

THE 80/20 RULE MANDATE

The 80/20 rule, mandated by the federal [Housing for Older Persons Act](#) (HOPA), requires that at least 80% of occupied units in a 55+ community have at least one resident aged 55 or older. It allows communities to permit up to 20% of households to be occupied by residents under 55 without losing their age-restricted status.



55 Places +3

Key Details & Applicability

- **Not a Mandatory Quota:** The 20% is a "cushion" for flexibility, not a requirement to fill units with younger people. Communities can, and often do, create stricter rules requiring 100% of households to have a 55+ occupant.
- **HOPA Compliance:** To maintain 55+ status (and exempt themselves from federal fair housing rules prohibiting discrimination against families with children), communities must meet this 80% threshold and prove they intend to serve older residents.
- **Typical Exceptions:** The 20% is commonly used for situations like:
 - A surviving spouse under 55 after the 55+ spouse passes away.
 - Younger spouses or cohabitants (often with minimum age requirements, e.g., 40+).
 - Live-in caregivers.
- **Occupancy vs. Ownership:** The rule applies to who *lives* in the unit, not who owns it.
- **Children Limitation:** Even within the 20%, most 55+ communities prohibit permanent residency for children under 18.

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Applicability

This rule allows residents under 55 to reside in the community while ensuring it remains a predominantly senior environment. It provides legal flexibility for homeowners associations (HOAs) to manage complex situations, such as unexpected death or cohabitation, without immediately displacing surviving family members.

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