

## **Rental Policy for Briar Creek 1 Updated (1/3/2019) (10/2/2019)(02/03/2020)**

If you own the property and you are not there, but there are overnight guests/friends staying in the home for **ANY amount of time, this would be considered a Rental**, even if no money changes hands (this would be considered an unapproved gratuitous rental). According to Florida law, **the ONLY family members** who may occupy your home while you are away are: **brothers, sisters, parents, parents-in-law, children**. Should the home be occupied by family while you are away, prior notice **MUST** be sent to the Board of Directors.

### **What guides the decision making of this policy?**

In our Declaration of Condominium of BC1 under #16 Conveyances, Sales, Rental, Leases and Transfer, subheading B Rental or Lease it states *"a parcel shall not be leased or rented without the prior written approval of the Association..."*

*The number of units rented or leased at any one time shall be limited to 10% of the total off three hundred seventeen (317) units, (total of 31 units) (Updated February 3,2020). If a home sells or in any way changes title/deed, the rental is revoked and does NOT go with the exchange.*

The Secretary of the BC1 Board is the contact person of the Rentals and Wait List (if necessary). The Rental list is to be confirmed and posted at the Clubhouse. Anyone wishing to be placed on the waiting list **MUST** state in writing, date, and place in the clubhouse office mail slot or by emailing to the director in charge of rentals/sales. Should an opening become available, the opening will be filled from this list. This list is currently maintained by the Director/Secretary of the Board.

ALL persons desiring to Rent/Lease (**90 day minimum**) are required to fill out an application and submit to Amy Carson (Progressive Management) with the required fee (\$100 effective 10/2/2019) for processing and background check(s) for ALL expected occupants as required. This is for the protection of the homeowner as well as our community. When the all checks are completed, Amy will send all the information to the Board for final approval. (Please know that when we sign off on a rental or lease, we are approving this person(s) to be your neighbor, and we want to be diligent in our efforts.)

30 days from the date a rental is vacated, the owner **MUST** submit (in writing, dated and signed) to the Board of Directors Secretary or appointed person, a letter of intent to again rent or lease the home within 7 months OR the rental spot will become available to any BC1 Homeowner who wishes to rent their property. This person will be taken from the updated posted list of Rental Requests. \*see bottom of page\*

**NO ONE shall at ANY TIME rent their home/property WITHOUT Board Approval.** Doing so will jeopardize the owner's ability to rent at any time in the future and the fining process will begin. PLEASE NOTE, as a homeowner, you are responsible for any damage done to your home AND the Common Elements from any renter.

Under the Rules of Condominium of BC1 Article 15 OBLIGATION OF MEMBERS, A. *No Owner shall use or permit the use of his lot for any purpose other than as a single-family residence, and maintain his lot in a clean and sanitary manner. A single-family unit is defined as one or more related by blood, marriage or adoption, or no more than two unrelated persons living and cooking together a single housekeeping unit.*

No two families shall occupy the same residence at any time. Should this be verified by the BOARD, the property management company, Progressive Management, will proceed with necessary action to correct this situation by following the BC documents and fining will be accessed. Again, BRIAR CREEK MH COMMUNITY, 1.INC. is a single family 55+ Community and **at NO time shall a person under 18 years of age be permitted to occupy a unit for more than 60 days as a guest of the unit owner or rental occupant.**

*RULES FOR RENTAL WAIT LIST: Any homeowner in BC1 may request to be placed on the Rental Wait List by submitting a written request to the person handling the Rent/Lease applications for the park (currently the secretary to the board). Request must be dated, signed by all homeowners, and delivered to the Board mailbox at the BC1 Clubhouse or emailed to the Secretary. When an opening occurs, the person in charge will notify #1 on the wait list to see if they have a rental available in the next 30 days. If so, it is their rental. If not, this person goes to the bottom of the wait list and #2 is offered the same, etc., until filled. (a rental must be owned/titled to the person on the wait list within 30 days of the offer)*