

7-21-2020 Ad Hoc Meeting on Restricting Rentals in Laurel Hollow

Summary of Comments by 16 owners in attendance/26 owners signed petition to have the board take action in 2019. Four of five board members at the time signed the petition.

- Majority of call attendees felt the current leasing policy of minimum 1 year lease is fine.

Comment: This limits seasonal or short term rentals which mitigates risk for the community and homeowner.

- Majority of call attendees want to see a 5% limit on number of units leased at one time i.e. No more than 5 homes rented at one time.

Comment: Amending the declaration to place a cap on rentals will NOT limit rentals to 5 homes. If an amendment proposing same is presented to membership, and current owner votes against it, they will retain the right to lease subject to the 1 year minimum lease term. Also, three owners who currently lease their homes will retain the right to lease until they sell their property.

- There is currently no community restrictions on tenants subletting their units and no tenant is currently subletting. The majority of the 16 attendees felt we should restrict sub-letting.

Suggestion: Propose an amendment to the declaration to add "No sub-letting is permitted" to the current leasing policy.

Comment: In practice, a copy of a lease is submitted along with an application for approval to lease. The responsibility of the Board included reviewing the lease and conducting background checks on occupants.

- Majority of call attendees felt rigorous background checks on prospective buyers and tenants are essential to ensure safety and desirable residents.

Comment: SunVast did background checks on prospective owners and tenants and the current board is investigating how to conduct a background check.

The Federal Fair Housing Act is a federal law that prohibits discrimination in home sales, financing, and rentals based on **race**, color, religion, sex or national origin. In Florida, Fla. Stat. §§ 760.20-760.60 also prohibits discrimination based on race, color, national origin, sex, disability, familial status or religion. Single-family homes rented without the use of a real estate agent or advertising are **exempt** from the federal **Fair Housing Act** as long as the private landlord/owner doesn't own more than three homes at the time. Apr 22, 2013

Suggestions by individual owners:

Limit the number of occupants to 6 per home.

Comment: It would be illegal, based on Federal laws, to prohibit a family from buying a home based on the number of family members. A landlord can restrict the number of occupants leasing based on wear, but that number can only include adults. Under Federal law designed to protect families, the number of children can't be restricted.

Have the board meet with prospective new owners to determine if they intend to occupy or rent the property.

Comment: This can be accomplished more simply by adding a question to the application for approval of sale, "Will you as the owner, your spouse, children be the sole occupants of this home? If not, who will occupy the home in your absence? Do you intend to lease your home?"

Past boards did not enforce the current leasing restriction.

Comment: It is the responsibility of the Board to enforce the leasing restriction as contained in the Declaration.

Concerns over investors buying up homes in Laurel Hollow have lessened.

Comment: Investors want inexpensive properties to rent seasonally and short term. Our current policy (1 year lease minimum) and rising home prices in Laurel Hollow discourages investors.

Why cap at 5? Why not 7?

Five was proposed by a number of the 26 community petitioners in 2019. We currently have 3 leases in Laurel Hollow.

Next Steps: The board will add this topic to a future board meeting to finalize their position.

Thank you.

Marcia Auth, Secretary