

Exhibit 6-4: Mandatory and Discretionary Pet Rules

Mandatory Rules [24 CFR 5.350]	Examples of Discretionary Rules [24 CFR 5.318]
<p>Inoculation – Pets need to be inoculated in accordance with state and local law.</p>	<p>Pet size and type – Property owners may place reasonable limitations on the size, weight, and type of common household pets.</p>
<p>Property owners must prescribe sanitary standards to govern the disposal of pet waste. These rules may:</p> <p>a) Require pet owners to exercise and allow pets to deposit waste only in designated areas;</p> <p>b) Forbid pet owners from walking pets or allowing them to deposit waste in areas outside designated exercise and waste deposit areas;</p> <p>c) Require pet owners to remove and properly dispose of all removable pet waste;</p> <p>d) Require pet owners to take pets elsewhere to exercise or deposit waste if there are no areas on the premises designated for such purposes;</p> <p>e) Require owners of pets using litter boxes to remove pet waste from litter boxes and prescribe methods for disposal of pet waste, but not more frequently than once each day; and</p> <p>f) Require owners of pets using litter boxes to change the litter and prescribe methods for disposal of pet waste and used litter, but not more frequently than twice each week.</p>	<p>Density of tenants and pets – Property owners may place reasonable limitations on the number of pets that are allowed in each unit. Owners may limit the number of 4-legged, warm-blooded pets to one per unit or group home.</p> <p>Pet care standards – Property owners may prescribe standards of pet care and handling to protect the property premises and health, safety, and welfare of tenants, employees, and the public. Standards may:</p> <p>a) Require dogs and cats to be spayed or neutered;</p> <p>b) Bar pets from certain areas, except those that would deny access to the building;</p> <p>c) Require pet owners to control noise and odor;</p> <p>d) Require pet owners to comply with state/local licensing requirements; and</p> <p>e) Exclude from the property any pets not owned by a tenant that are being kept temporarily (less than 14 days).</p>
<p>Pet restraint – All household pets must be under the control of a responsible individual while on the common areas of the property. All pets must be effectively and appropriately restrained and under the control of a responsible individual while on the common areas of the property.</p>	<p>Potential financial obligations of tenants –</p> <p>a) Refundable deposit. Property owners may ask tenants who own or keep cats or dogs in their units for a refundable pet deposit. If the owner chooses to collect a deposit, the deposit must:</p> <ul style="list-style-type: none"> • Be reasonable; • Not exceed the amount periodically fixed by HUD through notice (current limitation is \$300); and • Provide for gradual accumulation of the deposit not to exceed an initial \$50 when the pet is brought into unit and subsequent monthly payments of \$10 per month. <p>For allowable uses of the pet deposit, see paragraph 6.24 D.</p> <p>The unused portion of the pet deposit must be returned to the tenant within a reasonable time after the tenant moves from the project or no longer owns or keeps a pet in the unit.</p>
<p>Registration – Pet owners must register their pets with the project owner/manager before the pet is brought on premises and must update the registration annually. Registration must include the following:</p> <p>a) Certification of inoculation;</p> <p>b) Information sufficient to identify the pet and to demonstrate that it is a common household pet; and</p> <p>c) Name, address, and phone number of at least one responsible party who will care for pet if owner dies or is unable to provide care.</p>	<p>b) Waste removal charge. Owners may impose a separate waste removal penalty of up to \$5 per occurrence for failure to comply with pet rule on waste removal.</p>

Exhibit 6-5: How to Develop Pet Rules [24 CFR 5.353]

Owners must use the following procedures to develop pet rules:

A. Notice

Tenants must be given a notice containing the proposed pet rules. The notice must:

1. Include the text of the proposed rules;
2. State that tenants or tenant representatives may submit written comments on the rules;
3. State that all comments must be submitted to the project owner no later than 30 days from the effective date of notice of the proposed rules; and
4. Announce the date, time, and place for a meeting to discuss the proposed rules.

B. Distribution Method

Owners must distribute the notice by one of the following methods:

1. Sending a letter by first-class mail, properly stamped and addressed, to the tenant at the unit, with a proper return address;
2. Giving a copy of the notice to any adult answering the door at the tenant's leased unit, or if no adult responds, by placing the notice under or through the door, if possible, or else by attaching the notice to the door; or
3. In high-rise buildings, posting the notice in at least three places within the building and maintaining the posted notices intact and in legible form for 30 days.

C. Tenant Consultation

Tenants or tenant representatives may submit written comments on the proposed pet rules by the date specified in the notice. In addition, the owner may schedule one or more meetings with tenants during the comment period to discuss the proposed rules. Tenants or tenant representatives may make oral comments on the proposed rules at these meetings. The owner must consider comments made at these meetings only if they are summarized, reduced to writing, and submitted to the owner before the end of the comment period.

1. For the purpose of computing time periods following the distribution of the notice, the notice is effective on the day that all notices are mailed or delivered or posted, depending on the method of distribution.
2. The owner must develop the final rules after reviewing tenants' comments. He/she may meet with tenants and tenant representatives to

attempt to resolve issues raised by the comments. The content of the final pet rules, however, is within the sole discretion of the project owner.

3. If pet rules are to be included in the lease provisions, the current lease must be amended:
 - a. Upon renewal of the lease and in accordance with any applicable regulation, and
 - b. When a tenant registers a common household pet.