

Adopted 12/11/03

WZNSOR PLAZA CONDOMINIUM ASSOCIATION, INC.
POLICY RESOLUTION **20**

(**Establishing** Rules and Regulations Relating to Lease Registration)

RECITALS:

WHEREAS, Article 3, Section 3.1 of the Bylaws of Windsor Plaza Condominium ("Bylaws") provides that the Board of Directors shall have all of the powers and duties necessary for the administration of the affairs of the Association, and the power to adopt reasonable rules and regulations governing the use of the units and the Common Elements; and

WHEREAS, Article 5, Section 5.8(a)(6) of the Bylaws states, in part, as follows:

No unit shall be used or occupied for (i) transient or hotel purposes or (ii) in any event for an initial period of less than six months. No portion of any unit (other than the entire unit) shall be leased for any period; provided, however, that a reasonable number of roommates is permitted. No unit owner shall lease a unit other than on a written form of lease: (i) requiring the lessee to comply with the condominium instruments and rules and regulations; (ii) providing that failure to comply constitutes a default under the lease. and (iii) providing that the Board of Directors has the power to terminate the lease or to bring summary proceedings to evict the tenant in the name of the lessor after forty-five days prior written notice to the unit owner, in the event of a default by the tenant in the performance of the lease. The Board of Directors may suggest or require a standard form lease for use by unit owners. Each unit owner shall promptly, after entering into any lease of a condominium unit, forward a conformed copy of the lease to the Board of Directors.

WHEREAS. Article 5, Section 5.2 provides, in part, that each unit owner(s) shall pay the common expenses, including Limited Common Expenses. assessed by the Board of Directors pursuant to the provisions of Section 5.1 of the Bylaws; and

WHEREAS, Article 1, Section 1.3(d) of the Bylaws defines "Limited Common Expenses" as "separately assessed against one or more but less than all of the condominium units generally in accordance with the use of services, as permitted by Section 55-79.83 of the Condominium Act and Section 5.1 of these Bylaws. Except where the context requires otherwise, common expenses shall include Limited Common Expenses": and

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WHEREAS, the Association incurs additional administrative costs and expenses for leased units; and

WHEREAS, the Board of Directors believes it is in the best interests of the Association to promulgate rules and regulations implementing the provisions of the Bylaws relating to the leasing of units by unit owners.

NOW, THEREFORE, the Board of Directors adopts the following regulations for the Association, hereinafter referred to as the "Rules," which shall be binding upon all Unit Owners and their household, their family members, tenants, occupants, invitees, successors, heirs, and assigns who currently or in the future may possess any sort of property interest in a unit within the Condominium, and which shall supersede any current regulations of record or previously adopted rules on the same subject matter.

I. Policy

- A. All Unit Owners must register all tenants and other occupants of his or her Unit if the Unit Owner(s) do not reside in the Unit.
- B. All Unit Owners, who have leased their units to tenants and do not reside in the Unit, must pay an annual Tenant Registration Assessment of One Hundred dollars (\$100.00) per year.
- C. All leases must be in writing and conform to the provisions of Article 5, Section 5.8(a)(6) of the Bylaws of Windsor Plaza Condominium ("Bylaws").
- D. The Unit Owner and Tenant must execute an approved Lease Addendum for any new Lease or the renewal/extension of the current Lease beyond the initial term of the Lease.

II. Registration Of Tenants

- A. A Unit Owner shall register all tenants residing in his or her unit within ten (10) days of the starting date of the Lease.
- B. **New:**
 - 1. A Unit Owner shall register new tenants and occupants (which are tenants and occupants who are not residing in the unit as of the date this policy resolution is adopted) by submitting the following documents to the Association's On-Site Management Office within ten (10) days of the starting date of the term of the Lease.

- (a) A completed and signed Lease Registration Form (a copy of which is appended here as **Exhibit "A"**).
- (b) A signed copy of the Lease.
- (c) A signed copy of the Association's Lease Addendum (a copy of which is appended hereto as **Exhibit "B"**).
- (d) Commencing on January 1, 2004, and continuing thereafter on an annual basis, payment in the amount of One Hundred and no/100 dollars (\$100.00) for the Tenant Registration Assessment.

C. Existing Tenant:

1. Notwithstanding paragraphs A.1 and A.2 above, a Unit Owner shall register all existing tenants and occupants, (which are tenants and occupants who are residing in the unit as of the effective date of this resolution), by submitting the following documents to the Association's On-Site Management Office. within forty-five (45) days of the adoption of this Resolution:
 - (a) A completed and signed Lease Registration Form (a copy of which is appended here as **Exhibit "A"**)
 - (b) A signed copy of the current Lease for the unit,
2. At the expiration of the current Lease or if the current Lease is extended beyond the original term of the Lease, the Unit Owner shall also submit a signed copy of the Association's Lease Addendum (a copy of which is appended hereto as **Exhibit "B"**). The Lease Addendum must be submitted within fifteen (15) days of the date of the expiration of the current Lease.

- D. The Association reserves the right to deny the use of the Common Elements (e.g. pool privileges, parking) to a tenant and his or her family and other occupants of the unit until the following are received (a) signed Lease Registration Form. (b) a signed copy of the Lease, (c) a signed copy of the Association's Lease Addendum, and (d) commencing January 1, 2004, payment of the Tenant Registration Assessment.

III. Annual Tenant Registration Assessment

- A. Commencing January 1, 2004 and continuing each year thereafter. all Unit Owners that have tenants residing in their units must pay an annual Tenant Registration Assessment of One Hundred and no/100 Dollars (\$100.00). The assessment will offset the additional costs and expenses incurred by the Association relating to the unit being leased to a tenant.

