

## **PRISTINE POINT OWNERS' ASSOCIATION, INC.**

### **ENFORCEMENT POLICY FOR SHORT AND LONG-TERM RENTALS**

The following Enforcement Policy for Short and Long-Term Rentals was adopted by the Board of Managers ("Board") of the Pristine Point Owners' Association ("PPOA") on June 4, 2020 and will become effective June 15, 2021.

This Non-Owner Occupant ("NOO") Enforcement Policy is intended to amend the existing PPOA Policy: Enforcement of Covenants and Rules, dated December 16, 2014. This Enforcement Policy is intended to apply to short and long-term rentals.

The Policy pertains to both procedural violations to the PPOA Policy and Procedure Regarding Rentals and Non-Owner Occupancy ("Procedure Policy") and also to all violations of the Rules and Regulations Policy for Renters and Non-Owner Occupants within Pristine Point ("Rules Policy"). For simplicity, the Rules Policy will also be known as Notice to Occupants.

#### **Procedural Violations and Fines:**

**Rental Registration Form** - As described in the Procedure Policy, Pristine Point Owners who intend to rent their homes for either short or long-term rentals are required to complete a Rental Registration Form ("RRF") and provide the completed form to Toad Property Management Co. ("TPMC"), and to the PPOA Board. This submittal must be made a minimum of 7 days before the initial rental. Failure to provide an RRF by this timeframe to TPMC, will result in a fine of \$75.00 to the Owner each time this failure occurs. The fine may be paid by a deduction from the Registration Deposit (see below), if such a deposit exists, or may be assessed as part of the quarterly HOA dues payment. Proof of failure to file will be based on a statement from TPMC that said form has not been submitted by the Owner to Toad Property Management. Either TPMC or a member of the PPOA Board can report this failure to comply with this policy.

**Registration Deposit** – Owners are required to provide a Registration Deposit ("Deposit") of \$500.00 prior to the initial rental of a PPOA property. Failure to provide this Deposit before an initial Rental Contract is executed will result in a \$250.00 fine to the Owner, which will be assessed as part of the quarterly HOA dues payment. Proof of failure to provide the Deposit will be notification from TPMC to the PPOA Board that these funds were not deposited before the initial Rental Contract.

Note that the Deposit will be returned when the Owner notifies TPMC and the PPOA Board that they will not be renting the property for the remainder of the calendar year (January-December), subject to any warranted deductions therefrom. An Owner's Deposit will automatically roll over to the subsequent year, unless notification is given that the property is no longer in the rental pool. Failure to reinstate the Deposit if the property is returned to the rental pool will similarly be fined.

**Rental Notification E-mail** – As described in the Procedure Policy, an Owner is required to send a Rental Notification E-mail to TPMC for each rental. The E-mail should include the information requested in the Procedure Policy. Failure to provide a Rental Notification E-mail will result in a fine of \$100.00 to the Owner, paid from the Deposit. Absent sufficient funds in the Deposit, the fine will be assessed as part of the quarterly HOA dues payment. This fine will be imposed each time a Rental Notification E-mail is not provided in advance of a property rental. Either TPMC or a member of the PPOA Board can report this failure to comply with policy.

### **Rules and Regulations Violations and Fines:**

**Reporting Violations:** Any violation of PPOA rules or regulations as documented in the Rules Policy (Notice to Occupants), or any other violation of PPOA Covenants, by a renter or by another non-owner occupant (family or friend), will be the responsibility of the Owner. This includes any assessed fines or other payments for which the Owner is responsible.

A violation of any of the rules or regulations can be reported by anyone (i.e. Pristine Point Owner, or renter, or family member, or friend, or by representatives of TPMC). A complaint may be filed by phoning TPMC (970-349-2773) or by sending an e-mail to [jordan@toadpropertymanagement.com](mailto:jordan@toadpropertymanagement.com) (970-520-6203). We encourage details in these complaints, including the nature of the complaint, the name of the Reporting Witness, phone number or e-mail address of the Reporting Witness, the date and time of the complaint, any other additional witnesses, the location of the violation and the Reporting Witness observations. If the Reporting Witness is aware of the specific rule being violated, that would also be helpful, as would any audio or videotapes or photographs.

The complaint must be filled within 24 hours of the reported infraction.

TPMC will log the complaint and contact the Local Property Manager's Contact Person identified in the RRF. That Contact Person will notify the Responsible Renter (as identified in the Rental Notification E-mail) to attempt to resolve the complaint. If the complaint is resolved by this communication, no fine will be assessed. If the complaint is not resolved, or if it generates a second complaint, a fine of \$75.00 per complaint will be assessed to the Owner, paid from the deposit. Absent sufficient funds in the Deposit, the fine will be assessed as part of the quarterly HOA dues payment.

It may be necessary, or advantageous, for the TPMC Contact Person, in addition to the Local Property Manager's Contact Person, to visit the site of the complaint, and possibly talk to the Reporting Witness, as part of this process. Good judgment will prevail.

PPOA strongly advocates for an informal and low-key resolution to complaints. But we will not hesitate to take more rigorous actions if they are warranted.

Owners and their respective Property Manager will be notified of all violations in writing, by phone and/or e-mail, via TPMC.

### **Procedural and Violation Fine Review Process:**

There will be no unilateral fining. For any procedural or complaint violation, a three-person team will be conveyed to review the details of the violation and the proposed fine. The team shall consist of the TPMC Contact Person, a member of the PPOA Board, and the Owner of the rental property. The team will review the evidence and the Policies and reach a decision whether to enforce or waive the fine. The decision of the Fine Review Team will be final.

### **Other NOO Violations:**

Complaints involving non-owner occupancy by family or friends, non-rental, shall be handled by the provisions of the existing PPOA Policy: Enforcement of Covenants and Rules, dated December 16, 2014, available on the PPOA website at <https://toadpropertymanagement.com/clients/pristine-point/>.