

FREQUENTLY ASKED QUESTIONS

MAY A PERSON WHO IS UNDER 55 PURCHASE A RESIDENCE IN AVANTÉ FOR PARENTS OR OTHERS WHO ARE OVER 55?

Yes, the age and occupancy restrictions only apply to those who intend to occupy the residence on a permanent basis. There are no restrictions on who can own a residence in Avanté.

WHAT IS PERMANENT OCCUPANCY?

For a Qualifying Resident, occupancy on a permanent basis means that the Qualifying Resident intends to occupy the residence as their primary residence and/or to return to the residence for at least 6 months during the calendar year. For others who are under 55 years of age, the term means occupation of the residence for more than 60 cumulative days in any calendar year.

MAY OUR UNDERAGE CHILDREN OR GRANDCHILDREN VISIT AND STAY IN OUR HOME?

Yes, on a temporary basis as visitors. Individuals who are under 55 and do not qualify for permanent occupancy under any of the permissible categories defined below may visit and stay for periods not to exceed 60 cumulative days in any calendar year.

OUR DAUGHTER IS UNDER 45; WE ARE OVER 55. SHE ASSISTS US WITH DAILY PHYSICAL ACTIVITIES THAT WE CANNOT PERFORM FOR OURSELVES. MAY SHE LIVE IN OUR RESIDENCE ON A PERMANENT BASIS?

Yes, she may occupy the residence as a "Qualified Permanent Resident" if the services she provides to Qualifying Residents constitute "primary physical or economic support." Generally, assistance with daily chores, errands, hygiene, and other tasks that the Qualifying Resident cannot perform would be considered primary physical support even if they are not in the nature of live-in health care services. Primary economic support is financial support that exceeds the income and other financial support received by the Qualifying Resident.

OUR UNDER-45 SON IS NOT A MEDICAL PROFESSIONAL BUT HE PROVIDES LIVE-IN LONG-TERM HEALTH CARE TO HIS 60-YEAR-OLD DISABLED FATHER. MAY HE LIVE WITH US IN OUR RESIDENCE AS A PERMITTED HEALTH CARE RESIDENT?

Yes. As a family member of the Qualifying Resident, your son qualifies as a Permitted Health Care Resident so long as the services he provides include assistance with necessary daily activities or medical treatment, or both.

MY SPOUSE AND I ARE BOTH 46 YEARS OF AGE. SINCE WE ARE BOTH OVER 45, DO WE QUALIFY FOR PERMANENT OCCUPANCY AT AVANTÉ?

You may purchase a residence, but you may not reside on a permanent basis until at least one of you turns 55 years of age or older. Alternatively, if a third permanent resident is 55 years of age or older, then you both may reside permanently as Qualified Permanent Residents because you are over 45.

WE HAVE AN UNDER-45 MEDICAL ASSISTANT WHO PROVIDES LIVE-IN, LONG-TERM MEDICAL TREATMENT TO A SENIOR WHO IS 56 YEARS OF AGE, IN EXCHANGE FOR ROOM AND BOARD ONLY. DOES THAT DISQUALIFY HER FROM RESIDING IN OUR HOME AS A PERMITTED HEALTH CARE RESIDENT?

No. Under California law, room and board are permitted as compensation to qualify live-in, long-term health care providers to reside in the home as Permitted Health Care Residents.

I AM 40 YEARS OF AGE, DISABLED AND REQUIRE FULL-TIME NURSING CARE. MY SPOUSE IS 60 YEARS OF AGE AND IN GOOD HEALTH. MAY MY FULL-TIME NURSE OCCUPY THE RESIDENCE WITH US?

No. Unless the nurse is providing long-term care to your 60-year-old spouse, the nurse may visit daily, but may not reside in your home for periods longer than 60 cumulative days in any calendar year.

MAY PERSONS UNDER 45 WHO ARE NOT PROVIDING LIVE-IN HEALTH CARE OR PRIMARY SUPPORT TO A RESIDENT WHO IS 55 OR OLDER RESIDE IN AVANTÉ ON A PERMANENT BASIS?

Persons who are between 18 and 45 years of age who qualify as a spouse or cohabitant of the Qualifying Resident may reside in Avanté on a permanent basis as a Qualified Permanent Resident. If they are not a spouse or cohabitant, then they would have to qualify under the disabled child or grandchild exception in order to reside in Avanté for more than 60 cumulative days in any calendar year.

I AM THE PRIMARY CAREGIVER FOR MY 26-YEAR-OLD DAUGHTER WHO HAS A PHYSICAL DISABILITY. MAY SHE LIVE WITH US IN OUR HOME?

Yes. If you are either a Qualifying Resident or a Qualified Permanent Resident and because of her condition, your daughter needs to live with you, then she may permanently reside as a Qualified Permanent Resident in your home until her disabling condition ends.

WHAT ABOUT CHILDREN, GRANDCHILDREN AND OTHERS WHO ARE UNDER 18?

Persons who are under 18 may not occupy a Residence for more than 60 cumulative days in a calendar year unless the person is a child or grandchild of the Qualifying Resident or a Qualified Permanent Resident AND the person has a mental or physical disability that requires the person to live in the residence with the parent or grandparent as discussed above.

I PROVIDE LIVE-IN, LONG-TERM HEALTH CARE FOR COMPENSATION TO A QUALIFYING RESIDENT WHO NEEDS TO GO TO A SKILLED NURSING FACILITY ON A TEMPORARY BASIS. MUST I MOVE OUT WHILE THE QUALIFYING RESIDENT IS ABSENT?

If you satisfy the requirements to reside as a Permitted Health Care Resident, then you may remain in the residence during the absence if: (a) the Qualifying Resident wants you to remain, (b) the Qualifying Resident expects to be absent for no more than 90 days, and (c) you and the Qualifying Resident make written request to the Board of Directors and receive approval. In addition, the Board has discretion to give you one additional 90-day extension with the Qualifying Resident's consent if it appears reasonably foreseeable that the Qualifying Resident will return during the extension period.

I AM THE 30-YEAR-OLD SPOUSE OF A 55-YEAR-OLD QUALIFYING RESIDENT. IF THE QUALIFYING RESIDENT DIES BEFORE I TURN 55 YEARS OF AGE, MAY I CONTINUE OCCUPYING THE RESIDENCE AS A QUALIFIED PERMANENT RESIDENT?

Qualified Permanent Residents may remain in the home after the death of a Qualifying Resident so long as their presence does not cause the total number of occupied units in Avanté with at least one person who is 55 years of age or older to fall below 80% of all occupied units.

**MY 60-YEAR-OLD WIFE NEEDS LONG-TERM IN-HOME HEALTH CARE.
OUR LIVE-IN NURSE PROVIDING THAT CARE HAS TWO UNDERAGE CHILDREN.
MAY THE TWO UNDERAGE CHILDREN RESIDE PERMANENTLY IN OUR HOME?**

No. Only those persons whose presence is necessary to the actual provision of the Qualifying Resident's long-term, live-in health care may remain in the home.

II. DEFINED TERMS.

1. A "Qualifying Resident" is a person who is 55 years of age or older. Each occupied residence must be occupied on a permanent basis by at least one Qualifying Resident.

2. A "Qualified Permanent Resident" means a person who meets both of the following requirements:

- (a) Is residing with the qualifying resident or senior citizen prior to the death, hospitalization, or other prolonged absence of, or the dissolution of marriage with, the Qualifying Resident or senior citizen.
- (b) Is 45 years of age or older, or is a spouse, cohabitant, or person providing primary physical or economic support to the Qualifying Resident or senior citizen.

"Qualified Permanent Resident" also means a disabled person or persons with a disabling illness or injury who is a child or grandchild of the Qualifying Resident or a Qualified Permanent Resident, who needs to live with the Qualifying Resident or Qualified Permanent Resident because of the disabling condition, illness, or injury.

3. A "Permitted Health Care Resident" means a person hired to provide live-in, long-term, or terminal health care to a Qualifying Resident, or a family member of the Qualifying Resident providing that care. The care provided by a Permitted Health Care Resident must be substantial in nature and must provide either assistance with necessary daily activities or medical treatment, or both.

4. "Permanent Occupancy" means, in the case of the Qualifying Resident, that the Qualifying Resident intends to occupy the residence at least six months out of every calendar year. For all other residents, permanent occupancy is a period in excess of 60 cumulative days in any calendar year.

5. "Cohabitant" means persons who live as husband and wife or as domestic partners under California Family Code Section 297. The domestic partnership law requires both partners to be over 18 (unless otherwise permitted by court order) and to file a Declaration of Domestic Partnership with the California Secretary of State.

6. "Disabled" means a person who has a disability as defined in subdivision (b) of Section 54 of the California Fair Employment and Housing Act. A "disabling injury or illness" means an illness or injury which results in a condition meeting the definition of disability set forth in subdivision (b) of Section 54.

PRELIMINARY



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Pursuant to the Fair Housing Act, this housing is intended for occupancy by at least one person 55 years of age or older per home, although the occupants of a limited number of the homes may be younger. Within this limited number, one member of the household must be 55 years or older with no one in permanent residence under 45 years of age. Visit Lennar.com or see a Lennar New Home Consultant for further details and important legal disclaimers. This is not an offer in states where prior registration is required. Void where prohibited by law. Copyright © 2018 Lennar Corporation. Lennar and the Lennar logo are U.S. registered service marks or service marks of Lennar Corporation and/or its subsidiaries. Lennar Homes of California, Inc. License #728102. Lennar Sales Corp. - Broker. California DRE #01252753. CalAtlantic Group, Inc. California Real Estate License No. 02058246. Ryland Homes of California, Inc. 00352900. CalAtlantic Group, Inc., 641665. Ryland Homes of California, Inc., 54648. Standard Pacific of Orange County, Inc., 923048. BMR Construction, Inc., 630955. 8/18