



Shining Mountains Owners Association
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To: All Property Owners in the Shining Mountain Owners' Association
From: Dennis Baker, President
SMOA Board of Directors

After reviewing both the SMOA covenants and Montana Supreme Court rulings in multiple cases, with competent authorities, I find the letter drafted by me dated 20 November was in error. The SMOA covenants do not prohibit short term rentals (STRs) within the SMOA.

The SMOA covenants use of the word "shall" in describing the use of the property as "residential use only" did not imply what I and the participating board members believed. For me personally, with a lengthy background in aviation, I applied an incorrect definition of the word "shall" as being a binding requirement which is not consistent with Montana property law.

Therefore, on behalf of the SMOA Board, I hereby publicly apologize for this error. I will additionally send a retraction letter to all property owners in the SMOA.