

# DEALING WITH HOAS

Tips for Those Wishing to Open a Residential Assisted Living Home.

1 **DON'T**

If at all possible, find a home that's not in an HOA. This will definitely be the path of least resistance for you.

2 **KNOW YOUR RIGHTS**

But, if you've fallen in love with a home in an HOA, don't despair! Your disabled residents are protected by the Fair Housing Act. HOA rules cannot keep them out of the neighborhood.

3 **ZONING STILL APPLIES**

An HOA cannot ban RALs (or other group homes for the disabled), but the number of residents allowed may still be governed by the local zoning code. Check to make sure you know the rules.

4 **DESIGN REVIEW RULES**

Don't forget the design review committee. You still need to comply with neighborhood design standards for your home. If the HOA rules say "no pink houses" then you can't paint your RAL pink. However, HOAs may be required to grant "reasonable accommodation" under the Fair Housing Act under certain circumstances to make exceptions to rules.

5 **TELL THE NEIGHBORS**

Before you submit plans to a design review committee, try to approach committee members who may be favorable to your project. It's much harder to disagree with someone face-to-face. Educate these committee members about what you're doing and why. It's not necessary to announce your plans in advance to the entire neighborhood. There will be plenty of time to tell your neighbors after you're open.

6 **CONFIDENT & CALM**

If you find yourself discussing your project in an HOA meeting, stay calm! You may be surprised at how some of your neighbors react. Your job is to be kind and educate if you can. Remember that some people fear change or things they don't understand. Tensions will calm down once your home is open and serving the community.

This information does not constitute legal advice. For your specific property, consult an attorney who understands RALs & the Fair Housing Act.

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