

Bay Breeze Point
Homeowner's Association
Board of Directors Resolution #080816

RE: Non-Owner Occupied and/or Rental Units (Homes)

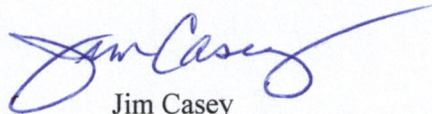
Background: Bay Breeze Point (BBP) remains a great place to live and some property owners/members realizing this are electing to retain their properties as investments and/or as non-owner occupied units when they leave BBP. BBP's "governing documents" do not prohibit or restrict non-owner occupancy and/or renting of properties nor does it identify a cap for such activities. Some property owners have failed to provide BBP's property management with critical occupancy information, e.g., tenant/occupant: names; contact information; and in some cases, vehicle information.

Discussion: It's essential that the HOA know who is residing within our community -- this includes both owner and non-owner occupied properties (Code of Virginia 55-79.87:1 and/or 55-509.3:1 provides guidance on providing such information). With few exceptions, the HOA is normally aware of property owner information but information on non-owner occupied properties is limited or currently not available. Basic property occupant information is critical to the HOA and each year our property management company requests property owner updates including contact information, however, information relating to non-owner occupied units has been limited or non-existent.

Approved BOD Guidance: When owners do not reside in their property, the property owner will provide the following information to the HOA: 1) occupant names; 2) occupant contact information; and, if requested by HOA, 3) occupant vehicle information. In addition, property owners will update both owner occupied and non-owner occupied information with the HOA at least once a year and/or when occupancy information changes. The following guidance will be posted within Bay Breeze Point's governing documents:

Effective immediately, all BBP property owners will provide occupant names and contact information -- this applies to both owner occupied and non-owner occupied units. This information will be updated at least once a year and/or when information changes occur. To facilitate timely reporting/updating, the HOA will continue to remind owners to update occupancy information in its annual HOA meeting mail out packages that are sent to each owner. If an owner fails to comply with these notification requirements, the HOA may conduct a Due Process Hearing which could result in a monetary fine.

This resolution was approved on August 8, 2016 and is effective immediately.



Jim Casey

President, BBP HOA