

**Oakmont Village Association (OVA)  
Confidential Survey**

The purpose of this information survey is to enable the OVA to:

- (1) comply with federal and state age-restricted residency laws; and
- (2) verify the number of occupants for accurate billing of assessments.

**Instructions to Owners:**

**Resident Owners:** Please complete this form for yourself and all others residing in your household.

**Absentee Owners:** *Please complete this form as it applies to your tenants.* Please inform OVA and OAS Management (if your property is in a maintained area association) of occupants(s) changes as they occur.

**Age Restricted Residency:** By law, at least one resident per household must be 55 or older; this person is known as the "Qualifying Resident" (senior citizen). Other persons younger than 55 may qualify to reside in Oakmont, if they meet **both** of the following conditions:

- "1. The person was residing with the senior citizen or qualifying resident before the death, hospitalization, or other prolonged absence of, or dissolution of the marriage with, that senior citizen or qualifying resident; **and**
- 2. Was **45** years of age **or** older **or** was a spouse, domestic partner, or person providing primary physical or economic support to the qualifying resident or to the senior citizen." (*See full text of OVA Assessments*).

**OVA Assessments:** The property owner is responsible for all OVA assessments, which are based on the number of residents per household.

**(Confidential Information (about all residents at the indicated Oakmont address):**

	<b><u>Resident Name</u></b>	<b><u>Relation to Qualifying Resident</u></b>	<b><u>Birth Date</u></b>	<b><u>Move-in Date</u></b>
1.	_____	_____	_____	_____
	Qualifying Resident			
2.	_____	_____	_____	_____
	Other Resident			

\_\_\_\_\_  
**EMERGENCY CONTACT NAME**

\_\_\_\_\_  
**EMERGENCY CONTACT PHONE NUMBER**

**NOTE:** A caregiver residing at this address, who does not maintain a primary residence elsewhere, **must be listed above.**

*Please contact the OVA Office if you have questions about this form.*

**Attested By: Property owner or legal agent.**

**ADDRESS:** \_\_\_\_\_  
Address of Oakmont residents listed above

\_\_\_\_\_  
Telephone of Oakmont homeowner

\_\_\_\_\_  
Email: Emergency Info & Community notices

\_\_\_\_\_  
**OVA MEMBER NO.**

\_\_\_\_\_  
**PLEASE PRINT NAME**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**OWNER SIGNATURE**

*Please return this confidential form to: 6637 Oakmont Drive, Suite A, Santa Rosa, CA 95409  
Phone: 707-539-1611 Fax: 707-539-6537*

## AGE RESTRICTIONS

### UNRUH ACT, CIVIL CODE SECTIONS 51.2, 51.3, F.T. SEQ.

The earlier subdivisions and CC&R's in Oakmont have age restrictions limiting occupancy to persons age 45 or older. Since 1984, those restrictions are no longer enforceable. The current age minimum is 55, with certain limited exceptions (California Civil Code Section 51.2, et. seq.).

Oakmont is a senior citizen housing development. Under the law, a senior citizen housing development is allowed to restrict occupancy to a qualified resident ("senior citizen") who is age 55 or older.

An additional, "qualified permanent resident" who does not have to be age 55 or older may reside in the unit if he or she meets **both** of the following conditions:

1. The person was residing with the senior citizen or qualifying resident before the death, hospitalization, or other prolonged absence of, or dissolution of the marriage with, that senior citizen or qualifying resident; **and**
2. Was **45** years of age **or** older **or** was a spouse, domestic partner, or person providing primary physical or economic support to the qualifying resident or to the senior citizen.

In addition, an additional "qualified permanent resident" who does not have to be age 55 or older may reside in the unit if the person is a permanently physically or mentally impaired or terminally ill adult who is a dependent child of the qualifying resident, senior citizen or qualified permanent resident as defined above. Provided, however, the board of directors or other governing body of the development may disallow the dependent child to reside in the unit if it is determined there are special circumstances wherein the dependent child is or may be harmful to himself, herself, or others.

Upon the death or dissolution of marriage, or upon hospitalization, or other prolonged absence of the qualifying resident, any qualified permanent resident<sup>1</sup> shall be entitled to continue to reside in the residence as a permitted resident.

The foregoing is merely a summary of the applicable law and is not intended to vary rights and limitations set forth by the Unruh Act.

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<sup>1</sup> Except a disabled adult dependent child or grandchild whose disability ends, in which case continued residency shall not exceed six (6) months unless the OVA Board grants an extension, in which case continued residency shall not exceed one (1) year.

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### **Oakmont Village Association Policy - Determining Residency for Caregivers**

#### **Background:**

The law<sup>1</sup> allows caregivers<sup>2</sup> to live in Oakmont, an age-restricted community, while giving care to residents qualified by law to live here. This policy clarifies which caregivers are to be considered residents and which are not. This determination has important implications as to payment of dues and use of facilities.

#### **Policy:**

A caregiver shall be considered a resident if a home in Oakmont has become the caregiver's primary residence.

A caregiver shall not be considered a resident of Oakmont if the caregiver retains a primary residence elsewhere, even if he/she is a live-in caregiver.

Provisions of law, and not this policy, will determine whether a caregiver has the right to continue residency in Oakmont after the caregiving has ended.

#### **Application of Other Policies:**

Other existing policies and provisions of Oakmont's CC&Rs (such as the requirement for dues to be paid and the privilege to use OVA facilities) apply to residents. A caregiver resident shall be treated the same as any other resident. Likewise, a non-resident caregiver shall be treated the same as any other non-resident.

<sup>1</sup> California Corp. Code §51.3

<sup>2</sup> Persons who give physical, health-related care