

**RESOLUTION OF THE
BOARD OF DIRECTORS
OF
BERKLEY MANOR CONDOS**

Rental Policy to Defray Administrative Costs

The undersigned, having been authorized to exercise all powers that would otherwise be exercised by the board of directors of **BERKLEY MANOR CONDOS**, a Utah nonprofit corporation (the "Association"), pursuant to 57-8-10.1(9)(c), and acting by unanimous written consent pursuant to 16-6a-813 of the Utah Revised Nonprofit Corporation Act, as amended, the Association hereby adopts the following resolution:

WHEREAS, the Association permits at least 35% of the lots/units in the community to be rented.

WHEREAS, the Community Association Act (the "Act") allows the Association to charge a rental lot/unit owner an annual fee of up to \$200 to defray the Association's additional administrative expenses directly related to a lot/unit. Further, the Act authorizes the Association to impose a fee if the lot/unit owner retains the right to use the Association's common areas, even occasionally. §57-8-8.1(2)(b).

WHEREAS, the Association desires to effectively administer the affairs of the Association and to provide for the long term maintenance of the Common Areas.

WHEREAS, the Association desires to provide herewith a detailed accounting of the specific tasks and expenses associated with the services of its professional management company to oversee, manage, track, and monitor events, occurrences, and transactions related to or arising out of the use of a lot/unit as a rental.

WHEREAS, the Association's Board has determined that it is in the best interest of the Association to retain the services of its professional property manager to monitor and track (i) the number of rentals within the subdivision, (ii) the names and contact information of the renters within the subdivision, and (iii) the basic terms of the rental use of such lot/units. The Association's manager has agreed to undertake these responsibilities consistent with its best reasonable efforts for a fee of \$200 per lot/unit per year.

WHEREAS, the Association further desires to minimize the potential impact of both a lot/unit owner and a renter utilizing and establishing wear and tear on the Common Areas, the Association shall impose a reasonable fee moving forward.

NOW THEREFORE, BE IT RESOLVED:

If an Owner rents their lot/unit the Association shall charge the Owner an annual fee in the amount of up to \$200 for the purpose of defraying the Association's additional administrative expenses. The Association recognizes its professional property manager's right and authority to collect an annual charge from the Association, calculated in the amount of up to \$200 per lot/unit per year, and to include such charge on the rental lot/unit owner's accounting ledger consistent with the charge permitted by the Act. Upon request, the Association's property manager shall provide a copy of this resolution, which shall serve as an accounting of the Association's additional expenses related to the rental lot.

In performing its duties, the Association's property manager shall apply reasonable best efforts to perform the following procedures, among others that the property manager may deem necessary in keeping with the intent of this resolution:

- (a) Maintain a list of lots/units rented;
- (b) Confirm or update Owner name(s), info, and contact for rental lot/unit;
- (c) Confirm or update tenant/occupant name(s), info, and contact for rental lot/unit;
- (d) Obtain a copy of the applicable rental agreement and/or verify the basic terms of rental or occupancy agreement;
- (e) Authenticate the information provided;
- (f) Check sex-offender registry verifying against tenant/occupant info; and,
- (g) Verify occupancy of rental lot/unit in compliance with governing documents;
- (h) Identify whether use of the common area is assigned by owner for the exclusive use of renters or whether mutual use rights are reserved

Additionally, If an Owner rents their lot/unit or any portion thereof but the Owner retains the right to use the Association's Common Areas (even occasionally), the Association shall charge the Owner an annual fee in the amount of \$500 to use the Common Areas.

Furthermore, if an Owner leases for a term of less than 30 days, the Association shall be able to impose via Rule a reasonable limit on the number of individuals who may use the common areas and facilities as guests of the tenant of the Lot or the Owner of the Lot.

Finally, the Association requires that each tenant who is renting a Lot to abide by the terms of the governing documents (Declaration, Bylaws, Rules and Regulations). Additionally, the Association shall hold the tenant and the Owner of the Lot jointly and severally liable for a violation of the provisions of the governing documents of the Association.

IN WITNESS WHEREOF, the undersigned have executed this Resolution as of

December 14th, 2023.

Board of Directors

Adopted in the board Meeting on 12/14/2023

Printed Name: Chase Brauchie, Richard Ferguson

Its: Representative Authorized to sign on behalf of the Directors and Officers