

Emerald Pointe Condominium Association Disability/Modification Policy

It is the intent of this policy to comply with the Michigan Condominium Act, the Federal Fair Housing Act (with amendments), and the Americans with Disabilities Act for any alteration or modification request by a disabled co-owner of the Emerald Pointe Condominium Association.

The Emerald Pointe Condominium Association Board will evaluate any requests as to whether (1) the individual is disabled; (2) the requested accommodation is reasonable; and (3) the requested accommodation is necessary to facilitate access to or movement within the unit or limited common elements relative to the unit.

Any co-owner requesting an alteration or modification to the common elements will, at their own expense, submit to the management agent in writing the following: (1) the person's name and address; (2) the type of disability with certification from a recognized agency or physician; (3) plans and specifications as the type of alteration or modification to the common elements affected, such as color, size or type of material to be used; (4) a schedule of the construction process, including, but not limited to, start date, material delivery date(s), and construction progress and completion dates (5) copies of all permits and related documents, which shall be sent to the Association's Board through the management agent. The co-owner will also be required to execute a Consent to Alteration form provided by the Association, to be recorded with the Register of Deeds and to become part of the unit's chain of title.

A co-owner may make alterations or modifications to their respective unit, including alterations or modifications to the common elements, at their own expense, to facilitate access to or movement within a unit limited common elements relative to the unit as permitted in Section 47a of the Michigan Condominium Act. Such alterations or modifications shall be maintained at the co-owner's expense. The co-owner shall also be liable for any costs of repairing any damage to the common elements caused by building or maintaining the alterations or modifications, in the normal course or building or maintaining the improvement or modification. This shall include any damage to landscaping, asphalt, concrete or building/structural damage.

If the Association Board denies a request for alteration or modification, the Board shall list in writing the changes that need to be made to the proposed alteration or modification in order for the request to conform to the requirements set forth in the Michigan Condominium Act, the Federal Fair Housing Act (with amendments) and the Americans with Disabilities Act, as well as the Association's Master Deed and Bylaws. The Association shall have the right to

approve or conditionally approve the request, or to require additional information, within 60 days after the plans and specifications have been submitted to the Board through the management agent.

If a co-owner who is granted permission to install such alterations or modifications moves out or leases the unit, he/she must notify the Association, in writing, through the management agent, 30 days prior to moving out or leasing the unit. Not more than 30 days after receiving notice from the co-owner, the Association may require that the co-owner remove the alterations or modifications and restore the common elements to their original condition at the co-owner's expense. If the co-owner fails to give timely notice of moving out or leasing the unit, the Association at any time may remove or require the co-owner to remove the alterations or modifications at the co-owner's expense.

While the final decision to grant a request for alteration or modification is the responsible of the Association's Board, all affected committees may participate in the review of the plans and specifications that may provide recommendations to harmonize the modification or alteration with the standards and aesthetics of the community. All questions and requests shall be directed through the management agent.

Policy approved by the Board: 02-14-05
Policy effective: Immediately