

**AMENDMENT TO THE SETTLER'S CROFT HOMEOWNERS' ASSOCIATION RULES  
AND REGULATIONS**

**EFFECTIVE:** \_\_\_\_\_

2/24/2018

**The Board of Directors of the Settler's Croft Homeowners' Association hereby amends the Rules and Regulations to include the following:**

**OCCUPANT AGE VERIFICATION PROCESS**

1. To ensure compliance with federal law and to comply with all requirements to be considered a Housing for Older Persons, the Board shall conduct a survey every two (2) years, from January, 2016, to verify the age of each occupant within each Unit within the Association.
2. An Owner is required to provide verification of age of the occupants upon request by the Association, through a survey. The age verification requirement may be satisfied by providing the Association with any of the following documents:
  - (a) Valid drivers license;
  - (b) Birth certificate;
  - (c) Passport;
  - (d) Immigration card;
  - (e) Military identification;
  - (f) Any other state, local, national, or international official document containing a birth date; or
  - (g) Signing an affidavit asserting that at least one member of the Unit is 55 years of age or older.
3. Failure to respond to the survey or to provide the required documentation to verify one's age, may result in the Association pursuing any remedy against an Owner for a default of the Association's Rules and Regulations, including the imposition of a monetary fine.

**All other terms of the Settler's Croft Homeowners' Association's Rules and Regulations shall remain in full force and effect and to the extent any Rule shall conflict with the terms stated within this Amendment, the terms of the Amendment shall prevail.**

**SETTLER'S CROFT HOMEOWNERS' ASSOCIATION**  
**RESOLUTION REGARDING HOUSING FOR OLDER PERSONS**

*WHEREAS*, the Declaration of Covenants, Conditions, Easements and Restrictions for Settler's Croft Subdivision ("Declaration"), recorded as document number 2003070784 with the Will County Recorder of Deeds, created and established the Association; and

*WHEREAS*, the Association is a not-for-profit corporation organized and existing under the laws of the State of Illinois; and

*WHEREAS*, the Association is governed by a Board of Directors (the "Board"); and

*WHEREAS*, pursuant to the Declaration the Board is tasked with the administration and management of the property located within the Association; and

*WHEREAS*, the Association wishes to maintain its "housing for older persons" exemption under the Fair Housing Act ("FHA"); and

*WHEREAS*, Article 3, Section 3.4 of the Declaration states that the Association is intended to qualify for the "housing for older persons" exemption under the FHA; and

*WHEREAS*, in January, 2016, the Association through its Board surveyed the occupants of the Units to verify their age;

*WHEREAS*, in January, 2018, the Association through its Board surveyed the occupants of the Units to verify their age;

*WHEREAS*, the Association through its Board intends to comply with the requirements under the law to ensure that the Association is truly a housing for older persons, as of the date of this resolution and going forward;

*WHEREAS*, the Board desires to adopt a policy pertaining to the qualification for the "housing for older persons" exemption under the FHA; and

*WHEREAS*, the Board has sought the advice of legal counsel;

*NOW THEREFORE*, the following shall be considered a Resolution and Policy of the Board.

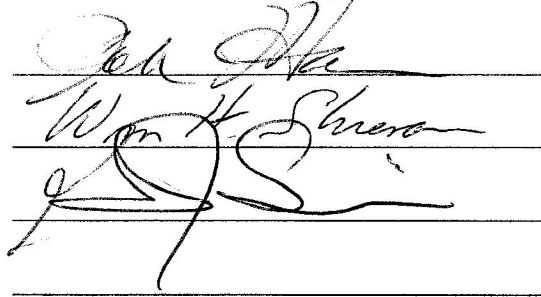
1. The foregoing recitals are incorporated herein by reference as if set forth fully herein.
2. As of the date of execution of this Resolution, at least eighty percent (80%) of the occupied Units must be occupied by at least one person 55 years of age or older at all times; provided, the Association has a preference for one hundred percent (100%) of

occupied Units to be occupied by at least one person 55 years of age or older at all times.

3. The Association, through its Board, will continue to strictly comply with the requirements of the FHA to ensure that it qualifies for a Housing for Older Persons.
4. The Association, through its Board, resolves to enforce the Rules and Procedures regarding age verification as within the Association's Rules and Regulations.
5. The Association, through its Board, shall consider a unit to be occupied by one person 55 years of age or older if:
  - (a) at least one occupant of the Unit is 55 years of age or older, based on proper documentation; or,
  - (b) if the Unit is temporarily vacant, at least one of the occupants immediately prior to the date on which the Unit was temporarily vacated was 55 years of age or older based on proper documentation.
6. The Association, through its Board, has prepared a summary of the results for each year it has completed an age verification survey, which can be made available upon request to any member of the Association or requesting party.
7. The Association, through its Board, will retain copies of all documents submitted and completed by each occupant and relied upon by the Association to conclude it meets the requirements to be a housing for older persons.

***IN WITNESS WHEREOF***, we the undersigned members of the Board of Directors of Settler's Croft Homeowners' Association consent to the adoption of this Resolution at a meeting held on 2/24/18, 2018 in Will County, Illinois.

Respectfully Submitted,  
The Board of Directors

  
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