

**McVITTY FOREST CONDOMINIUM
UNIT OWNERS ASSOCIATION**

ADMINISTRATIVE RESOLUTION NO. 2018 -1

**Definition of "Beginning of a Lease Period" for Administering
The Leasing Cap**

(Reference Amendment to Declaration, Article XI, Use Restrictions)

WHEREAS, the Unit Owners Association of McVitty Forest Condominium Unit Owners Association (the "Association") is a condominium unit owners' association organized and operating pursuant to the Virginia Condominium Act ("Act"), the Declaration of McVitty Forest Condominium Unit Owners Association (the "Declaration"), as amended, and the Association's Bylaws (the "Bylaws"), as amended; and

WHEREAS, Article IV, Section 2 of the Association's Bylaws grants the Association's Board of Directors (the "Board") the powers "necessary for the administration of the affairs of the Association and [it] may do all such acts and things, as are not by law or by the Association's Condominium Instruments directed to be exercised and done by unit owners;" and

WHEREAS, Article XI, Section A(1) of the Amendment to the Association's Declaration provides that "[t]en (10) units, two (2) in each building, shall be available out of ninety-two for rental purposes" and that "[a]ny unit owner that wishes to lease his unit shall submit an application to the Board of Directors..." and

WHEREAS, Article XI, Section A(1) of the Amendment to the Association's Declaration provides that "[a]ll leases shall be for a period of twelve (12) months, and may be extended for additional twelve (12) months increments. Unit Owners, who are presently leasing, shall be permitted (grandfathered) to lease their units for two (2) years following the approval and recordation of this amendment;" and

WHEREAS, Article XI, Section A(1) further provides that "[t]he Board shall be authorized to enact rules, regulations and procedures in order to address the application for the leasing of any unit;" and

WHEREAS, the Board of Directors seeks to establish "beginning of a lease period" definition for the administration of the owner-occupancy requirement set forth in the Amendment to the Declaration; and

NOW, THEREFORE, BE IT RESOLVED THAT the Board hereby adopts the

following definition:

The term “beginning of a lease period” shall mean the date a tenant began the rental arrangement, as confirmed by a written lease, with a landlord be it a new tenant moving into a Unit or the existing tenant currently residing in the Unit and renewing the lease term. For current tenants, “beginning of a lease period” shall be the date on which the tenant was authorized to take possession of the unit pursuant to the initial lease.

Resolution effective: _____, 2017.

McVITTY FOREST CONDOMINIUM
UNIT OWNERS ASSOCIATION

RESOLUTION ACTION RECORD

Resolution Type: Policy No. 2018-1

Pertaining to: Administration of The Leasing Cap

Duly adopted at a meeting of the Board of Directors of the McVitty Forest Condominium Unit Owners Association held on Jan. 25, 2018.

Motion by: Don Poe Seconded by: Pauline Piotrowski

VOTE:

	YES	NO	ABSTAIN	ABSENT
<u>Don Poe</u> , Director	☒	☐	☐	☐
<u>Pauline Piotrowski</u> , Director	☒	☐	☐	☐
<u>Thelma Helm</u> , Director	☒	☐	☐	☐
<u>Jim Arend</u> , Director	☒	☐	☐	☐
<u>Candy Springer</u> , Director	☒	☐	☐	☐

ATTEST:

Thelma J. Helm
Secretary

Date

Book of Minutes - 2018

Book Resolutions:

Resolution effective: January 25, 2018.

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of January, 2018, a copy of this Resolution was mailed (by first-class U.S. mail) to all Unit Owners as reflected in the Association's books and records.

Christine J. Greene
Managing Agent