

BYC Violation Resolution Process for RENTAL UNITS

BYC Board Approved - 10-19-21

This document defines:

- **Responsibilities** – pg. 1
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This document addresses **RENTAL units**.

RESPONSIBILITIES

Rules and policies violations by renters are the responsibility of the cottage owner and Rental Management Agency to resolve.

If an owner that rents is concerned that their Rental Management Agency is not properly vetting, monitoring, or responding to problems concerning renters, the owner should address that issue with their Rental Agency. If not able to address the problems, the owner should inform the BYC Director and BYCCA Board.

This process is designed with the understanding of the following:

- Short term rentals in BYC are allowed. Rentals at BYC can and should be a positive experience for both the renters and the community members. This requires a thoughtful system to manage a relationship with both Rental Agencies (RA) and Rental Property Owners;
- The BYCCA Board has the authority and responsibility to oversee the rental process, including responding to issues / complaints related to renters;
- The BYCCA policy requiring the use of qualified Rental Agencies (RA) requires full acceptance & understanding our policies by the RA;
- An approved RA must consistently show the ability to manage the rental process that communicates our expectations, while also defining a specific process when issues / complaints arise.
- The BYCCA serves to support the community, with an expectation that owners of all units similarly recognize their role in responsibility for what occurs on their property.

The updated [Rental Policy Resolution](#) provides a specific policies and guidelines for rentals.

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THE COMPLIANCE PROCESS

When issues/complaints arise showing violations of such policies the following steps are to be taken:

1. Receipt of Complaint – Complaints from community members should be submitted to the BYC Director, citing specific details including property, activities, times, and impacts.
2. BYC Director determines the validity of complaint including but not limited to:
 - a. Direct violation of Common Expectations and BYC policies (have been provided to all renters by MA)
 - b. Direct violation of contractual agreements by MA
3. If complaint is determined to be valid, BYC Director notifies both MA & Owner of Unit
4. Complaint is forwarded to BYCCA Board to place on file for discussion at next Board meeting
5. Repeated complaints show disregard of policies and management. As such the following schedule per Rental Owner Unit will be followed:

1st valid complaint – Informal Resolution

- Notice of violation to Rental Agency & Owner
- Request for response with remedial steps to be taken
- No fine issued

2nd valid complaint – Formal Resolution

- Notice of violation to Rental Agency & Owner – copies to BYCCA Board & Rental Group
- Phone call or meeting (virtual or in person) to discuss issues and further clarify how RA & Rental Owner intend to remediate the problem
- Official notice to RA and owner of complaint including notice of initial \$250 fine charged to owner.

Subsequent complaints:

- Notice of violation to Rental Agency & Owner – copies to BYCCA Board & Rental Group
- Phone call or meeting (virtual or in person) to discuss issues and further clarify how RA & Rental Owner intend to remediate the problem
- Official notice to RA and owner of complaint including notice of additional fines charged to owners.

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ENFORCEMENT ACTIONS

As part of the formal resolution process, penalties for community rules and polices violations may be imposed by the BYCCA Board per its rulemaking authority in the Declaration (Article VII, Section 1 (c) – Compliance) and the Bylaws (Article IV, Section 3 (k) – Enforcement of the Associations).

Fines may be imposed according to the following schedule:

1. **Initial Violation:** Warning
2. **Second Violation:** \$250
3. **Third Violation:** \$500
4. **Fourth Violation:** \$750
5. BOD decision to lien or take other legal action provided in the declarations

Failure to pay fine imposed within 30 days of receipt of fine notification can result in the additional fines incrementally as defined within the above schedule.