

Residential Neighborhoods Wrestle with Issue of Medical Marijuana



Homeowners associations in states where medical marijuana is legal are wrestling with the issue of whether to prohibit use of the drug, *The Christian Science Monitor* reports.

"It's a brand-new ball game," said Bob Meisner, a Michigan attorney who focuses on laws related to community associations. "Associations are going to have to decide: Do they want to do anything about prohibiting this kind of conduct?" He notes communities must take into account state and federal fair housing laws, which require reasonable accommodations for residents who have disabilities.

Currently, 20 states and the District of Columbia have approved use of medical marijuana.

In addition, recreational marijuana for adults 21 and older is legal in Colorado and Washington state.

Colorado attorney David Firmin says homeowners associations would probably have a difficult time enforcing marijuana smoking bans. Such cases are likely to end up in court, he noted. "The one thing that I continually hear is that the marijuana lobby is well-funded and that they're looking to challenge any restrictions on their rights," he said.

Kelly Richardson, an attorney who sits on the Community Associations Institute board, told the newspaper the organization has received many calls from members about whether they can legally restrict marijuana.

Arizona attorney Jason Smith, who runs seminars on medical marijuana and homeowners associations, recommends marijuana users use pills, oils and food products instead of smoking the drug, in order to accommodate neighbors.