

**RULES AND REGULATIONS
CONCERNING SHORT-TERM RENTALS AT
EAGLE TRACE COMMUNITY ASSOCIATION, INC.**

The Board of Directors of EAGLE TRACE COMMUNITY ASSOCIATION, INC. ("ASSOCIATION") held a meeting on March 19, 2019 at 7:00 p.m. wherein the following was ratified:

WHEREAS, the ASSOCIATION is a Florida Not-for-Profit Corporation with rights and responsibilities arising pursuant to Florida Statute §617 and Florida Statute §720; and

WHEREAS, the ASSOCIATION has the power to exercise all rights and responsibilities arising under the aforementioned statutory authority; and

WHEREAS, the ASSOCIATION, by assignment, is the owner and holder of all rights of the Declarant under the Declaration of Covenants and other governing documents of the ASSOCIATION, specifically including the right to make reasonable determinations as contemplated by the governing documents of the ASSOCIATION; and

WHEREAS, in accordance with its rights and responsibilities, the ASSOCIATION hereby refers to Article III of its Articles of Incorporation, which states as follows (emphasis added):

PURPOSES

The purposes for which this Corporation is organized are to promote the recreation, health, safety, aesthetic enjoyment and social welfare of the Owners and occupants of the Committed Property, . . .

and

WHEREAS, in accordance with its rights and responsibilities, the ASSOCIATION hereby refers to Article VI, Section 1(d) of its Bylaws, which states as follows (emphasis added):

Section 1. The Board shall have the power:

. . .

(d) To adopt and publish Rules and Regulations governing the use of the Corporation Common Areas and facilities and the personal conduct of the Members and their guests thereon;

. . .

and

WHEREAS, in accordance with its rights and responsibilities, the ASSOCIATION hereby refers to Section 3.23 of its Declaration of Covenants, which states as follows (emphasis added):

3.23. Nuisances.

Nothing may or shall be done on Committed Property which may be or may become an annoyance or nuisance to any Person or to a Neighborhood. No obnoxious, unpleasant, unsightly or offensive activity shall be carried on, nor may anything be done, which can be reasonably construed to constitute a nuisance, public or private in nature. Any question with regard to the interpretation of this Section 3.23 shall be decided by Declarant whose decision shall be final.

and

WHEREAS, the ASSOCIATION has deemed it to be a nuisance for owners in the community to enter into any lease agreement having less than a non-cancellable minimum term of four (4) months.

NOW THEREFORE, LET IT BE RESOLVED:

(1) Term. Owners shall only be permitted to enter into a lease agreement with a term of four (4) months or more, which is non-cancelable during the first four (4) months of said term.

(2) Registration. No Owner shall enter into any lease agreement whatsoever without first: (a) registering the tenant with the Association's management office; and (b) providing a copy of the underlying lease agreement to the Association's management office. The foregoing must be done before the proposed tenant may take occupancy of the property. Notwithstanding, nothing contained herein shall be construed as establishing a lease approval process.

(3) Compliance and Remedies. Failure of any owner to comply with this Resolution may result in the ASSOCIATION referring the violating owner to (a) the ASSOCIATION's Grievance Committee, which may result in the imposition of a fine and/or suspension of rights to use the ASSOCIATION common areas, or (b) the ASSOCIATION's legal counsel, and the ASSOCIATION may seek any and all forms of legal relief, including but not necessarily limited to an action to compel removal of the tenant from the property.

(4) Alternative Legal Action. Notwithstanding the Board of Director's procedures set forth above, if the Board of Directors so directs, the ASSOCIATION may, in addition to or in lieu of the procedures above, engage legal counsel to notify the owner and/or violator of the violation and the ASSOCIATION's intent to take appropriate legal action.

DATED: March 19, 2019

ATTEST:

Nancy Washor
Nancy Washor, Secretary

By: 
Jeffrey EisenSmith, President