

BRAXTON PARK PROPERTY OWNERS ASSOCIATION

RESOLUTION No. 4

LEASING REGULATIONS

EFFECTIVE: 6/29/17

WHEREAS, §55-513(A) of the Virginia Property Owners' Association Act, Virginia Code §55-808, *et seq.* (the "Act"), grants the Board of Directors ("Board") of Braxton Park Property Owners Association, Inc. ("POA"), the power to establish rules and regulations for the use of the property and with respect to such other areas of responsibility assigned to the POA by the Declaration; and,

WHEREAS, §55-515(A) of the Act charges all lot owners and their tenants, guests and invitees with compliance with the Act, the Declaration, Bylaws and Rules and Regulations of the POA, as amended; and,

WHEREAS, §55-509.3:1 of the Act provides that the association may require lot Owners to provide the Association with the names and contact information of all tenants and authorized occupants under such lease and any authorized agent of the lot Owner, and the vehicle information for such tenants or authorized occupants, and may also require the lot Owner to provide the Association with tenants' acknowledgement of and consent to any rules and regulations of the Association; and

WHEREAS, Article III, §3(c)(2) of the Association's Declaration grants the Board the authority to establish rules and regulations for use of the property as provided in Articles IV and VI; and,

WHEREAS, it is the intention of the Board by this resolution to establish and publish leasing regulations for Owners renting their Living Units (also known as townhomes), and that the Board believes this policy to be in the best interest of the POA.

NOW, THEREFORE, BE IT RESOLVED that the following leasing regulations are hereby adopted by the Board:

1. A written lease shall be required for any Living Unit not occupied by the Owner or an immediate family member, which is defined as a son, daughter, mother, father, brother or sister.
2. The Owner shall provide the names, contact information, and vehicle information (make, model, color and license plate number) of the tenants and authorized occupants under the lease. If a Living Unit is not occupied by the Owner but is the residence of an immediate family member or members (defined above in ¶1), the Owner shall provide the names, contact information and vehicle information (make, model, color and license plate number) of the resident(s).

3. The Owner shall provide the name of any management company or rental agency that manages, oversees or otherwise handles the rental of his Living Unit, if applicable.
4. In the event that an Owner fails to comply with the foregoing regulations a hearing will be scheduled before the Board, which may result in the imposition of the maximum penalty permitted by the Act. Payment of such noncompliance fees shall be the Owner's responsibility.
5. Leases must be in writing for a term of no less than twelve (12) months and shall be for the entire Living Unit. No individual rooms may be rented by the Owner, rental agency or tenants.
6. Owners shall provide to their tenant a copy of the Declaration, Bylaws and Rules and Regulations and provide a signed statement indicating that all tenants are aware of these documents, their contents and that they agree to abide by them. This document shall be kept on file with the POA's management agent.
7. All Owners and their leasing agents shall abide by the **occupancy limit** set forth in the Declaration, stating that Living Units shall be leased to Single Families as defined in Article I, Section 19 of the Declaration, which is defined as, "a single housekeeping unit that includes **not more than three adults who are not legally related,**" (emphasis added).
8. Owners that currently lease their Living Units as of the date of this policy resolution who are not currently in compliance with the occupancy limit may permit their tenants to continue to reside in their townhomes until the date that the lease(s) terminate or renew. At least sixty (60) days prior to the renewal date the Owner shall adjust the lease and the number of residents in order to abide by the occupancy limit or terminate the lease altogether.
9. There are two (2) parking spaces per townhome. Owners that lease their Living Units, or their leasing agents, must make tenants aware of this prior to renting the Living Unit. If tenants have more than two vehicles they may park in overflow parking spaces, which are to be taken on a basis of "first come, first served." Spaces that are not assigned with a townhome number or that are not marked "Visitor" are overflow parking spaces. Tenants may not park in visitor parking spaces at any time. Tenants and their guests must abide by the parking rules. Vehicles illegally parked will be towed at the vehicle owner's expense, in accordance with the Association's Parking Policy.

BRAXTON PARK PROPERTY OWNERS ASSOCIATION
RESOLUTION ACTION RECORD

This Resolution was duly adopted at a meeting of the Board of Directors held on
June 29, _____, 2017.

Motion by: Wooten _____

Seconded by: Black _____

Officer	Title	Yes	No	Abstain	Absent
Teresa Hunter	President	✓			
Vacant	Vice President				✓
Nancy Reynolds	Treasurer	✓			
Debbie Wooten	Secretary	✓			
Freddy Black	Director	✓			
LaVarne Stark	Director	✓			
Vacant	Director				✓
Pat Mitra	Director				✓
Andrew Ulrich	Director				✓

Attest: Teresa Hunter _____
 President