

Baytree Villas HOA Age Restriction Guidelines

HOPA, the Housing for Older Persons Act, provided rules for 55 plus communities. Eighty percent (80%) of the units must be occupied by at least one person 55 years of age or older. The community must demonstrate an intent to provide housing for persons 55 years of age or older. The community may also impose more stringent age restrictions.

Baytree's occupancy rules are found in our Covenants, Article VII General Restrictions, Section 10 Occupancy.

Under our current legal documents, the minimum age for Baytree is 40 years old if cohabiting with someone 55 years of age or older. Minors are prohibited from living in Baytree.

Baytree has legally and historically denied new resident applications (sale or lease) based on age being less than 55. The Board of Directors has the authority to grant waivers and publish guidelines for granting of waivers. However, no exception may be granted that allows minors or that jeopardizes compliance with the 80% occupancy requirement for 55 plus communities. Following are the situations for which waivers **MAY** be granted.

- 1) A buyer will be 55 within a year of the property purchase. This exception does not apply to the lessee of a rental property.
- 2) Property has been transferred to an immediate family member due to health or death of current resident.
- 3) The purchaser is 55 or over with a spouse or companion who is at least 40, or with a dependent adult child.
- 4) A caregiver that must live with a homeowner who is 55 or older for the homeowner to receive proper care.