

F-A-C-T S-H-E-E-T

HIDDEN VALLEY RANCH SUBDIVISION **(also known as Hidden Valley Ranch RV and Mobile Home Park - all Phases)** **PROVISIONS RELATING TO HOUSING FOR OLDER PERSONS (55+) STATUS**

P-U-R-P-O-S-E

To operate as private residential housing for persons age 55 and older in accordance with all rules and regulations set forth in the Housing for Older Persons Act of 1995 (HOPA), as amended.

D-E-F-I-N-I-T-I-O-N-S

- “Older person” means a person 55 years of age or older.
- “Occupied unit” means:
 - A dwelling unit that is actually occupied by one or more persons.
 - A temporarily vacant unit, if the primary occupant has resided in the unit during the past year and intends to return on a periodic basis; or
 - If the dwelling is temporarily vacated, at least one of the occupants immediately prior to the date on which the unit was temporarily vacated was 55 years of age or older.

A-G-E R-E-S-T-R-I-C-T-I-O-N-S

- A minimum of 80% of the units, if occupied, shall be OCCUPIED by at least one person 55 years of age or older. The remaining 20% of the units shall be OCCUPIED by at least one person 45 years of age or older.
- Occupancy is restricted to the provisions set out herein, temporary and limited absences excepted. Also exempted are instances where such qualifying occupancy involuntarily ceases due to death or physical or mental disability of the qualifying person 55 years of age or older. All instances of this exemption shall cease upon any subsequent conveyance of the lot or residence by sale, lease or inheritance.
- NO child or children under the age of eighteen (18) years of age shall be in residency in the subdivision. Children under eighteen years of age may visit the property for a period of not more than thirty (3) days in any one calendar year. No children under eighteen years of age shall be permitted to use the recreational facilities unless accompanied by an adult resident.

V-E-R-I-F-I-C-A-T-I-O-N O-F O-C-C-U-P-A-N-C-Y

A census shall be taken including all units in Hidden Valley Ranch Subdivision to confirm that the above occupancy requirements have been met. The following documentation shall be used to verify the age of residents:

- A self certification of his or her age by an individual such as a driver’s license, birth certificate, passport military identification or any other local, state or national official document containing a birth date of comparable reliability.
- An affidavit from someone who knows the age of the occupant(s) and states his/her basis for the knowledge.

- In the event of a change in the occupancy of a residential unit, the occupant shall immediately notify the H.V.R.P.O.A of such in writing.

CONVEYANCE OF PROPERTY

NO property in the subdivision shall be conveyed to any party, whether by sale, lease, re-lease or renewal of an existing lease for the benefit of an identified or prospective occupant without at least one member of such identified or prospective occupant being fifty-five years of age or older. Nothing contained in this section shall prohibit the conveyance of property to:

- Parties taking possession and/or ownership in such property for the benefit of one or more relatives age fifty-years of age or older and such relatives in fact being the actual occupants of such property; and
- Households purchasing property for future occupancy for such future times as when at least one person is fifty-years of age or older.

VERIFICATION OF OCCUPANCY REQUIREMENTS UPON SALE OF A RESIDENTIAL UNIT

At the time a purchase agreement is entered into for the sale of property in Hidden Valley Ranch Subdivision, the purchaser shall be required to certify as to compliance with the fifty-years of age or older occupancy requirement and submit evidence of such compliance to the H.V.R.P.O.A. Board of Directors. The prospective occupants may not take occupancy until written approval of the proposed occupancy is granted by the Board of Directors.

VERIFICATION OF OCCUPANCY REQUIREMENTS UPON LEASING OF A RESIDENTIAL UNIT

Any owner desiring to lease his/her residential unit must submit a written request to the H.V.R.P.O.A. Board of Directors for approval and said lessee(s) shall be required to certify as to compliance with the fifty-five years of age or older occupancy requirement and submit evidence of such compliance to the H.V.R.P.O.A. Board of Directors. The prospective lessee(s) may not take occupancy until written approval of the proposed lease is approved by the Board of Directors.

AGE VERIFICATION UPDATE AND CONFIRMATION SUMMARY

Verification of compliance information shall be updated every two years. The re-survey shall not require that all supporting documents be collected again – only that the subdivision confirm that those persons counted as occupying residential units for purposes of meeting the 80% requirement, are, in fact, still in occupancy. A summary of the information gathered shall be retained in a separate file and shall be considered confidential with limited access thereto.