

Prepared by:

RONALD L. PERL, ESQ.

**ADDENDUM TO MASTER DEED AND BY-LAWS OF  
CLEARBROOK OXFORD VILLAGE CONDOMINIUM ASSOCIATION NO 14, INC.**

THIS ADDENDUM to the Master Deed and By-Laws is made this 22 day of December 2014, by the Clearbrook Oxford Village Condominium Association No 14, a New Jersey nonprofit corporation, located in the Township of Monroe, County of Middlesex and State of New Jersey (hereinafter referred to as "Section 14").

The Association does hereby add the following resolution as an addendum to the Master Deed and By-Laws recorded in the Office of the Middlesex County Clerk on October 6, 1983 in Deed Book 3313 at Page 482 et seq. This Addendum shall supersede any previously adopted regulations with regard to resident requests for "reasonable accommodation to disabilities".

Record and Return:  
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**Resolution of The Board of Directors of Clearbrook Oxford Village Condominium  
Association No 14 Adopting Protocol for Responding to Resident Requests for  
"Reasonable Accommodation to Disabilities"**

**WHEREAS**, Clearbrook Oxford Village Condominium Association No 14 (Section 14) is a New Jersey corporation subject to the federal Fair Housing Amendments Act of 1988 (42 U.S.C. §§ 3601 et seq.; the "FHAA") and is a "housing provider" as defined pursuant to the New Jersey Law Against Discrimination (N.J.S.A. 10:5-1 et seq., the "NJLAD") and governed by the regulations promulgated thereunder; and

**WHEREAS**, the NJLAD and FHAA require that Section 14 as a housing provider consent to a resident's request for "reasonable accommodation" if the resident establishes to Section 14's satisfaction the existence of a legally recognized "disability" and right to "reasonable accommodation" to aid in mitigating the effect of the disability to permit them to make full use and enjoyment of Section 14's "common elements"; and

**WHEREAS**, Section 14 as a housing provider has the right to obtain relevant medical information from applicants in order that the Board, not being comprised of medical professionals, may determine whether the applicant is "disabled" and has a right to "reasonable accommodation"; and

**WHEREAS**, the Section 14 Board of Directors, in order to obtain sufficient reliable medical information, has the right to obtain the opinion (s) of the applicant's competent medical services provider (s) identifying the resident's disability; why a reasonable accommodation is medically necessary; the medical necessity for the specific accommodation(s) requested; and regarding whether there are acceptable alternative accommodations (except in cases where the disability and need for specific accommodation is obvious) that do not impose an undue burden on Section 14; and

**WHEREAS**, the Section 14 Board of Directors has determined that it is in the Association's best interests to adopt a uniform protocol to analyze and respond to disabled residents' requests for "reasonable accommodation" as the best means of ensuring equal

treatment of all residents without discrimination in order that all may make equal use of Section 14's "common elements"; and

**WHEREAS**, the Section 14 Board of Directors has conferred with and obtained the opinion of its corporate counsel regarding its duty to provide "reasonable accommodation"; and

**WHEREAS**, the Section 14 Board of Directors pursuant to Article V, Section 1 of the Amended By-laws possesses the power to administer the Association's affairs; and

**WHEREAS**, the Section 14 Board of Directors desires to establish a protocol to ensure that all such requests are treated fairly, equally and without discrimination and in compliance with the FHAA and NJLAD.

**NOW THEREFORE BE IT RESOLVED as follows:**

1. A resident who requests "reasonable accommodation" to a legally recognized disability must file a written request with Section 14 Board of Directors;
2. Section 14 Board of Directors shall acknowledge its receipt of a request within five (5) days by certified mail, return receipt requested, addressed to the resident's last known address as listed in Section 14's records.
3. Section 14 Board of Directors within five (5) business days of receipt of a request shall forward the request to the Section 14's legal counsel for review.
4. Counsel within 10 days of receipt shall review the request and respond to the Section 14 Board of Directors with its initial recommendations including any recommendation for immediate action(s) that may be taken. Counsel's recommendation(s) shall include a request that the Section 14 Board of Directors direct counsel to respond to the resident by letter:
  - a. conveying that the Section 14 Board of Directors has decided to grant or deny the request based on the information provided by the resident to the Board; or
  - b. requesting that the resident within thirty (30) days provide (additional) supporting medical or other relevant information to counsel in the event the Section 14 Board of Directors finds that the initial submission provided is inadequate to afford it a reasonable basis upon which to grant or deny the request; such information may be provided by the resident

- (1) in writing by the resident or his medical provider(s) or
  - (2) the form "Medical Provider Confidential Certification Letter" provided by the Section 14 Board of Directors counsel to the applicant; or
- c. requesting that the resident consult with Section 14 Board of Directors regarding resolution of the request.
5. The Section 14 Board of Directors within a reasonable period of time of receipt of counsel's recommendation shall review the request and inform the resident whether the Section 14 Board of Directors is granting or denying the request or, in the alternative, requesting that the resident confer further with the Section 14 Board of Directors.
6. Section 14 Board of Directors is directed to implement this Protocol and is hereby authorized to adopt any necessary procedures to implement this Protocol; subject to Board approval, in order to achieve the purpose of affording reasonable accommodation.

For the purposes of this resolution, the term "resident" shall include the record owner or other person(s) permanently residing in the unit who are otherwise legally entitled to occupancy pursuant to Section 14's governing documents, including, but not limited to, tenants who occupy a residence pursuant to a written lease properly filed with and approved by the management office.

For the purposes of this resolution, the term "common elements" shall mean the commonly owned real property within Section 14 as it is defined in Article I, Section 4(m) of the Amended By-Laws of Clearbrook Oxford Village Condominium Association No 14.

IN WITNESS WHEREOF, the Clearbrook Oxford Village Condominium Association No 14 has affixed its hand and seal the day and year first above written.

Joseph Horowitz  
Joseph Horowitz, Acting Secretary

Tammy Goldhammer  
Tammy Goldhammer, President

**ACKNOWLEDGMENT**

STATE OF NEW JERSEY :  
: SS  
COUNTY OF MIDDLESEX :

I certify that on December 22, 2014, Joseph Horowitz, personally came before me and acknowledged under oath, to my satisfaction, that he/she is the Acting Secretary of the Clearbrook Oxford Village Condominium Association No 14, is the attesting witness to the signing of this document by the proper corporate officer who is Tammy Goldhammer, the President of the corporation; This document was signed and delivered by the corporation as its voluntary act duly authorized by a proper Resolution; he/she knows the proper seal of the corporation which was affixed to this document; and he/she signed this proof to attest to the truth of these facts.

Subscribed and sworn to, before me, this 22 day of December 2014.

Daisy Henderson  
A Notary Public of New Jersey  
My Commission Expires: \_\_\_\_\_

