

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE ALGONQUIN ASSOCIATION**

LEASING RULES AND REGULATIONS

Effective Date: May 28, 2013

At a regular meeting of the Board of Directors of THE ALGONQUIN ASSOCIATION (the "Association") held on May 28, 2013, the Board of Directors agreed to the following Resolution.

R E C I T A L S

WHEREAS, pursuant Section 9.4 of the Amended And Restated Declaration Of The Algonquin Association dated October 17, 2005, and recorded in the Clerk's Office of the Circuit Court of the City of Norfolk ("Clerk's Office") as Instrument No. 20050053159 on December 15, 2005 (the "Declaration"), all Unit Owners and Residents shall be subject to any and all rules and regulations and resolutions adopted by the Board of Directors concerning the use of the Property;

WHEREAS, pursuant to Section 3.3.3 of the Amended And Restated Bylaws Of The Algonquin Association dated October 17, 2005, and recorded in the Clerk's Office as Instrument No. 20050053160 on December 15, 2005, the Board of Directors shall have the power to promulgate, adopt, amend and enforce reasonable rules and regulations deemed necessary for the benefit and enjoyment of the Condominium and governing the use and enjoyment of the Condominium;

WHEREAS, in order to administer the restrictions on leasing contained in Section 9.2 of the Declaration, the Board of Directors deems it necessary and in the best interests of the Association, to adopt rules regarding the leasing of units.

NOW, THEREFORE, be it **RESOLVED** that the following Leasing Rules and Regulations be, and are hereby, adopted and shall supersede any previously adopted rules on the subject.

1. Lease Approval. Prior to renting any Unit in the Condominium, the Unit Owner shall obtain the written approval of the Association. To obtain such approval, the owner shall submit a written request, including a copy of the proposed lease and such other reasonable information as the Board may require, to the Board of Directors or other person designated by the Board, such as the Manager, stating the Owner's intent to lease the Unit. The Board shall, as expeditiously as practical, but in any event within ten (10) days of receipt of such request, grant

its consent to the Owner if the lease would not cause the aggregate number of units that are rented to exceed the Rental Ceiling set forth in 9.2 of the Declaration. The Board may withhold or condition approval of any lease upon execution of an addendum thereto that would include without limitation any of the requirements of these Leasing Rules and Regulations or the condominium instruments.

2. All leases, renewals, extensions, assignments and subleases of Units for all Owners shall require approval and shall otherwise comply with the restrictions contained in Section 9.2 of the Declaration and these Leasing Rules and Regulations.

3. Notice of Termination, Non-renewal or Expiration of Lease and Right to Re-Rent. Each Owner who has an approved Lease for his Unit shall promptly give notice to the Association of any expiration, non-renewal or termination of a lease. An Owner whose lease has expired and not been renewed by the tenant, or whose lease has otherwise been terminated, or whose Unit will be vacated and available for rental within the next ninety (90) days, shall give notice of that expiration, non-renewal, termination, vacation or other availability to lease to the Association within ten (10) days of the time that the Owner learns of those circumstances. Any such owner who has an approved lease that will terminate, expire or not be renewed or the Unit will be vacated and available for rental and who has given notice to the Association as required by this paragraph, shall have the right to re-rent his unit, provided he does so within sixty (60) days from the date the Unit becomes available for such rental and so long as approval has been obtained as required. If such Owner does not desire to re-rent his unit or does not obtain approval and lease his Unit within such sixty (60) day period, then such Owner may place his name on the rental waiting list maintained by the Association as set forth below, if he so desires.

4. Waiting List. If approval of a lease is denied because it would cause the number of Units that are rented to exceed the Rental Ceiling set forth in Section 9.2 of the Declaration, then the Association shall, if the Owner so desires, place the Owner's name on a rental waiting list maintained by the Association. The rental waiting list shall list Owners in the order they were placed thereon.

- a. Notice of Availability to Obtain Lease Approval. Within ten (10) days of receipt of notice in writing by an owner that his lease has or will expire, and not be renewed, or has been or will be terminated, or whose Unit has been vacated and will not be re-rented, the Association shall notify the Owner who is in the next available position on the rental waiting list of the opportunity to apply for lease approval. That opportunity to rent shall be available to that Owner for a period of ninety (90) days from the date of that notice. If no request for approval to lease is submitted by that Owner during that period, that Owner's name shall be placed at the bottom of the rental waiting list, and the opportunity to rent shall be offered to the next highest person on the rental waiting list.
- b. An owner may remove his name from the rental waiting list at any time by providing notice in writing.

5. Occupancy Changes. This rule governs the presence and movement of persons in and out of the Units.

Association or its managing agent at the time they move in or within seven (7) days of the time such persons become occupants. As used in this Rule, the term occupants shall mean any person who occupies a Unit as a permanent residence or who stays overnight in any Unit more than fourteen (14) days in any calendar month or more than sixty (60) days per calendar year, and shall include tenants. As used in this Rule, the term registration shall mean the filing with the Board or its authorized agent a written statement setting forth the following information:

- i. the name; day, evening and emergency telephone numbers; current street address (and mailing address if different than the street address) and, if applicable, email address of the Owner of the Unit;
- ii. the name; day, evening and emergency telephone numbers; current street address (and mailing address if different than the street address) and, if applicable, email address of all occupants other than the Owner; and
- iii. any other information regarding the occupants of the Unit that shall be reasonably required by the Board.

b. Updating Registration Information. All Owners shall advise the Board or managing agent of any changes in the registration information required to be provided in this Section on a current basis.

c. Notice of Moving Date. The Board or managing agent shall be provided with reasonable prior notice of the date any occupant is expected to move into or out of a Unit.

6. Authority to Amend. The Board shall have the authority to amend these Leasing Rules and Regulations from time to time as it deems proper.

FURTHER RESOLVED, that the directors and officers of the Association are hereby authorized to perform such other or further acts as shall be necessary to carry out the intent of this resolution, including publishing these Leasing Rules and Regulations to all Owners.

This Written Consent shall be included with the Minutes as part of the official records of the Association.

THE ALGONQUIN ASSOCIATION

By Grace Albano Orsini
GRACE ALBANO ORSINI, President
Print Name

Attest: Kathleen A. Dial
KATHLEEN A. DIAL Secretary
Print Name

The Algonquin Association
Board of Directors Meeting
Friday, April 26, 2013

The meeting was called to order at 10:05 a.m. The following members were present: Grace Orsini, President; Lewis Greenhouse, Vice President; Kathy Dial, Secretary; Norman Goldwasser, Treasurer; Carol Parks, member at large. Also present were Susan Rodriguez, manager; and homeowners Harry Carter, Pat Carter, Roy Darnell, Joe McPhillips, Barbara Romeo, and Lyn Tucci.

The meeting was for the specific purpose of reviewing the draft proposed Leasing Rules and Regulations prepared by Deborah Casey of the Vandeventer Black law firm, regarding establishment and administration of a wait-list for use when the number of units rented in the association is at the rental cap of 12 units.

There were no committee reports and no other business to be conducted at the meeting. The meeting proceeded to a comprehensive review of the Leasing Rules and Regulations. Suggested changes were as follows:

Paragraph 4. c. - Add language providing that removing a name from the rental waiting list needs to be in writing by the owner.

Paragraph 5.c. - Change "reasonable prior notice" to "not less than 14 days notice."


Paragraph 6. - Delete in its entirety.

Paragraph 7. - Re-number to paragraph 6. and delete the following language: "including promulgating additional rules and regulations regarding the leasing restrictions contained in Section 8(f) of the Bylaws".

The date for the next regular Board meeting was changed **from** Friday, May 17, 2013, at 10:00 a.m., with the homeowner forum at 9:45 a.m. to **TUESDAY, MAY 28, 2013**, at 10:00 a.m. with the homeowner forum at 9:45 a.m.

With no further business, the meeting was adjourned at 12:30 p.m.


Kathy Dial, Secretary


Grace Albano Orsini, President