have an animal on the Property shall not bring the animal to the Property unless and until Management’s written consent has been given to the resident. If Management’s written consent has been given, the resident must register the animal with Management within one week of bringing it to the Property. The following must be provided: the animal’s species/breed, name, age and weight, proof of required inoculations, and a recent photograph of the animal.
2. All animals must have all required inoculations and, if required, must be licensed by the District of Columbia.
3. Animals must be properly cared-for and must be kept clean and under control at all times.
4. Animals must be leashed or carried at all times while in the common areas (halls, lobby, elevators, grounds, etc.).
5. Animals must not damage the common areas and must not create any danger to residents or other animals or create any unreasonable nuisance or disturbance to residents. Owners of animals must be respectful of other residents who may be fearful or uncomfortable around animals.
6. No animal feeding or water dishes, and no litter boxes, may be placed in any common area. Animals may not be left unattended in any common area.
7. Animal owners are responsible for properly and promptly removing any and all animal waste from the Property and for ensuring that their apartments are kept in safe, clean and sanitary condition. Animal waste and associated materials must not be deposited in any toilet or trash chute. Cat litter must be double bagged and must be placed only in the trash chutes.
8. Any person who has an animal on the Property is deemed to have agreed to indemnify and hold harmless all residents, the Corporation, and its members, directors, officers, employees and agents from and against any loss, injury, damage, claim, cost or liability, including costs and attorney’s fees, arising in connection with the animal, and shall be liable for any personal injury or property damage caused by the animal, and for the cost to the Corporation of repairing any damage, or of any extraordinary cleaning, resulting from the presence of the animal on the Property.

9. Management may require any animal to be permanently removed from the Property if the owner of the animal has repeatedly or substantially violated these Rules, and has failed to correct such violations after written notice. In such event, or if the animal endangers the health or safety of any person or other animals on the Property, or if the animal creates an unreasonable nuisance or disturbance to residents, the Board may require the animal to be permanently removed from the Property. In addition to the foregoing remedies, the Board may take any other action available to it under the Corporation's governing legal documents or Rules and Regulations, or under other applicable law, for any violation of these Rules.

10. No animal shall be kept or bred on the Property for commercial purposes.

C. Rules Specific to Assistance Animals for the Disabled.

In addition to the foregoing Rules, the following Rules shall apply with respect to Assistance Animals for disabled persons:

1. Any resident seeking permission to have, or for any of the resident's guests to have, an Assistance Animal for the disabled on the Property must submit a written request for Management's consent, and must obtain such consent, before the animal may be brought to the Property.

2. If the resident's or guest's disability is not obvious, Management may require written documentation from the resident's or guest's healthcare provider, with certifications of the disability and of the need for the animal as a "reasonable accommodation" required by the Fair Housing Act. If the disability is obvious (e.g., if the resident is blind and is requesting consent to have a guide dog on the Property), the healthcare provider certification will not be required.

3. If the resident is seeking the Management's consent to have a trained or certified Service Animal, the resident must provide documentation of the animal's training and/or certification.

4. Management's consent to have an Assistance Animal is granted only as a "reasonable accommodation" under the Fair Housing Act. Such an accommodation may no longer be "reasonable," and consent may be revoked, if the owner of the animal has repeatedly or substantially violated these Rules, and has failed to correct such violations after written notice. In such event, or if the animal endangers the health or safety of any person or other animals on the Property, or if the animal creates an unreasonable nuisance or disturbance, Management may require the animal to be permanently removed from the Property. In addition to the foregoing remedies, the Board may take any other action available to it under the Corporation's governing legal documents or Rules and Regulations, or under other applicable law, for any violation of these Rules.

5. The foregoing rules for Assistance Animals, including without limitation the requirement for Management's prior written consent, also shall apply to any Assistance Animal to be brought to the Property by a resident's guest, including any licensee, invitee or family member.