

Academy Terrace Homeowner's Association (ATHOA)
Monthly Board Meeting June 5th, 2024, @ 7:00pm

Members present: Scott, Tami, Tom, Josh

1. Meeting to Order: 7:09pm
2. Approve May minutes: Approved
3. Treasurer's Report – Approved
4. **Old Business**
 - a. 2024 Events
 - i. Park Improvement Vote – June 18th @ 6:00pm
 - ii. National Night Out – August 6, 2024, first Tuesday in August
 - b. Park maintenance and business
 - i. Status: In Progress
 - ii. Porta Potty – Private Park – Not required to be ADA compliant. Board will address any ADA request when presented.
 - c. Non-HOA members have been repeatedly parking at the private park despite towing warning signs.
 - i. Postcard warnings to let drivers know they are risking being towed.
 - d. Voting
 - i. June 18th 6:00-7:00pm at the playground. Scott will bring Table, maps of ATHOA and popup if rain. Tamil will bring signing sheets, pens.
5. **New Business:**
 - a. Park Keys
 - i. 3 out of 4 requests for keys has been delivered.
 - b. Information requested from 3 homeowners, emails will be sent
 - c. Additional new business?

Next meeting Thursday, July 11th @ 7:00pm

Adjourned:7:54pm

Minutes: Scott

A homeowners association (HOA) is not a local government, nor is it a business or nonprofit open to the public. Therefore, it is not covered by Title II or Title III. There is some news here and a caution as well.

First, the U.S. Department of Housing and Urban Development (HUD) has not adopted the 2004 ADA/ABA Guidelines. That means the play area requirements are not mandated by HUD. Today, HUD uses the Uniform Federal Accessibility Standards, which do not address sports fields, playgrounds, sports courts, pools, golf courses, fitness centers, and more. Why HUD continues to use old UFAS, and why HUD has a standard that does not address any recreation elements, is not clear. However, that is the status today.

Additionally, some housing may indeed be subject to Title II. Local government affordable housing is clearly a “program” of local government. That means common areas, such as fitness centers, playgrounds, and swimming pools, will, therefore, be subject to Title I and the 2010 Standards. The point here: be clear about who and what the housing is.

In April of 2013, the HUD and the US DOJ published a joint statement regarding accessibility and housing. There are some grey areas. Perhaps the most important is that a playground at an HOA, if used only by residents

and their invited guests, is likely exempt from the ADA. But if the HOA allows members of the general public to use the playground, it converts the playground into a Title III entity.