

Banyan Park Condominium Association

What you need to do for your Service or Support Animal.

1. Have your Veterinarian fill out the form attached.
2. Attach all the certificates.
3. Attach a letter from the Physician.
4. Have the Resolution signed by You, and Notarized.
5. Attach a copy of your "National Service Animal Registry" with Animals Photo on it.
6. Return all the Documents completed for the Association Approval.

You may place all of the paperwork in the Drop Box at the Mailbox location. After everything is verified, you will be notified of the Approval. If you have supplied any of the above information that is required, it will be checked off.

Mary, Property Manager
Banyan Park Board of Directors

On July 1, 2020, several statutory amendments went into effect that are intended to provide associations some teeth when addressing requests for ESAs. Arguably, the most important of these statutes is Florida Statute §817.265, which states

A person who falsifies information or written documentation, or knowingly provides fraudulent information or written documentation, for an emotional support animal under s. 760.27, or otherwise knowingly and willfully misrepresents himself or herself, through his or her conduct or through a verbal or written notice, as having a disability or disability-related need for an emotional support animal or being otherwise qualified to use an emotional support animal, commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. In addition, within 6 months after a conviction under this section, a person must perform 30 hours of community service for an organization that serves persons with disabilities or for another entity or organization that the court determines is appropriate.

BANYAN PARK CONDOMINIUM ASSOCIATION, INC.
SERVICE ANIMAL ACCOMMODATION RESOLUTION

WHEREAS, Banyan Park Condominium Association, Inc. (“Association”) is responsible to administer the Declaration of Condominium of Banyan Park, A Condominium, recorded in Official Records Book 3692 at Page 1877, of the Public Records of Palm Beach County, Florida, as amended from time to time (“Declaration”);

WHEREAS, the Declaration prohibits pets from being kept at the Condominium, specifically stating in Section XIII entitled “Use Restrictions,” subsection G entitled “Pets” in pertinent part:

No animals of any kind shall be kept under any circumstances in a Unit, or allowed upon the Condominium Property, except by prior written consent of and upon such terms and conditions as shall be imposed by the Board of Directors of the Association or of the Developer.

WHEREAS, _____ (“Unit”).
The Unit is subject to the Declaration.

WHEREAS, the Owner has requested that the Association provide a reasonable accommodation of a dog. The Owner supplied the Association information which the Owner vouches as correct in support of her request for a reasonable accommodation pursuant to the Fair Housing Act. The Owner requests the Association to adopt this Resolution in response to the Owner’s request for a reasonable accommodation. The Owner agrees that this Resolution is a reasonable accommodation and agrees to comply with the terms of this Resolution.

NOW THEREFORE, the Board of Directors of Banyan Park Condominium Association, Inc. resolve as follows:

1. Accommodation. The Association provides the Owner a reasonable accommodation for the keeping of a dog in the Unit, subject to and pursuant to the conditions expressly stated in this Resolution, the Association’s Declaration, By-Laws, and Rules and Regulations.
2. Term. The reasonable accommodation provided by this Resolution shall terminate upon the earlier of: the end of the disability upon which the accommodation is based; the Owner no longer occupies the Unit; or, a violation of any of the conditions set forth herein.
3. Safety. The Owner will obtain for the dog all required licenses and shots as provided by law, statute, ordinance and rule. The Owner shall keep on file with the Association, updating no less than annually, legible duplicates of governmental permits, certificates, veterinary receipts, and reports showing compliance with the provisions of this paragraph. The original documents will be kept by the Owner for display to the Association upon the Association’s reasonable request.
4. Location. The dog will be kept inside the Unit, not exiting except when the dog is

_____ Owner

transported from the Condominium or allowed out of the Unit for the purpose of defecating. While the dog is out of the Unit, the dog will be kept on a leash no more than eight feet in length held by a responsible person who is capable of, and who is actually in physical control of the dog. The Owner shall not allow the dog to charge others, and shall be kept clear of individuals who are not steady on their own two feet.

5. Waste. The Owner shall immediately remove any of the dog's waste from Condominium property in a sanitary manner. The Owner shall walk the dog on the Condominium property, in absence of a rule, in an appropriate location, for the purpose of urinating and defecating only.

6. Nuisance. The dog shall not bark, howl, create noises which are heard outside of the Unit in such a manner that disturbs other residents or a resident's guest, or bite another animal or person. The Owner shall be responsible for any damage, whether by negligence or otherwise caused by, regarding, or concerning the dog, including but not limited to, landscaping, and insect/flea infestation.

7. Default. Failure of the Owner to comply with any provision in this Resolution is a default. Upon default, the Owner shall immediately remove the animal. The Owner agrees to indemnify and hold harmless the Association from any and all claims or actions regarding the animal.

8. Compliance. If the terms of this Resolution are violated, then either party may enforce this Resolution as if it were a provision in the Declaration, in addition to the provisions of the Condominium Act. The prevailing party shall be entitled to recover attorney's fees and costs for the enforcement of this Resolution.

Dated this ____ day of _____, ____.

Banyan Park Condominium Association, Inc.

By: _____
_____, Secretary

_____ Owner

I, _____, agree and accept the terms of the Service Animal Accommodation Resolution stated above.

Witnesses:

☞ Sign: _____

☞ By: _____, Owner

☞ Print: _____

☞ Sign: _____

☞ Print: _____

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me this ____ day of _____, _____ by _____ who is personally known to me or who has produced _____ as identification.

Printed Name:
Notary Public, State of Florida
Serial Number:
My Commission Expires:

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_____ Owner

Banyan Park Condominium Association, Inc.
Veterinarian's Certificate

The undersigned verifies that:

1. I am authorized to practice medicine in the State of Florida.
2. My office address is _____
My office telephone number is _____
3. I have provided veterinary services for _____
the Owner of the (circle one) Dog Cat Bird named _____
4. The Animal Breed is _____
5. The Animals age is _____ years.
6. The Animal is currently _____ lbs. in weight, _____ inches high,
_____ inches long. Maximum weight at maturity is approx. _____ lbs.
7. I first examined the Animal on _____
8. I last examined the Animal on _____
9. The Animal is current with all vaccinations specifically including, but not
limited to rabies and was last vaccinated on _____ and is due
on _____. (Attach a copy of the rabies vaccination certificate and records or
invoices verifying that all other vaccinations are current)
10. A copy of the Palm Beach County Animal Care & Control License.

This Certificate is provided with the intent that Banyan Park Condominium Association, Inc. will rely upon
the matters stated in this Certificate.

Veterinarian Signature

Print Name

State of Florida

County of Palm Beach

The foregoing instrument was acknowledged before me this _____ day of _____, 20____

by _____ who is personally known to me or who has produced _____
as identification and who swore that the above is true and correct.

Printed Name:

Notary Public, State of Florida

Serial Number

My Commission Expires: