

**Ruccolo v. Ardsley W. Cmty. Ass'n**

***Superior Court of New Jersey, Appellate Division***

***December 9, 2020, Submitted: January 11, 2021, Decided***

***Docket No. A-0407-19T1***

- Plaintiff and Association have long standing dispute over rules violation
- Parties enter a Consent Order that, in part states, the Association shall refrain “from sending Plaintiff any letter, email or any other communication claiming Plaintiff in violation of Defendant’s CC&R’s
- Plaintiff files suit in 12/18 alleging Defendant engaged in improper conduct and failed to hold elections
- Counterclaims regarding rules enforcement and motion practice ensued
- All motions denied
- Plaintiff appealed claiming Judge entered in the interpretation of the previous Consent Order
- Appellate Court
  - Association’s Counterclaim not a “Communication”

**Coots v. Tankersley**

***United States District Court for the Eastern District of Texas, Tyler Division***

***June 25, 2021, Decided: June 25, 2021, Filed***

***CIVIL ACTION NO. 6:60-cv-00617-JCB***

- Plaintiff claims Defendant violated the FHA by not allowing a service animal on the premises due to medical therapy for bipolar depression, generalized anxiety disorder, PTSD, and a sleep disorder
- Leased premises within an HOA, although HOA not a party to proceedings
- To prevail on FHA claim:
  1. He/She/Associate handicapped within meaning of law
  2. Accommodation needed for handicapped person equal opportunity to use/enjoy the dwelling
  3. Accommodation is reasonable
  4. Defendant refused the accommodation

**COURT**

- Decided on a technicality. Plaintiff could not produce evidence a reasonable accommodation was requested.