

**RESOLUTION OF THE MANAGEMENT COMMITTEE
FOR
CANYON ROAD TOWERS CONDOMINIUMS**

Animal-Free Building

WHEREAS, the Canyon Road Towers Owners Association, Inc. (the "Association") is a Utah non-profit corporation, which was created by the *Declaration of Condominium of Canyon Road Towers*, recorded in the Salt Lake County Recorder's Office on March 16, 1976 at Entry No. 2794954 ("Declaration");

WHEREAS, all Owners within the Association are bound by the Declaration and all amendments thereto;

WHEREAS, Section 12(a) of the Declaration vests all powers and duties to the Management Committee that are reasonable and necessary for the management and operation of the Association;

WHEREAS, Section 12(a)(8) of the Declaration grants the Management Committee "authority to promulgate such reasonable rules, regulations, and procedures as may be necessary or desirable to aid the Committee in carrying out any of its functions or to insure that the project is maintained and used in a manner consistent with the interests of the Unit Owners";

WHEREAS, Section 7(b)(6) of the Declaration prohibits all pets within the Association;

WHEREAS, certain animals may be considered Assistance Animals (including service animals and emotional support animals) under Federal and State Law, and as used by the animals' owners;

WHEREAS, at least one Owner within the Association has a severe and life-threatening allergy to certain animals, particularly dogs and cats. Said Owner has provided supporting evidence of such allergy to the Management Committee;

WHEREAS, the Owner with the severe animal allergy originally purchased a Unit within the Association with the specific understanding that no animals were allowed;

WHEREAS, at least one other Owner within the Association has recently applied to the Management Committee for permission to maintain a cat, which said Owner proposes is a service / comfort animal;

WHEREAS, the Management Committee, the Association, and its property management company are fully aware of, and sympathetic to the benefits of service and comfort animals in assisting individuals with certain disabilities or handicaps;

WHEREAS, the Management Committee finds that the interests of the Owner with the severe allergy and the interests of the Owner with the cat are both important, but those interests are also conflicting;

WHEREAS, the Fair Housing Act, 42 U.S.C. 3604, Section 804(9) states that federal law "does not require[] that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals."

WHEREAS, the Management Committee finds that maintaining a cat on the premises would in fact constitute a direct threat to the health and safety of the Owner with the severe allergy;

BE IT THUS RESOLVED, if any Owner requests an accommodation or exception to the no-pet policy while an existing Owner or existing lawful resident within the Association has a severe allergy to the animal that is, or requested to be, maintained within the building, the Management Committee shall deny such request to ensure the health and safety of the Owners and residents.

BE IT FURTHER RESOLVED, that all future Owners and residents are required to notify the Management Committee of any potential problems with allergies related to animals, and any such Owners and residents shall submit to the Management Committee verification of such allergies and verification of the severity that would exclude Assistance Animals (or animals of any kind) from residing in, or visiting the Association.

**MANAGEMENT COMMITTEE FOR
CANYON ROAD TOWERS OWNERS ASSOCIATION, INC.**

BY: Michael Klein

TITLE: President, CRT HOA

DATE: 3/15/17