

It's the Holiday Season! Should Your Condo/HOA Go All Scroogy and Ban Inflatable Decorations?

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We got wind of [some HOAs deciding](#) that inflatable holiday decorations are an eyesore and often noisy. They can even be dangerous; some left on too long have [triggered a fire](#).

Have any of our experts seen problems emerge over these festive displays that some people consider tacky? And have there been safety issues? Read on.

For the Most Part, Nobody's Being Particularly Grinchy

Overall, our experts say they haven't seen clients lose their ho ho ho over inflatable holiday displays.

“I haven't seen this because I'm just a city boy, and the vast majority of my clients don't have space outdoors to have these types of decorations,” says Cary Devorsetz, a partner at Alderman, Devorsetz & Hora PLLC in Washington, D.C., who for 20 years has been representing condos, HOAs, and co-ops in the district. “Even in the noncondos, which tend to be townhomes, I haven't seen it. I have had associations where they have crazy Halloween parties that break all the rules. But I haven't had this issue arise.”

That's also true for [Julie McGhee Howard](#), co-founder and managing partner of NowackHoward LLC in Atlanta, who at any given time represents hundreds of condos and HOAs throughout Georgia. “I've certainly seen homeowners who want to have them, but I haven't had any clients ask me to write a restriction on it.

“It's true that these inflatable decorations can [be loud](#), and you have to plug them in,” says Howard. “I could understand if clients wanted to place restrictions on them. But so far, we have communities that want to restrict holiday decorations after January 10, and they've passed [rules](#) making people take them down by that date.

For the clients of Noelle Hicks, CCAL, a Houston-based shareholder at Roberts Markel Weinberg Butler Hailey PC, who represents condos and HOAs throughout Texas and has been named to the National Black Lawyers Top 100, it's not the look or noise of inflatable decorations. It's the size.

“I think associations can't necessarily ban decorations here in Texas, but they can put some guidelines on them,” she explains. “The guidelines can look like: ‘Decorations can't be over six feet tall. Decorations can't play music. Decorations can't disturb others or be a [nuisance](#).’ They can also restrict when decorations can be up. So if a decoration was one of those inflatable things, it would be totally OK unless the association says decorations can't be over six feet and it was taller than that.”

However, there has been an interesting change in Texas law that could affect condos' and HOAs' restrictions on yard displays.

“Here in Texas, we now have a religious displays statute that allows homeowners to have a religious display in their yard,” says Hicks. “The law was changed in 2021. Now owners could erect a six-foot tall cross in their yard.

“So we've seen owners putting up flags and calling them religious displays,” she notes. “In one case it was an Israeli flag. We've also had people try to claim political things were religious displays, including a Trump flag. But under no circumstances would a reasonable person claim that's a religious display. That sort of thing has been cropping up quite a bit.”

Florida HOAs Have Enacted Indirect Bans

“Holiday décor is so subjective,” notes [Zuly Maribona](#), LCAM, the Bonita Springs, Fla.-based senior vice president and partner at **KW Property Management** who oversees the company's southwest Florida, Jacksonville, Orlando, Tampa, and North Carolina operations. “It starts to get really crazy this time of year, so it's really important for condos and HOAs to have very specific guidelines about holiday décor.

“Many associations don't allow big, inflatable décor,” she explains. “In one case, owners' yards are considered [common area](#), and landscapers handle the common area. The HOA doesn't want those displays to disrupt the landscapers' routine. That's one of the excuses they use. They put the restriction under that category.

“If condos and HOAs don't set expectations on holiday displays early, residents will push the boundaries,” warns Maribona. “We always have one or two associations chasing residents who are making the whole block upset. So if you have rules on holiday displays, remind residents of the rules early so they can't say, ‘I didn't know what the rules were.’”