

5.4 Age Restrictions

At least 80 percent of the occupied units are to be occupied by at least one person 55 years old and older.

- A. Adult children aged 19 years old and older may live with their parents temporarily.
- B. Once units are vacated, their occupancy is reserved for buyers who will have at least one person who is 55 years old or older permanently residing in the Unit.
- C. Verification of the ages of new occupants will be acknowledged in the purchase documents and certified to the Board of Governors by supplying a copy of one of the following forms of identification, which must include specific information about current age or date of birth:
 - driver licenses,
 - passports,
 - immigration cards,
 - military identification cards,
 - birth certificates,
 - other government documents that show a date of birth, and
 - a certification in an affidavit or other document signed by any member of the household age 18 or older asserting that at least one person in the Unit is 55 years of age or older.
- D. A summary of the occupancy surveys shall be available for inspection upon reasonable notice and request by any person.
- E. Temporarily vacant units are considered occupied by persons 55 years of age or older if:
 - (1) The primary occupant has resided in the unit during the past year; and
 - (2) The occupant intends to return on a periodic basis.
- F. Any owner or realtor who sells property in the Association must disclose in the advertisements that the Association is an age-restricted community. All new purchase agreements must contain a provision directly above the signatory line asserting that at least one occupant of the Unit will be 55 years of age or older.
- G. Statements will be posted in the Common Areas describing the Association as a "Community for Persons 55 Years Old or Older".
- H. The Board will attempt to remove any language in deeds or other community or facility documents or signage which is inconsistent with the intent to provide housing for persons who are 55 years of age or older.

I. Age Verification Survey

1. A Board appointed officer will organize a survey team of volunteers to conduct a survey every two years to ascertain compliance with the Housing for Older People Act of 1995.
2. The survey team will visit each household to identify changes since the last survey, and to collect affidavits or other forms of identification.
3. Acceptable proof of age includes:
 - driver licenses,
 - passports,
 - immigration cards,
 - military identification cards,
 - birth certificates and other government documents that show a date of birth.

J. If the occupants of a Unit refuse to comply with the age verification procedures, the Unit will be considered to be occupied by at least one person 55 years of age or older if there is sufficient evidence based on the following documentation:

- government records or documents, such as a local household census;
- prior forms or applications;
- a statement from an individual who has personal knowledge of the age of the occupants. The individual's statement must set forth the basis for such knowledge and be signed under the penalty of perjury.

K. The appointed officer will present a summary of the survey at the next Board meeting. The report will not include sensitive personal information, but only the overall summary.

L. The summary report will be made available for inspection by any person making a request with reasonable notice.