

# BYC Rental Policy Resolution

Updated and BYC Board approved 10/19/21

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## This document defines:

- **Resolution Definitions** – pg. 1
  - **Rental Unit Owner Responsibilities** – pg. 2-3
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  - **Brickyard Creek Rental Fee** – pg. 4
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**Whereas** Brickyard Creek is a residential environmental community on the shores of Lake Superior dedicated to active stewardship and tranquility;

**Whereas** renting in Brickyard Creek is recognized as a positive and constructive community feature, supporting the ability of association members to afford the expense of buying and owning a cabin, to efficiently utilize cabins when they are vacant and to allow visitors to experience and discover Brickyard Creek as a vacation resource and potential home;

**Whereas** The Brickyard Creek Association has a legal authority and delegated responsibility to ensure that rental rights and expectations are balanced with those of the residential and environmental community members who do not rent their cabins;

**Whereas** rental visitors to Brickyard Creek represent a certain impact on community and common resources, including those involving traffic, roads, wells, trails, beaches and peace and sometimes result in violations of rules.

**Whereas** day-to-day rental management of cabins requires direct oversight and the capacity for an immediate response to visitor needs, emergencies and violations. Local professional rental management agencies are best able to provide this service. However, cabin owners who rent their cabins working through their agencies are responsible for ensuring this service, freeing residential neighbors and the Association manager from monitoring, reporting and enforcing expectations and visitor needs;

**Whereas** appropriately set occupancy limits benefit both the community and individual units in rental; and,

**Whereas** an increasing number of year-round and summer-long residents reside at Brickyard Creek thus becoming a necessary factor in balancing rental policy and residential imperatives.

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## RENTAL UNIT OWNER RESPONSIBILITIES

Therefore, be it Resolved by the Brickyard Creek Association Board of Directors:

All BYC Units that are in short term rental shall have a Brickyard Creek Board of Directors-approved Rental Management Plan. This plan may be demonstrated in one of two manners:

**1. Rental Agency:** Engagement with a Brickyard Creek-approved Rental Management Agency. This agency must be approved prior to the unit being made available for rent. Use of Airbnb, Vacation Rental by Owner or similar on-line rental brokers will be permitted only as marketing and booking resources utilized by board-approved rental management agents.

**2. Owner-Manager:** Where Property Owner desires to oversee their own property there must be a demonstrated current capacity and documented history of providing a rental management strategy that meets the standards of a professional agency while still abiding by BYC Common Expectations.

A Rental Unit Owner is required to complete the **Owner Short-Term Rental Notice** for both initial application and for annual reviews. This is to be completed by November 30<sup>th</sup> each year for the coming year.

Both local **Rental Agency Management Contracts** and **Owner Short-Term Rental Notices** will be reviewed annually.

### Approval of **Rental Agency Management Contracts**

- Demonstrated equivalent experience with a minimum of 5 years managing travel lodging, short-term home rentals, online booking systems including Airbnb and VRBO.
- Demonstrated experience in reservation management through professional booking software and OTA's.
- Examples of **multiple** communications of occupancy limits and BYC community expectations provided prior to taking a reservation (i.e., website information), prior to arrival (i.e., confirmation communications) and on the day of arrival (i.e., check-in procedures).
- Approved Check-In procedures ensuring complete guest education on BYC community expectations and policies. If not completing an in-person check-in, identify specific steps taken to ensure guests are fully aware of BYC policies and common expectations upon arrival.
- Examples of online and onsite documents and signage provided to communicate the appropriate use of features and amenities provided within BYC Community
- Demonstrated examples of problem-solving capacity (provide specific examples of potential violations and how they would be handled).
- Identification of local support staff addressing housekeeping and maintenance.

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- Identification of key contact person within a 15-mile radius of the property.

Once approved by the board, this contract supersedes the one between the rental management company and the rental cottage owner and will be reviewed annually by the ad hoc Rental Management Group of the Brickyard Creek Board.

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## RENTAL MANAGEMENT AGENCY RESPONSIBILITIES

**The following are considered critical items for a successful BYC Rental Program.**

### RENTAL AGENT LOCATION

The local professional management agency or key contact person for Owner/Manager must be doing business within a 15-mile radius of Brickyard Creek.

### CHECK-IN PROCESS

The **renter check-in process** is critically important for ensuring renters are aware of BYC policies and expectations. **Face-to-face check-in is the preferred method. If alternative check-in procedures are used, there must be evidence of multiple guest contact reinforcing this policy information including guest signature on policy document, a follow up phone call or visit after check-in.**

The management agency or Owner/Manager must demonstrate thorough communications that ensure guests are aware of both owner and community policies and expectations. The Management Agency or Owner/Manager is responsible for day-to-day oversight of the unit in rental, including the ability to respond in a timely manner to the needs of the client/owner, renter, or resident neighbor.

### CONTACT INFORMATION

The name and telephone number(s) of the current local agent and the owners whose units they represent shall be included in the owner directory on the BYC website along with instructions to call **both** the property owner and the designated local agent for issues or concerns involving a specific rental unit or their associated visitors. Failure of the local rental agent to respond in a timely or satisfactory manner should be reported to the BYC Director or the BYC Board of Directors.

### OCCUPANCY LIMITS

Each unit shall conform all BYC Rental Occupancy limits, local and Wisconsin State Statutes and the Bayfield County Department of Health Requirements. The BYC occupancy limits are based on the size and floor plan of each rental unit as determined by Brickyard Creek Board of Directors.

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## RENTAL MANAGEMENT AGENCY RESPONSIBILITIES - continued

### MINIMUM STAY REQUIREMENTS

A minimum **two-night stay** will be required for all rental units. Rental agents will be instructed that under no circumstances should less than two-night stays be booked.

### POSTING OF BYC RULES & EXPECTATIONS

The **BYC Rental Rules (Expectations)** shall be prominently displayed in all rental units. A copy of the rental rules should be sent to a renter when they book the unit, and a copy must be provided when they register. The short form of the BYC Rental Rules must be signed by all renters. A copy must be retained by the rental agency for the unit in rental.

### LIABILITY INSURANCE REQUIREMENT

All rental units must carry a minimum of one million dollars of **liability insurance**. This must be on file within the BYC Board annual along with the **Owner Short-Term Rental Notice**.

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## BRICKYARD CREEK RENTAL FEE

The BYC recognizes the increased the wear and tear to Association Common Elements such as our roads, beach, wells, septic systems, dumpsters and additional administrative cost associated with the BYC short term Rental Program. To appropriately maintain and preserve the Common Elements and account for the added administrative costs, Brickyard Creek will institute a **Brickyard Creek Rental Fee** (based on the rental cost).

Effective January 1, 2022, all Rental Agencies and Owner/Managers will be required to collect a 3.5% **Brickyard Creek Rental Fee** from renters.

The fee is based on total lodging charges and will be reflected on websites along with all associated communications and invoices with renters.

**Brickyard Creek Rental Fees** collected on behalf of Brickyard Creek will be paid to BYC by Rental Management Agency quarterly. Rental Management Agencies will provide full summary documentations including reservation summary, occupancy data for each unit.

Brickyard Creek will review the Rental Fee program annually in conjunction with the review of all other associated Rental Program documents.