

RESOLUTION
OF THE
LAKE COUNTRY VILLAGE
HOMEOWNER'S ASSOCIATION, INC.

ESTABLISHING RULES AND REGULATIONS FOR
THE RENTAL OF UNITS

WHEREAS, the Lake Country Village Homeowner's Association **Declaration of Covenants, Conditions, Easements and Restrictions (June 2001)** provides in part in Article VII, Section 1: Lots in this Association may be rented to an individual or individuals but such rental must be for a minimum period of thirty (30) days. An owner of a lot who enters into such an agreement shall provide notice thereof to the Association prior to the tenant taking occupancy. However, an owner is prohibited from renting his lot for a period of two (2) years from the date the owner takes record title to the lot; and

WHEREAS, Article VII, Section 1 of the **Declaration of Covenants, Conditions, Easements and Restrictions** further provides: any tenant of an owner who conducts himself in such a manner as to be a nuisance to the other owners in the Association or who does not abide by the rules and regulations of the Association may have their lease with an owner terminated by the Association upon not less than ten (10) days notice to the owner and the owner's tenant; and

WHEREAS, the Board of Directors recognize that there has been significant non-compliance by Unit Owners with regard to their failure to notify Lake Country Village HOA of the rental of units and the identity of tenants occupying units within Lake Country Village; and

WHEREAS, the Board of Directors further recognize that it is not possible to adequately enforce the rules and regulations of Lake Country Village HOA without the proper notification of rental units and the identification of tenants and their vehicles and that it is necessary to implement rules, regulations and policies with regard to the rental of units within Lake Country Village to protect all owners and occupants of Lake Country Village and to insure reasonable and equitable application of the covenants, restrictions, rules, regulations and by-laws affecting all property within Lake Country Village.

NOW, THEREFORE, the Board of Directors of Lake Country Village Homeowner's Association, Inc., after careful consideration of all relevant factors, hereby adopts the following policies, rules and regulations, which shall apply immediately to all Units/Owners within Lake Country Village:

1. The failure of an owner to notify Lake Country Village Homeowner's Association, Inc. of the rental of the owner's unit shall constitute a violation of the **Declaration of Covenants, Conditions, Easements and Restrictions** as well as a violation of the by-laws of Lake Country Village Homeowner's Association, Inc. and shall subject the owner to a penalty of \$250 for the first month and \$500 per month for each month thereafter, for each month of non-compliance with this requirement; and
2. A Unit Owner renting his, her or its unit, shall notify Lake Country Village Homeowner's Association, Inc. of the rental of the unit prior to the tenant taking possession of the unit. Written notification shall be provided to the property manager for Lake Country Village Homeowner's Association, Inc. and a copy to the Board of Directors at the business address of Lake Country Village Homeowner's Association, Inc.; and
3. A Unit Owner renting his, her or its unit, shall advise the property manager and the HOA Board of Directors whether or not the lease is a written lease or a verbal lease, a list of all tenants who are renting the unit, along with the identification of any and all motor vehicles used by said tenants with make, model, year and license plate numbers of said vehicles, and a written acknowledgement from the Unit Owner that the Unit Owner has included in the lease agreement with all tenants (whether verbal or written), that the tenants have been notified that they must abide by all of the rules and regulations of Lake Country Village Homeowner's Association, Inc. and that if they fail to abide by these rules and regulations, the lease may be terminated by Lake Country Village Homeowner's Association, Inc. upon not less than ten (10) days notice to the owner and the tenant as stated in the **Declaration of Covenants, Conditions, Easements and Restrictions**; and

4. A Unit Owner renting his, her or its unit, shall immediately advise the property manager and the HOA Board of Directors of any changes, terminations, renewals, or modifications of the lease (whether written or verbal) specifically to include any change in the identity of the tenant or tenants and the motor vehicles used by said tenant or tenants; and
5. An owner renting his, her or its unit within a two (2) year period from the date the owner takes record title to the unit, shall be subject to a \$1,000 per month penalty for each month, or part thereof, that is in violation of this provision as stated in the **Declaration of Covenants, Conditions, Easements and Restrictions** and the by-laws of Lake Country Village Homeowner's Association, Inc.; and
6. Payment of any penalties pursuant to these policies, rules and regulations is due within twenty (20) days of notification to the violator (which is deemed to be made upon mailing or delivering to the violator); and
7. Any penalties not paid by the violator within the time limits described herein, shall be relieved as additional Homeowner's Association dues to said Unit Owner on the following month's invoice for HOA dues and shall be subject to the same collection procedures, fees and policies as regular HOA dues; and
8. All Unit Owners renting his, her or its unit must also comply with any and all applicable laws, zoning rules and ordinances, regulations and policies of the City of Plattsburgh that apply to rental units. This resolution does not change a landlord's legal obligations; and
9. Each Unit Owner indemnifies Lake Country Village Homeowner's Association, Inc. with regard to the implementation and enforcement of these policies, rules and regulations to the fullest extent allowed by law; and
10. All Unit Owners currently renting units at Lake Country Village shall have thirty (30) days from the date of this resolution to comply with the provisions of this resolution and shall notify the property manager and the Lake Country Village Homeowner's Association, Inc. that a unit is being rented, the identity of the tenants and their motor vehicles as described in Paragraph 3 of this resolution and provide the written verification that the tenant has been notified

that the lease may be terminated by Lake Country Village Homeowner's Association, Inc. upon not less than ten (10) days notice to the owner and tenant if the tenant fails to abide by all of the rules and regulations of Lake Country Village Homeowner's Association. This requirement must be satisfied even if a Unit Owner has previously notified the property manager and/or the HOA previously of a rental arrangement; and

11. These policies, rules and regulations shall become effective immediately with the exception of the penalty described in Paragraph 4 above, which became effective by Resolution of the Lake Country Village Homeowner's Association, Inc. Board of Directors on the 1st day of August, 2009.

CERTIFICATION:

Ginger Johnson, the Secretary of the Lake Country Village Homeowner's Association, Inc. hereby certified that this RESOLUTION was duly passed and adopted by the Lake Country Village Homeowner's Association, Inc. Board of Directors on the 5th day of November, 2009.


Ginger Johnson, Secretary