

# Goose Hollow Homeowners Association - Resolution - Landlord-Tenant Violation Enforcement Policy

## **Purpose:**

The purpose of this Resolution is to inform all members of the Goose Hollow Homeowners Association, especially those who already-are, or intend to become, landlords - renting their Goose Hollow property to tenants, etc. - of the methods and procedures your Board of Directors intends to employ to ensure compliance with our neighborhood's CC&Rs, ARC Manual, Pool Rules, Resolutions, etc.

The following statement describes the policy of the Goose Hollow Homeowners Association (Association) concerning our neighborhood standards and corrective steps that will be taken to achieve compliance.

## **Background:**

As per our Goose Hollow CC&R's, Article-VII "EASEMENTS", Section 3. "Members Easement of Enjoyment", (d), which reads as follows:

*"Any owner may delegate his right of enjoyment to the Common Property to the immediate members of his family and to his house guests, as well as to any lessee of his Lot or Living Unit, subject to regulations as may be established from time to time by the Board."*

## **Board Interpretation:**

This Article and Section of our CC&Rs clearly describes the rights and privileges of landlords and tenants residing in our neighborhood. What is less clear is the responsibilities for both landlord and tenant, which accompany those same rights and privileges. Dangerous interpersonal confrontations and other unpleasant situations have come to the attention of the Board, which appear to have resulted from tenants being uninformed of our neighborhood regulations – CC&Rs, etc. as described above. Property owners receive a copy of our CC&Rs from their title company, when the property changes-hands. Few, if-any, problems of this nature have occurred because owners did not receive and read our CC&Rs as provided by their title company. Our HOA has always relied upon the landlord, who received the originals and all updates, amendments, resolutions, etc. to provide an updated copy of our regulations to their tenant, for the tenant's information and use. However, some tenants, who were involved in these past situations, claim they never received or had the opportunity to read and understand our neighborhood regulations, because they never received such from their landlord. This resolution is your Board's attempt to ensure that similar claims of ignorance do not occur in the future.

Henceforth, before a tenant occupies a Goose Hollow property, the landlord will provide the tenant with our neighborhood's CC&Rs, ARC Manual, Pool Rules, Resolutions, etc... and insure that the tenant reads and understands our regulations.

### **Policy:**

It is the policy of the Association that members shall honor the above article, section and Board interpretation.

A Board Director or a member of our ARC will visit the new tenant immediately after the tenant occupies the property, speak with the tenant and assure ourselves that the tenant has read, understands and wishes to comply with all of our neighborhood regulations, as described above.

If it is discovered that the tenant has been permitted to occupy the property before becoming aware of our regulations, as described above, the following actions will be taken:

1. The landlord will be notified and given three business days to comply.
2. The tenant will be visited on the fourth business day and the regulation discussion will be initiated once again.
3. If the tenant remains ignorant about our neighborhood regulations or indicates any unwillingness to comply with same, the property owner (landlord) and our HOA's attorney will be notified.
4. Your Board will then follow the advice given by our HOA's attorney.
5. All resulting legal expenses will then be recovered from the landlord.

Failure to comply with this GH-HOA resolution can result in:

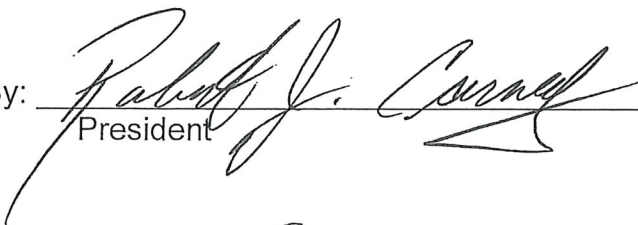
1. Fines, per the existing Schedule of Fines as updated from time to time.
2. Legal action against the homeowner(s) which may result in the imposition of a property lien for non-payment of the imposed fine, etc...

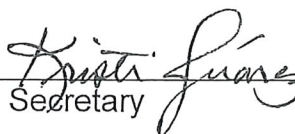
Any member of the Association who observes a violation of the above standards may report the matter by filling out and signing a Grievance/Complaint Form describing the nature of the alleged violation. The Grievance/Complaint Form will be processed through normal channels by the Goose Hollow Architectural Review Committee (GH-ARC) and members of the Goose Hollow Board of Directors.

The Board is not compelled to take action in all instances when a complaint is received. However, if corrective action is required, a letter will be sent to the home owner by the Board. The owner will have three business days to comply.

If the problem is not resolved within that time, another letter will be sent, requiring compliance within one business day. If the problem does not get resolved after the second letter, legal action may be taken.

**GOOSE HOLLOW HOMEOWNERS ASSOCIATION**

By:   
President

By:   
Secretary

Approvals:

1. Originally approved August 21, 2017 to become effective August 31, 2017.