

The Landlord Committee, under the auspices of the West Fork Village Owners Association, held its first committee meeting on May 20, 2004 at 7:00 pm. In attendance were Rick Budensiek, Gene Baker, and Chuck Rehmer.

The question of landlords using clubhouse privileges in addition to their tenants was raised in regard to double usage and fairness to occupant owners. Rehmer cited the Executive Board Policy in place allowing one pass card per bedroom; landlords with two bedrooms could share their two cards with their tenants. The Executive Board's policy allows this until a subsequent board, or Association vote (if required) would change this policy. Rehmer asked if there were specific problems or incidents that needed to be addressed and there were none. It was discussed that the maximum potential of 30 active landlords may still not impact the overall usage of the oversized clubhouse facility. The committee agreed to table this issue pending any continued problems.

Author's Note: It could also be argued that active landlords involved in clubhouse use would also be more active about supervising their tenants, and exhibiting the pride of ownership that benefits the entire project.

Potential problems with education of tenants about Declaration Restrictions of Use was discussed. It was decided to mail out the applicable use restrictions paragraph (Article 15) regarding restrictions of use to all non-owner occupants and to all landlords as a reminder that restrictions are in place.

Article 15.12 was reviewed (Leasing). It was determined that all owners should be notified with a reminder that the Association has the right to adopt Rules and Regulations with respect to the Leasing of units to non-owners; and that "any owner wishing to lease a unit...must first apply for authorization from the Association for any non-owner use". (15.12.1). The Declarant has been controlling this through limitations on sales to Landlords (30 total units). With the transfer of Declarant Control to the Association, a mechanism should be implemented to review said applications and to track the total number of non-owner occupied units. The Executive Board can direct the On-site Managers to perform this task. Recommendation is that this be tabled to the incoming board.

Authors Note: It should be noted that unreasonable restrictions on renting could be determined an infringement upon owner rights; the paragraph is rather specific primarily regarding negative impact to "federal mortgage eligibility requirements".

Contact Information about Tenants was deemed important and it was decided that the on-site manager shall continue to track non-owner occupant information for maintenance and emergency responses. This should be in the reminder letter to Landlords to provide this information upon Tenant turnover.

Complaints about insensitive Tenants were discussed. The current policy is for all complaints to be submitted in writing to on-site manager who then forwards them to the Executive Board for review and action--typically warnings to landlord and tenants. It was noted that Landlords should be notified of all Tenant Problems. The Declaration specifies the right of eviction in the event of failure to comply with the terms of the Declaration and Bylaws (15.12.2.4).

Meeting was adjourned at appx. 7:50 pm.

Respectfully submitted by
Chuck Rehmer, Owner Unit 101
Committee Volunteer and Declarant's Executive Board President
970-539-4313