

Hudner Building Pet Rules

The following rules have been developed for properties that are required by law to allow pets. Typically, Massachusetts properties that are designated as Elderly/Disabled property. Please note that this policy has been created for pets not service animals. Service animals that assist persons with disabilities are never considered pets.

These Rules govern the registration, keeping and conduct of pets at The Hudner Building, 145 Old Second Street, Fall River, MA 02721. In addition, these rules describe the procedures required to secure approval for a Hudner Building resident to keep a pet on the premises.

Any resident wishing to obtain a new pet, or any new resident prior to moving in with a pet, must complete an application and obtain approval from Management.

Residents maintaining pet(s) in their apartment, with the prior consent of Management. On or before the date of the adoption of this policy, may retain their pet(s) for the lifetime of the pet(s). Within thirty days after the adoption of this policy, the resident must complete an application and provide all documentation as requires; and the resident must continue to maintain the pet in accordance with the provisions of this policy. All aspects of this pet policy shall apply to pets currently kept by residents with the exception of:

The limitation of the number of pets, if a larger number has previously been approved by Management.

The mature size of the animal, which may not exceed thirty pounds.

Responsibility Party:

The apartment complex and the staff are in no way responsible for any actions, injuries or damages caused by any tenant's pet. A pet is the sole responsibility of the tenant owner.

Pets Rules:

1. Residents are allowed to have common household pets. A common household pet is defined as a domesticated animal such as one dog, one cat, two canaries or parakeets, rodent (two gerbils, or two hamsters, or one rabbit), fish, or one turtle that is kept in the home for pleasure rather than for commercial purposes. It does not, except for turtles, include reptiles.
2. Registration – Prior to bringing a pet into the unit, the pet owner shall register the pet with management. On a yearly basis thereafter, as part of the tenant's annual recertification, or as management directs, the tenant pet owner shall re-register the pet.
 - a) As part of the registration process the pet owner shall:
 1. Complete the registration forms provided by management;

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2. Provide a certificate from a licensed veterinarian stating that the pet has received all vaccination required by law (rabies, distemper, parvovirus, feline leukemia.)
 3. If the pet is a dog, provide evidence that the animal is licensed in accordance with state and local requirements;
 4. Provide evidence in the form of a veterinarian's certificate that the pet, if a dog or cat, whether male or female, has been spayed or neutered.
 5. In the case of either a dog or a cat arrange an interview with the site manager, pet owner and pet so that the site manager will have an opportunity to observe the pet's temperament;
 6. **Alternate Caretakers:** The pet owner must supply Management with at least three (3) persons who are willing to assume immediate responsibility of the pet in case of an emergency (i.e. pet owner's absence or inability to care for the pet adequately). Written verifications of the willingness of there person to assume alternate caretaker responsibility is required. Management will verify their willingness to assume responsibility for the pet. It is the pet's owner's responsibility to notify the Management of changes in those caretakers. It is the responsibility of the caretakers to remove the family pet within eight (8) hours from the onset of the owners absence and care for the pet elsewhere, until it is deemed by management that the tenant can again care for the pet on a daily basis.
In case of emergency, when Management is unable to contact the alternate caretakers, the pet owner agrees to allow Management to place the pet in an appropriate boarding facility. The owner will be responsibly to pay all fees for boarding the pet. If the owner goes to the hospital or goes on vacation, it is the owner's responsibilities to make all necessary arrangement to have someone take the pet out of the apartment to care for it. **No animal may be unattended overnight, with the exception of birds and fishes.**
 7. Provide proof that the animal has been professionally treated for fleas, ticks, and other vermin.
 8. Provide the pet's attending veterinarian's name, address and phone number.
- b) Management reserves the right to refuse to register a pet or to re-register a pet if:
1. The pet is not a common household pet;
 2. Keeping the pet would violate any applicable house pet rules;
 3. The Property Administrator reasonably determines based upon the pet owner's habits and/or practices and/or the pet's temperament

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that the pet owner will be unable to keep the pet in compliance with the pet rules and other lease obligations. In considering the pet's temperament, management will evaluate such factors as the pet's size, type, disposition, and behavior (including obedience), familiarity with the leash and prior living arrangements.

- b. If management refuses to register a pet it will provide the pet owner with notice of its refusal and the basis for its action.
- 3 Only **ONE** four-legged, warm-blooded animal will be allowed in any one dwelling unit.
- 4 Due to the small size of the dwelling units, dogs shall not exceed thirty (30) pounds or seventeen 17 inches in height at the shoulder when full grown, your veterinarian shall determine the height, weight, and breed at pet maturity. A non-documented breed of animal will be assumed to mature to size which has been determined by a qualified veterinarian in writing. Dogs that exceed these qualifications will not be allowed.
- 5 Cats shall not exceed fifteen 15 pounds in weight or ten 10 inches in height at the shoulders when full grown. Your veterinarian shall determine the height, weight, and breed of the pet at maturity. A non-documented breed of animal will be assumed to mature to the size which has been determined by a qualified veterinarian in writing. Cats that exceed these qualifications will not be allowed.
- 6 All dogs and cats must wear the appropriate current local animal license, a current rabies vaccination tag, and a tag identifying the pet owner with a name, address, and phone number.
- 7 Birds and rodents must be kept in a cage, no bigger than H: 3' x W: 2'. No more than two birds may be kept in the unit. Only one cage will be allowed per dwelling unit. Parrots are not permitted.
- 8 No aquarium in excess of ten gallons in size is allowed. The size of the aquarium must be suitable for the number of fish. When cleaning or filling the fish tank, any water damage that occurs as a result is the tenant's responsibility and any charges billed to the tenant must be paid within 30 days of the incident.
- 9 No visiting pets are permitted. This includes pets being kept temporarily on the premises.
- 10 Sanitary standards:

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- a. All animals, except those maintained in cages, must be housebroken before they are brought into the dwelling unit. For dogs this means that the pet is capable of indicating to its owner when it needs to relieve itself, and/or waiting until exercised before relieving itself, and that it will not relieve itself in the unit. For cats it means that the pet is trained to relieve itself in a litter box designated for that purpose.
- b. In the event that a previously housebroken animal becomes incontinent, management may require removal of the pet.
- c. Pet owners are required to remove their pets from the project premises for exercise or to deposit pet waste. In the event that a pet should deposit solid waste on the project premises the pet owner is required to remove the pet waste from the area, place it in a plastic bag, and dispose of it in a designated trash receptacle.
- d. Dogs are not to be exercised near the project's shrubs, bushes and on the grass. Animal urine will destroy shrubs, bushes and grass.
- e. Pet owners of animals that are litter box trained are required to:
 1. Place the litter in a box or receptacle that is water tight;
 2. Empty all solid waste from the litter box on a daily basis placing such solid waste in a sealed plastic bag and disposing of it in the trash, solid waste should not be deposited in the toilet;
 3. Change the litter twice a week, placing the contents in a separate plastic bag that has been securely fastened, and disposing of the bag down the garbage chute.
- f. Pet owners of pets that are maintained in cages, with the exception of guinea pigs, are required to change the cages at least once a week, disposing of the contents in a plastic bag that has been securely fastened, and disposing of the bag down the garbage chute. Guinea pig cages must be changed three times in order to minimize order.
- g. In the event that a pet owner fails to properly dispose of his pet's waste and it becomes necessary for management to do so, the pet owners will be charged a \$5.00 pet waste disposal fee. This fee is in addition to any other rights that management may have for violation of these pet rules.
- h. In the event that a pet has an accident on any of the carpets in the dwelling unit, the pet owner must take immediate measures to clean the area to minimize the possibility of staining.
- i. All fur bearing animals must be professionally treated at least once a year for fleas, ticks and other vermin. The pet owner must provide management with proof, in a form acceptable to management that the animal has been so treated.

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- 11 Pets must either be leashed, or confined to an animal transport when outside the dwelling unit, in transit through the lobby or on the project premises. Pet owners must adhere to local ordinances that require that dogs be leashed, and not allowed to run free. City Ordinance regulations require leashes to be the following lengths: Fall River: No longer than 3', New Bedford: 7' Worcester: 6'.
- 12 Pets are specifically excluded from the laundry rooms, community rooms, and decks.
- 13 When accompanied by a pet, pet owners must not loiter in the lobby or elevator lobby area.
- 14 In the event that pet causes damage to the premises or it becomes necessary to fumigate the dwelling unit for fleas and ticks, the pet owner will be responsible for reimbursing management for the cost of the damage or fumigation. If the pet owner refuses to reimburse management the amount will be deducted from the security deposit.
- 15 In order to insure that other residents are not disturbed by chirping or singing in the early morning hours, owners of birds are required to keep the cages covered until 8:00 a.m.
- 16 In order to insure the health and safety of all the occupants the pet must be left in the dwelling unit during fire drills and other emergency evacuation procedures.
- 17 With the exception of animals normally confined to cages such as birds and rodents, or fish, animals shall not be left unattended in a dwelling for more than eight hours. In the event that an individual animal demonstrates that it cannot be left unattended for this period of time without causing a nuisance to other tenants by barking or crying management may require that animal not be left unattended. Pets shall not be left unattended outside the dwelling unit. Should a pet become a nuisance or a threat to the health or safety of another person, the management may require the pet to be removed from the premises.
- 18 Pet owners agree to promptly and regularly perform the following obligations with respect to their ownership of a pet:
 - a) Keep the dwelling unit clean and free of pet odors, insect infestations and pet feces, urine, waste, and litter.
 - b) Restrain and prevent the pet from gnawing, chewing, scratching or otherwise defacing the doors, walls, windows, and floor coverings of the units and the common area, buildings, landscaping and shrubs.

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- c) Prevent pets from creating a disturbance for the other tenants and/or interfering with other tenants' quiet enjoyment by excessive barking, whining or meowing.
- 19 Pet owners will not be allowed to maintain a pet that is determined to be a nuisance or a threat to the health and safety of the other occupants. A pet will be determined to be a nuisance of:
- a) It has a vicious disposition;
 - b) It bits and/or attacks a person;
 - c) It bites, and/or attacks, maims or damages another animal;
 - d) It contracts a contagious disease;
 - e) Chases vehicles in the project parking lot; and
 - f) Persistently, consistently and prolongedly barks, howls, whines, meows, and/or cries for more than thirty (30) minutes.
 - g) Causes offensive odors in the hallways.
 - h) Becomes a threat to the health or safety of another person.
- Any damages due to owner's pet will be billed to the owner and payment must be made in full within thirty 30 days of incident.
- 20 Maintenance will not go into an apartment of the owner to do routine repairs unless the pet owner or family are present and places the pet under control while they are there. In an emergency situation, entry can be made immediately. Notice will be given to the pet owner after such an entry and given the reason why.
- 21 Violation of the pet rules: All dogs and pet owners shall be required to comply with applicable city ordinances.
- I. If the project owner receives a written complaint and reasonably determines that a pet owner is violating the pet policy the owner will:
 - i. Send the pet owner a notice of the violation, setting forth the basis for the determination that the pet rules have been violated.
 - ii. Advise the pet owner that he has ten days from service of the notice in which either to correct the alleged violation or make written request for a meeting with management to discuss the violation. In appropriate circumstances, management may require removal of the pet as a means of curing the violation.

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- iii. For purposes of these rules, appropriate circumstances that would require the project owner to request removal of the pet includes, but are not limited to, instances in which the pet has become a nuisance as defined at Paragraph 15 of these rules.
- iv. Advise the pet owner that if he requests a meeting with management he may be accompanied by another person of his or her choice at the meeting.
- v. Advise the pet owners that if he fails to correct the violation, request a meeting or appear at a requested meeting that the project owner may initiate procedures to terminate the pet owner's tenancy.
- vi. Residents will not allow pets to disturb the health, safety, rights, and comfort or quiet enjoyment of other residents. Repeated substantiated complaints from other residents or building personnel regarding pets disturbing the peaceful enjoyment of the premises through noise, smell, animal waste or other nuisance, will result in the resident having to remove the pet or face the consequences of a lease violation and possible eviction.
- vii. Control of Pet:
 - Pet owners must be in control of their pet all the times. Pets are not permitted in the laundry area, front lobby, or the community room at any time.
 - The stairwells will not be used to exercise pets.
 - No pet that bites, attacks, or demonstrates other aggressive behavior toward humans may be kept on the premises.

II. If the pet owner makes a timely request for a hearing with the Property Administrator or Regional Property Administrator, the project owner shall:

- i. Schedule a mutually agreeable time and place for the meeting no later than fifteen days from the effective date of the service of the notice of the pet rule violation.
- ii. At the meeting the pet owner and project owner may, as a result of the meeting, give the pet owner additional time to correct the violation.

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- III. If the project owner and the pet owner are unable to resolve the pet rules violation, the project owner may serve notice on the pet owner to remove the pet from the premises. This notice shall advise the pet owner of the basis for the determination, state that the pet owner has ten days from the date of service to remove the pet and advise the tenant that failure to remove the pet may result in termination of the tenancy.
 - i. Nothing in these rules shall prohibit the Property administrator from requesting that the local animal control officer immediately remove a pet from the premises if it poses a threat to the health and safety of the tenants.
 - ii. In the event that a pet owner becomes unable to care for the pet, management will contact the person or persons who have indicated that they will assume responsibility for the pet and request that they are for the pet. If they are unable or unwilling to do so, the pet will be placed in an animal shelter.
 - iii. These rules do not apply to animals that assist the handicapped.

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SERVICE ANIMAL RULES

Individuals with disabilities who have a service animal are subject to the following; regardless of the property they reside on. The resident must provide a note for a qualified service provider (trainer, social workers, physician, etc) that animal has been trained as a service animal.

1. Complete the registration forms provided by management;
 - Provide a certificate from a licensed veterinarian stating that the service animal has received all vaccination required by law;
 - a) If the service animal is a dog, provide evidence that the animal is licensed in accordance with state and local requirements;
 - b) Provide the names of two responsible individuals who are willing to take care of the service animal in the event that the service animal owner dies or is incapacitated. Management will verify their willingness to assume responsibility for the service animal;
 - c) Provide proof that the service animal has been professionally treated for fleas, ticks, and other vermin.
 - d) Dogs are not to be exercised near the project's shrubs, bushes and on the grass. Animal urine will destroy shrubs, bushes and grass.
 - e) In the event that a service animal should deposit solid waste on the project premises the service animal owner is required to remove the service animal waste from the area, place it in a plastic bag, and dispose of it in a designated trash receptacle.
 - f) In the event that a service animal has an accident on any of the carpets in the dwelling unit, the service animal owner must take immediate measures to clean the area to minimize the possibility of staining.
 - g) Service animal owners agree to promptly and regularly perform the following obligations with respect to their ownership of a service animal:
 - (a) Keep the dwelling unit clean and free of odors, insect infestations and service animal feces, urine, waste and litter.
 - (b) Restrain and prevent the service animal from gnawing, chewing, scratching or otherwise defacing the doors, walls, windows, and floor coverings of the units and the common area, buildings, landscaping and shrubs.
 - h) Prevent service animals from creating a disturbance for the other tenants and/or interfering with other tenants' quiet enjoyment by excessive barking, whining or meowing.
 - i) Service animal owners will not be allowed to maintain a pet that is determined to be a nuisance or a threat to the health and safety of the other occupants. A service animal will be determined to be a nuisance if:
 - a. It has a vicious disposition;

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- b. It bites and/or attacks a person;
- c. It bites, and/or attacks, maims or damages another animal;
- d. It contracts a contagious disease;
- e. Chases vehicles in the project parking lot; and
- f. Persistently, consistently and prolongedly barks, howls, whines, meows, and/or cries between the hours of 8:00p.m. and 8:00a.m. for more than two consecutive days.

Signatures:

TENANT
BY:

1. _____ / /
Signature Date signed

LANDLORD: Hudner Associates
BY: its agent _____

print
1. _____ / /
Signature Date signed
For Nebel Property Management