

*Resolution of the
Highland Meadows Estates Association, Inc.
Resolution # 2020-2*

RULES FOR LEASING / RENTING/ OCCUPANCY AND FINES FOR NON-COMPLIANCE

WHEREAS, the Highland Meadows Estates Association, Inc. (“Association”) (“HMEE”), by and through its Board of Directors and consistent with its rule making authority set forth in its Declaration of Covenants, Conditions and Restrictions (“Declaration”), and consistent with conditions set forth in that Declaration, the Board of Directors does hereby set forth and adopt the following set of rules and restrictions for the purposes of both preserving the residential fabric of HMEE as well as providing clear guidelines for its owners/members and prospective owners.

Further, the State of Florida in which the Association is duly incorporated provides the governing bodies of home owners associations with the authority to impose fines for failure to comply with its lawful and effectively communicated bylaws, covenants, rules or regulations.

Pursuant to its Covenants & By Laws, the Board of Directors of HMEE is empowered to act on behalf of the members of the Association in matters pertaining to its operations, advancement and wellbeing. To that end, the Board of Directors of the Association sets forth the following rules, compliance guidelines and fines for non-compliance with same.

- No property shall be leased, rented or otherwise occupied (by non-owner/members) for any period greater than six (6) months in any calendar year.
- Leases, rentals or other occupancies of durations between one (1) month through four (4) months shall require the completion of a Renter Application/Registration document (the document – Exhibit 1) available at the business office or on our website (HMEE.org), no later than thirty (30) days prior to the proposed start date. All individuals who will occupy the property during the lease / rental / other occupancy period shall be identified in the document. Failure to do so will constitute a violation of the rules and shall subject the owner/applicant to fines. Absent follow-up communication/response from the BOD, said lease / rental /occupancy

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shall be considered authorized, consistent with the assertions and caveats contained in the application document.

- Leases, rentals or other occupancies for periods of four (4) though six (6) months shall require the submission of materials including both the proposed Lease and a Renter Application/Registration. The BOD decision relative to the approval or denial of said leases/rentals/other occupancies shall be communicated in writing to the owner/applicant. All individuals who will occupy the property during the lease / rental / other occupancy period shall be identified in the document. Failure to do so will constitute a violation of the rules and shall subject the owner/applicant to fines.
- Should the BOD at its sole and exclusive discretion deem that a criminal background check of the proposed renter(s) is in the best interest of the community, the costs of said background check shall be borne by the member/owner.
- All individuals, with the exception of a spouse (as determined by either US or Canadian law) or qualified and documented care-giver who will lease, rent or otherwise occupy an HMEE property shall be fifty-five (55) years of age or older however, authorized leases / renters / occupiers shall be granted the same child visitation privileges as members, as set forth in the Declaration, Article VI, Section 2. Age Restrictions (a).
- Offseason Exception: An exception to the above age restricted occupancy shall be granted to the children or siblings of members who, during the months of May through September may occupy a member's property for a period not to exceed 45 days in any calendar year. The 14/30-day restriction on children under the age of 18 is still applicable. Members are required to register this occupancy with the HMEE offices no later than 30 days prior to the start of that occupancy. No more than 30 homes in HMEE may be occupied at the same time using this exemption, which assuming all conditions are met, shall be granted on a first-come, first-serve basis. Members dues must be current with no outstanding fines, to qualify for this exception.

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- Surviving Spouse Exception: An under 55 years of age surviving spouse who is an Approved Occupant of a property, may continue to occupy that property providing that he/she is at least 50 (fifty) years of age at the time of his/her spouse's death. This exception shall be automatically granted unless or until its authorization would impinge upon the Association's HOPA 80% requirement.

- Member / owners who fail to comply with these rules and guidelines shall incur a fine of \$100.00 per day, up to the maximum fine set forth in the Declaration, Article VII General Provisions, Section 6. Fines.

- Pursuant to the General Affidavit executed by each owner at the time of their membership application and condition thereof, owner/members found in non-compliance shall be subject to both collection and legal costs incurred by the Association in pursuit of unpaid fines and/or compliance.

SO RESOLVED AND SET FORTH HEREIN.

CERTIFICATE

The undersigned here by certify: (1) they are the President and Secretary of the Association, (2) the foregoing is a true and correct copy of the resolution duly adopted at a properly noticed and held meeting of its Board of Directors on March 19, 2020, (3) the passage of this resolution was in all respects legal, and (4) this resolution is in full force and effect.

Highland Meadows Estates Association, Inc.

By: _____

Jean St-Cyr, President

Mary Ann Munro, Secretary

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EXHIBIT 1 - RESOLUTION 2020-2

RENTER/OCCUPIER APPLICATION / REGISTRATION

This form must be completed and filed with the Association no later than thirty (30) days prior to the start of the rental/lease or other occupancy.

This form is not required for Approved Occupants previously registered for full-time occupancy with the Association at the time of property transfer.

This form is required if a guest, whether or not a family member of an Approved Occupant, will be staying with the Approved Occupant present in the home, for a period of more than 45 days.

If an Approved Occupant is not present at the property during the stay of a guest, this form must be completed for any duration of occupancy by another person/persons, whether or not there was monetary compensation involved.

ALL renters and other occupants must be 55 years or older, with the exception of the spouse of an age qualified renter/occupier or a qualified caregiver with proper medical documentation.

During the months May through September, under fifty-five (55) aged children or siblings (and their underage spouses and their children over the age of 18 years) of a deeded member/owner may be granted an exception to the age restriction for a period of no more than 45 days per year. Children under the age of 18 are still subject to the 14/30-day requirement. This exception is only available for 30 units in the Association at any point in time and will be authorized on a first come, first serve basis. **If this Application/Registration is requesting this exception, please check here _____.**

HMEE Owner(s) _____

HMEE Address: _____

HMEE Owner(s) Home Phone # If Operable or Best Mobile #: _____

Primary Renter/Occupant(S) Name #1 _____

#2 _____ #3 _____

#4 _____

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Primary Renter/Occupier Date of Birth: #1 _____

Renter/Occupier #2 Dob _____

Renter/Occupier #3 Dob _____

Renter/Occupier #4 Dob _____

All renters/occupiers {with the exception of a legal spouse or medically documented caregiver} must be 55 years of age or older. Attach a copy of driver's license, passport or other photo ID to validate birthdates.

Primary Renter #1 Cell Phone _____

Renter #2 Cell_Phone _____

Renter #3 Cell_Phone _____

Renter #4 Cell_Phone _____

Primary Renter #1 Email: _____

Renter #2 Email: _____

Renter #3 Email: _____

Renter #4 Email: _____

RENTAL / OCCUPANCY DATES: FROM: _____

TO: _____ # OF CALENDAR DAYS: _____

PRIMARY RENTER/OCCUPIER PERMANENT ADDRESS:

STREET _____

CITY _____ STATE _____ POSTAL CODE _____

COUNTRY _____ PHONE: _____

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PRIMARY RENTER/OCCUPIER CONTACT IN CASE OF EMERGENCY:

Name: _____ Relationship: _____

Phone Number: _____ Cell Phone Number: _____

As a condition of approval for a lease, rental or non-owner occupancy, all owners, renters, occupants and visitors are subject to the rules and regulations of the Association and do hereby acknowledge the fact that they have read, understand and agree to abide by all said rules, regulations and restrictions as set forth in the Covenants & Restrictions and those that are posted in the Clubhouse, Swimming Pool and Recreational areas. Both owners and renters/occupants/leasees agree to comply with all terms and conditions set forth in the Association's Governing Documents.

Owner(s) Signature (s) & Date:

Lessee(s), Renter(s), Non-Owner Occupant Signature(s) & Date:

For HMEE Office Use Only

Off season 45- day waiver request/approval # ____ of 30. Initials _____

END