












EASTERN GARDENS CALENDAR OF EVENTS

JULY 2013

SUN	MON	TUE	WED	THUR	FRI	SAT
	1	2	3	4  Independence Dy	5	6
7	8	9  6:30pm Movie Nite	10	11 10am Coffee 	12	13
14	15	16	17	18 10am Coffee 	19	20
21	22	23  10am Bookmobile	24	25 10am Coffee 	26	27
28	29	30	31			

AUGUST 2013

SUN	MON	TUE	WED	THUR	FRI	SAT
				1 10am Coffee 	2	3
4	5	6	7	8 10am Coffee 	9	10
11	12	13  6:30pm Movie Nite	14	15 10am Coffee 	16	17
18	19	20	21	22 10am Coffee  Brd. Budget Mtg.	23	24
25	26	27  10am Bookmobile	28	29 10am Coffee 	30	31

AN EMERGENCY IS A PERSONAL SITUATION THAT THREATENS HUMAN LIFE OR PERSONAL PROPERTY AND DEMANDS IMMEDIATE ATTENTION, I.E. MEDICAL, BURGLARY, FIRE, THEFT & ASSAULT — **DIAL 911**

THE GARDENS GRAPEVINE

EASTERN GARDENS COOPERATIVE, INCORPORATED
3045 EASTERN AVE. SACRAMENTO, CA 95821

JULY–AUG 2013

Volume 10—Issue 4

SERVICE & COMPANION ANIMALS



Some of you may have noticed that lately Eastern Gardens has been experiencing an increase in members obtaining dogs as pets instead of cats. Realizing that this may be confusing since EG has a "No Pet Policy". So in order to help your understanding, below is an article which has been reprinted from EG's attorneys "Adams *Kessler" law firm's newsletter.

Service animals and comfort animals are not the same. A "**service animal**" is one specially trained to assist the disabled retrieve objects, open doors, guide the blind, etc. A "companion" animal has no special training but provides emotional support to relieve anxiety and depression.

Widely Abused. Both service and companion animals are invaluable to the disabled. Unfortunately, the perfectly fit have abused disability rights to get around pet restrictions. The subterfuge starts by persuading their doctor to write a letter that the disallowed animal is necessary to their patient's health. The person then goes on the internet and pays a certificate mill to "certify" that their dog is a service animal. For a few dollars more, they can receive special dog tags and other paraphernalia for their newly minted service animal. And *voila*, their pet is exempt from the association's restrictions. A recent case in Florida addressed this practice.

Florida Case. The Sun Harbor HOA prohibited dogs. One member, Vincent Bonura, invited his fiancée to move in with him and she brought her dog in violation of the association's restriction. The association sent a violation letter and Bonura lied about having a dog.

He later admitted to it but then claimed it was a registered service animal necessary for his fiancée's disability. He provided the association with a certificate he purchased on the internet.

The association was skeptical and requested evidence that his fiancée suffered from a handicap and asked what special training the dog had received to accommodate her handicap. Bonura ignored the board and litigation ensued. At trial, the fiancée's newly hired psychiatrist testified that he believed the dog helped her anxiety and depression. When the court ruled for Bonura, the association appealed.

Reversal. The court of appeals reversed. The justices noted that federal courts have long recognized that, the duty to make a reasonable accommodation does not simply spring from the fact that the handicapped person wants such an accommodation made. (Continued on page 2, top left column)

This Issue

- Service & Companion Animals
- In-house Inspections
- Addressing Complaints
- Committee Events
- Maintenance Tips
- Chautauqua Theater
- Reminders
- EG Calendar of Events

2013 BOARD OF DIRECTORS

- **Janice Hoberg**
President/Director
- **Jerry Ontiveros**
Vice President/Director
- **Kathy Slotterback**
Treasurer/Director
- **Ed Healy**
Secretary/Director
- **Shirley Brown**
Director
- **Lynette Haley**
Alternate Director
- **Linda Manning**
Alternate Director

MANAGING AGENT

FPI Management
800 Iron Point Road
Folsom, CA 95630
(916) 357-5300

- **Gary Haugstad**
Sr. Portfolio Mgr.
- **Theresa Williams**
Community Manager
- **Kurt Whisenhunt**
Maintenance, (On Call/PT)

OFFICE HOURS

10am—5pm
Mon-Fri: OPEN
Sat-Sun: CLOSED
Office Ph: (916) 489-1604

**After Hour
Building Emergencies**
(916) 271-8649



(Service & Companion Animals continued from page 1)

Defendants must instead have been given an opportunity to make a final decision with respect to the Plaintiffs' request, which necessarily includes the ability to conduct a meaningful review of the requested accommodation to determine if such an accommodation is required by law. The court found that Bonura had refused to comply with the association's request for reasonable documentation of his fiancée's disability and the need for a service dog. Even more problematic for Bonura, testimony failed to establish that his fiancée suffered from a disability.

Reviewing the record, there was no competent, substantial evidence indicating any substantial limitation on one or more of Ms. Vidoni's major life activities. In fact, the testimony indicated Ms. Vidoni was able to travel and work without the dog. Along those same lines, the evidence also failed to establish the necessity of the accommodation. Ms. Vidoni admitted that she was not as dependent on the dog as she had been originally and she could be independent of the dog at times including for work. (Sun Harbor v. Bonura.)

FEEDBACK

Service Animal #1. Can an association prohibit ANY pets from pool area? From swimming in the pool? - thanks Charlie.


RESPONSE: Associations can prohibit animals from pool areas EXCEPT service animals. If someone is blind and needs their guide dog to safely maneuver to a lounge chair, the association cannot prohibit the dog. Swimming is a different matter. From my review of applicable laws, it appears that service animals can be prohibited from entering the water for health and safety reasons.

However, there may be an exception if the service animal has been trained to perform a specific task essential to its disabled owner's use of the pool and the animal does not pose a threat to the health and safety to others or to the sanitary conditions of the pool. Then it is possible that reasonable accommodation could be required.

Service Animal #2. People with diagnosed depression can and often do have service dogs who provide emotional support. The key word here is "diagnosed." Some people can claim they suffer from depression even when there has been no diagnosis. So, they could try to have a dog where one is not allowed using the alleged depression as a subterfuge. A companion dog for a person suffering from depression should undergo obedience training even though the type of service the dog renders is not obvious, i.e. the person is sighted. Training can be obtained at a reasonable cost from some of the major pet supplies retailers such as Petsmart. -John A.

Service Animals #3. Service dogs are not just for physical disabilities, the ADA now includes psychiatric disabilities. The revised definition became effective March 15, 2011: "Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qual-

ify as service animals under the ADA." - Kelly M.

Eastern Gardens does have members who have pets, that is, either a dog or a cat and just to assure you they've all have gone through the necessary requirements to have their animals safely reside here at Eastern Gardens. 

IN-HOUSE INSPECTIONS

RESULTS—Overall the in-house inspections went very good. There were just a few minor discrepancies but were easily remedied. I however like to remind the membership on a few things.



- Do not store any goods or materials inside your closet furnace, for example, cleaning products, brooms, papers of any kind...etc. In other words nothing is to be stored inside this closet. This is a serious safety hazard.
- Do not remove the batteries from your smoke alarm. This is also considered a serious safety hazard.
- You the member, are responsible for reporting any discrepancies by promptly making a trouble call to the office, especially, water leaks, and electrical problems. Failing to do so, makes you responsible for any damages to your unit and any other units that it may affect.

ADDRESSING COMPLAINTS

POOL SAFETY— For your enjoyment and safety, please follow all the rules posted at the pool site and those which Eastern Gardens has established.



The Pool hours are from **8:00 am – 10:00pm** and is serviced four times a week. Parents are reminded to please keep the noise level of their children to a minimum, that is, no excessive screaming, shouting or horse play.

COMMITTEE EVENTS



Tuesday July 9th: "Faith of our Fathers"

This historical documentary takes a look at what the Founding Fathers of the U.S. intended when they framed the Declaration of Independence, the Constitution and wrote the First Amendment religion clauses, and Bill of Rights.



Tuesday August 13th: "The Love Letter"

Transcending the dimension of time, a love letter found in a secret compartment of an antique desk magically seals the fate of two young people linked by destiny yet separated by more than 100 years. Starring: Campbell Scott, Jennifer Jason Leigh & Estelle Parsons. POC: Kathy Kent @482-1533

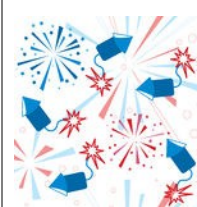
America's Independence Day Celebration!!

Thursday July 4th at 11:30am until ??
The Picnic Area and Clubhouse is reserved for the



REMINDERS

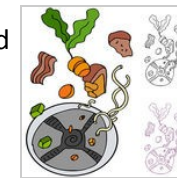
FIREWORKS – Due to the safety of our residents and community property, Eastern Gardens does not permit fireworks to be set-off (ignited) within the grounds, (i.e., driveways, carports, picnic area or other common areas within EG property. EG recommends that you consider using the public streets. Our community is very small and the smoke (sulphur) released is very unhealthy and the potential of fire damage to community property is very high.



entire Membership. The barbeque opens at 12:00 pm. Bring a lunch and beverage and anything you would like to cook. Come meet other members and join us in some fun and laughter.
Hosted by EG Social Committee

MAINTENANCE TIPS

GARBAGE DISPOSAL- If not operated or maintained properly, a garbage disposal can easily break down, block and clog the drains and cause a long list of expensive plumbing and drain nightmares.



The most important rule of thumb: **Don't Put Anything In The Garbage Disposal That Is Not Biodegradable Food.** A garbage disposal is not a trash can; it's for food scraps only. Non food items can damage both blades and the motor. Fortunately, most garbage disposal troubles are completely unnecessary, and garbage disposal care and maintenance is extremely easy. Treat your garbage disposal well, and it will treat you well

When in doubt, throw it out!

FIGHT THE BITE—Practice the 7Ds:

- **DRAIN** any standing water that may produce mosquitoes.
- **DAWN and DUSK** are times to avoid. These are the times when mosquitoes are most active.
- **DRESS** appropriately by wearing long sleeves and pants when outdoors.
- **DEFEND** yourself against mosquitoes by using an effective insect repellent, such as DEET, Picaridin or Oil of Lemon Eucalyptus. Make



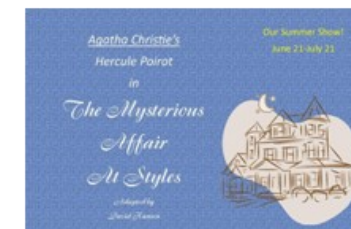
CHA TAUQA

playhouse

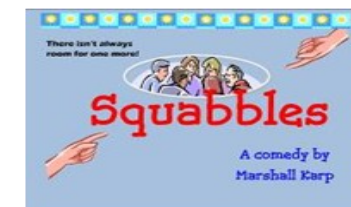
5325 Engle Rd, Carmichael 95608
(916) 489-7529

Now playing June 21 through July 21, 2013

"The Mysterious Affair At Styles"



Playing August 16 through Sep 22nd
"Squabbles"



Friday and Saturday, 8 p.m.
Sunday, 2 p.m.
In the La Sierra Community Center
Tickets: \$19 - Adults
\$17.00 - Students & Seniors

- sure you follow all label directions!
- **DOOR** and window screens should be in good working condition. This will prevent mosquitoes from entering your home.
- **DISTRICT** personnel are available to address any mosquito problem you may be experiencing by calling 1-800-429-1022



Eat Healthy!!