

TAHOE TYROL HOMES ASSOCIATION SUMMARY OF HOME RENTAL REQUIREMENTS

The rental of homes within Tahoe Tyrol is generally subject to the provisions of Section 4.19 of the Second Restated Declaration of Covenants, Conditions and Restrictions of Tahoe Tyrol ("Section 4.19"). The vacation rental of homes is specifically subject to Chapter 28A, Article XIII of the South Lake Tahoe City Code (the "Ordinance"). The clear focus of Section 4.19 and the Ordinance is to ensure that owners are held accountable for the conduct of their tenants and that tenants act in a responsible, considerate manner. If Tahoe Tyrol is to retain its unique character and high quality of life, all owners renting their homes must do their part to ensure that their tenants act in a manner which will not detract from the environment of the community.

The purpose of this summary is to provide a **brief** synopsis of the **major** portions of Section 4.19 and the Ordinance. However, this summary is **not** intended to substitute for a thorough review of the actual provisions, nor is it a complete review of all of the governmental rules, regulations and ordinances applicable to the rental of homes in Tahoe Tyrol. In the event of any conflict between this summary and the provisions themselves, the provisions shall control.

PART I - SECTION 4.19

1. Responsibility of Owners. Owners are ultimately responsible for the actions of their tenants, both when they are within an owner's home and when they are utilizing the common area. This responsibility extends to the indemnification of the Association for any damages or other costs and expenses incurred by the Association as a result of the actions of an owner's tenants.

2. Written Agreements and Governing Documents. **Any** rental of a home (whether on a long-term or vacation rental basis) must be by **written** agreement. The agreement must provide that (1) it is subject to Association's governing documents, (2) the tenants must comply with the governing documents, and (3) any violation of the governing documents by a tenant is a violation of the agreement. **Tenants must be provided with a copy of the Association's governing documents.** If an owner fails to correct a tenant's damage or misuse of the common area or to prevent unreasonable disturbance of other residents, the Association has the power to evict the tenant.

3. Information Provided to the Association and Occupancy Limits. Owners are required to provide specific information to the Association. In the case of rentals for one month or longer, each owner must provide the Association with (1) the **names of the tenants**, (2) the **names of the members of the tenants' household**, (3) the **tenants' telephone numbers**, and (4) any other information the Board of Directors deems appropriate. The Association may also require each owner to designate on an annual basis the number of occupants which the owner's home may reasonably accommodate, subject to the approval of the Board of Directors. The number of occupants for rentals of less than one month may not exceed this number.

PART II - THE ORDINANCE

1. Application. The Ordinance applies to "vacation home rentals" which are defined, in relevant part, as homes "rented for the purpose of overnight lodging for a period of not less than 1 night and not more than 30 days other than ongoing month-to-month tenancy granted to the same renter for the same unit."

2. Responsibility of Owners and Local Contact Person. Owners are ultimately responsible for compliance with the Ordinance. **Non-local owners must designate a local contact person who has access to and control over the home.**

3. Permit Required. A **permit** must be obtained from the City of South Lake Tahoe upon payment of a fee.

4. Conditions of the Permit. The following **conditions are imposed on permits** issued in accordance with the Ordinance:

- A. Written agreements with occupants must limit occupants and number of vehicles to the limitations designated in permit
- B. Owners must use their "best efforts" to ensure that occupants act as "good citizens" by (1) informing them of the provisions of the Ordinance, (2) responding when notified that violations are occurring, and (3) acting to prevent unreasonable noise, disturbances or disorderly conduct.
- C. Owners must use their "best efforts" to be in compliance with the City's (1) refuse and garbage ordinances, (2) stopping, standing and parking ordinances, and (3) parking during snow conditions ordinances.
- D. The permit and conditions must be posted in the home.

5. Posting of Notice. A **notice must be posted within the home adjacent to front door** (1) stating the name of the owner of the home, or the owner's agent, with a 24-hour telephone number, (2) stating the maximum number of occupants, (3) stating the maximum number of vehicles, (4) stating the number and identifying the location of on-site parking spaces, (5) stating the parking rules for seasonal snow removal, (6) stating the trash pickup day and specifying that trash and refuse may only be stored on the exterior of the property from 6:00 p.m. the day prior to trash pick-up until 6:00 p.m. the day of trash pick up, (7) informing the occupant that the occupant may be cited and fined for creating a disturbance or otherwise violating the Ordinance, and (8) informing the occupant that failing to comply with the parking and occupancy requirements of the home is a violation of the Ordinance.

6. Parking. Owners must provide sufficient parking to meet City of South Lake Tahoe on-site parking requirements, including the garage if needed. All overnight parking must be on-site or immediately in front of the home.

7. Enforcement. The City (**not** the Association) is responsible for responding to complaints with respect to violations of the Ordinance. Complaints must be addressed directly to the City on the City's designated form.