

Matrix Addendum: Roommate Ban

Section	Rule/Change	Legal Status	Quick Note
Use & Occupancy 99	Board must approve <i>any</i> adult occupant (including roommates) before move-in	 Likely Unenforceable	This restricts owners' right to decide who lives in their home — violates Fair Housing and FS 718 if not in the declaration.

Why This Is Problematic:

Roommates ≠ Tenants: Florida law treats *tenants* and *occupants* differently. A roommate isn't necessarily signing a lease or paying rent to the Association. The Board can't impose the same restrictions without a **recorded amendment** in the declaration.

Fair Housing Risk: If this rule is used to limit who can live there based on age, familial status, disability, race, orientation, etc., they could be violating federal law — and that opens up the Association to **civil rights complaints**.

Unenforceable if Not in Declaration: Per Florida case law, **restrictions on occupancy** must be in the Declaration to be valid — **rules alone won't cut it**.

Retaliation Tool: It gives the Board broad power to deny someone's roommate for vague or retaliatory reasons. That is *ripe for abuse* and likely your current board's bread and butter.

Bonus: The Fine Print They're Hoping You Don't Catch

"All occupants 18 years or older at the time of initial residency must complete an application and receive approval prior to occupancy."

That little line is *exactly* how they're trying to enforce a "no roommates without our blessing" rule — without explicitly saying "no roommates." **It's regulatory gaslighting.**

Want me to call this out even harder in the public-facing summary or DBPR letter? This is one of those rules that could collapse under pressure if even one owner files the right complaint.

Just say how loud you want to go — subtle legal takedown or full-on "this is a civil rights issue" energy.

