



The VFTS Newsletter for News, Reminders, Tidbits and Updates

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Rock...meet Hard Place

The VFTSCA Council has a legal responsibility to enforce the Rules and Regulations of the Condo Documents. Failure to do so results in potential liability should any resident suffer damage to property or self. Multiple paragraphs in section 9 of the Rules and Regulations are summed up as follows:

VFTS is a NO PET building.

We expect that owners will comply with this regulation immediately. We have frequent complaints that need to be addressed. They are,

- Residents worry about ticks and fleas and are alarmed when they witness dogs relieving anal gland itch by dragging their butts across the carpet in the halls.
- People clean out kitty litter boxes in the trash rooms, clogging the sink and leaving behind an unpleasant stench.
- There was an incident of a large fish tank breaking and flooding the unit below.
- Dogs relieve themselves in the elevator leaving our cleaning staff to have to clean up the feces and disinfect the elevator.
- People dispose of bags of used kitty litter down the trash chute and the heavy bags break open. The maintenance staff, especially our former housekeeper Julius, complain bitterly about having the task of shoveling up urine soaked kitty litter and feces.
- We have had verbal and written complaints about dogs barking during the day.
- There is a dog in the building that has bitten two people.
- About four years ago a man bought a condo here and spent time and money to make it quite lovely. He read our documents and was assured that there were no pets in this building as he had a severe medical condition. After he moved in, he came in contact with a cat owner on his floor, went into anaphylactic shock and was hospitalized for four days. He had been critically ill. The failure of the Council and Management to enforce the **no pet** rule almost killed this man, to say nothing of the liability risk. He chose not to take legal action and chose to sell his unit and move.

Exceptions to the Rule

Service dogs, as defined by the ADA, have special and specific training to help disabled owners with guidance, disease detection, mobility, etc. These animals rarely disturb anyone and are legally permitted in housing units, restaurants, airplanes, etc. We have had Service dogs in the building with no problems. There are no Service dogs registered in the building at this time.

Emotional Support Animals (ESA) are the second category of animals allowed in a housing complex. An ESA is an animal that provides relief to individuals with "psychiatric disability through companionship." Emotional support animals may be any type of pet, and are not recognized as service animals under the Americans with Disabilities Act.

Any Service Dog or ESA in this building must complete a reasonable accommodation form along with documentation from their medical service provider before the animal resides in the building. Proof of immunization must be provided annually.

Before you ask... Yes, we have neighbors who have suffered traumatic events or tragic loss and have had their treating physician recommend an ESA. They deserve our compassion and support. And, Yes, we have neighbors who wish to have pets despite the rule and go online to complete a survey and for \$99 get a "health professional" to declare them mentally or emotionally disabled. Can we treat them differently? NO. Although there are groups trying to pass legislation outlawing this type of work around.

And therein lies the rub... (Apologies to Shakespeare)

We are consulting lawyers, veterinarians and law enforcement in animal control to fashion a policy that protects the rights of mentally/emotionally disabled residents as well as the safety, comfort and expense of all of our residents. At this time we are reviewing our files to see who has the requisite documentation for Service or ESA and that immunizations are up to date. We have asked that aggressive dogs be muzzled and warned residents. If you have any concerns, please let the office know at 610-783-0810 or manager@vftsouth.com.

Contact Kathy Neary at kathyn@vftsouth.com or leave a note in the cubby labeled "council" if you want citations for the information sources. Anonymous notes are not read.



<p>Save the date!!! Holiday Party - December 2, 2022 Details to follow ☺</p>
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AUTUMN, THE YEAR'S LAST, LOVELIEST SMILE,

WILLIAM BRYANT