

**MOSBY'S LANDING UNIT OWNERS' ASSOCIATION  
POLICY RESOLUTION NO. 10A  
(Establishing Rules and Regulations Relating to Lease Registration)**

**Effective Date: January 1, 2008**

**RECITALS:**

**WHEREAS**, Article III, Section 2 of the Bylaws provides that the Board of Directors shall have all of the powers and duties necessary for the administration of the affairs of the Association, and the power to adopt reasonable rules and regulations governing the use of the units and the Common Elements; and

**WHEREAS**, the Article XI, Section 2 of the Bylaws states, in part, as follows:

No unit owner may lease less than the entire unit and any such lease shall be required to be in writing. Any owner of any condominium unit who shall lease such unit shall, promptly following the execution of any such lease, forward a conformed copy thereof to the Board of Directors. Any such lease shall contain a provision to the effect that the rights of the tenant to use and occupy the condominium unit shall be subject and subordinate in all respects to the provisions of the Declaration and these Bylaws and for such other reasonable rules and regulations relating to the use of the common elements, or other "House Rule", as the Board of Directors may from time to time promulgate, and the failure of any lessee to comply with any provision of the Declaration or these By-Laws or other rules and regulations promulgated by the Board shall be a default under the lease; and

**WHEREAS**, Article VI, Section 8 of the Bylaws states as follows:

In the event that the tenant of any unit owner shall breach his lease by failing to comply with any of the terms of Declaration, these By-Laws and the Rules and Regulations, the Board of Directors may require the unit owner to secure the eviction of his tenant; and

**WHEREAS**, Article V, Section 1(e) provides, in part, that unit owners may be individually assessed for limited common expenses benefiting less than all of the condominium units or caused by the conduct of those entitled to occupy the same, or by their licensees or invitees; and

**WHEREAS**, the Association incurs additional administrative costs for leased units; and

**WHEREAS**, the Board of Directors believes it is necessary and in the best interests of the Association to raise the Annual Tenant Registration Assessment and reaffirm the rules and

regulations, which were originally adopted January 1, 2002 and which implement the provisions of the Bylaws relating to the leasing of units by unit owners.

**NOW, THEREFORE,** the Board of Directors adopts the following regulations for the Association, hereinafter referred to as the “Rules,” which shall be binding upon all Unit Owners and their family members, tenants, occupants, successors, heirs, and assigns who currently or in the future may possess any sort of property interest in a unit within the Condominium, and which shall supersede any current regulations of record or previously adopted rules on the same subject matter.

### **I. Policy**

- A. All Unit Owners must register all tenants and other occupants of his or her Unit if the Unit Owners do not reside in the Unit.
- B. All Unit Owners, who have leased their units to Tenants or may lease their units to Tenants and do not reside in the Unit, shall pay an Annual Tenant Registration Assessment of two hundred and no/100 dollars (\$200.00) per year.
- C. All leases must be in writing and conform to the provisions of Article XI, Section 2 of The By-Laws of Mosby’s Landing, A Condominium.
- D. The Unit Owner and Tenant must execute an approved Lease Addendum for any new Lease or the renewal/extension of the current Lease beyond the initial term of the Lease.

### **II. Registration Of Tenants**

- A. A Unit Owner shall register all tenants residing in his or her unit within ten (10) days of the starting date of the Lease.
- B. New Tenant:
  - 1 A Unit Owner shall register new tenants by submitting within ten (10) days of the commencement of the term of the Lease the following documents to the Association’s Managing Agent:
    - (a) A completed and signed Lease Registration Form (a copy of which is appended here as **Exhibit “A”**).
    - (b) A signed copy of the Lease.
    - (c) A signed copy of the Association’s Lease Addendum (a copy of which is appended hereto as **Exhibit “B”**).
    - (d) Payment in the amount of \$200.00 for any tenant that is registered after January 1, 2008.

C. Existing Tenant:

1 Notwithstanding A.2 above, a Unit Owner shall register all tenants and occupants who are currently residing in his or her unit by submitting the following documents to the Association's Managing Agent, within forty-five (45) days of the adoption of this Resolution:

(a) A completed and signed Lease Registration Form (a copy of which is appended here as **Exhibit "A"**)

(b) A signed copy of the current Lease for the unit,

2 At the expiration of the current Lease or if the current Lease is extended beyond the current term of the Lease, the Unit Owner shall also submit a signed copy of the Association's Lease Addendum (a copy of which is appended hereto as **Exhibit "B"**). The Lease Addendum must be submitted within fifteen days of the date of the expiration of the current Lease.

D. The Association reserves the right to deny the use of the common elements (e.g. pool privileges, parking) to a tenant and his or her family and other occupants of the unit until an (1) signed Lease Registration Form, (2) a signed copy of the Lease, (3) a signed copy of the Association's Lease Addendum, and (4) commencing January 1, 2008, payment in the amount of two hundred dollars (\$200.00), which should be payable to the "Mosby's Landing Unit Owners' Association", are submitted to the Association's Managing Agent.

**III. Annual Tenant Registration Assessment**

A. Commencing January 1, 2008 and continuing each year thereafter, all Unit Owners that either have Tenants or who have had Tenants reside in their Unit and who may have Tenants reside, for any part of the calendar year, in their Units shall pay an annual Tenant Registration Assessment of two hundred and no/100 dollars (\$200.00) to the Association. The Annual Tenant Registration Assessment will offset the additional costs incurred by the Association relating to tenant occupied units.

B. A Unit Owner may, at the discretion of the Board of Directors, obtain a refund of the Annual Tenant Registration Assessment: (1) if the Unit remains unoccupied by a Tenant during either the entire calendar year; (2) if only the time during a calendar year that the Unit was occupied was the period of time during which the Unit Owner resided in the Unit; or (3) if the Unit remains unoccupied by a Tenant through the date that a Unit conveys to a third party owner. All requests must be in writing and submitted to the Board of Directors care of the Managing Agent.

C. Payment is due annual on or before January 1st or when the Unit Owner submits the Lease Registration Form for a New Tenant if the Unit was not previously occupied by a Tenant. Any Tenant Registration Assessment payment that is either not received by January 10<sup>th</sup>

shall be considered late or within ten (10) days of commencement of a Lease for a New Tenant shall be considered late and subject to a late charge of thirty-five dollars (\$35.00).

- D. A Unit Owner does not have to pay an additional Annual Tenant Registration Assessment for a New Tenant if the Unit Owner has already paid the Annual Tenant Registration Assessment for the calendar year.

#### **IV. Unit Owner's Responsibilities**

- A. The Unit Owner shall provide to his or her tenants at the time the Lease is signed copies of the following:
  - 1 The Declaration Mosby's Landing ("Declaration");
  - 2 The By-Laws of Mosby's Landing, A Condominium ("Bylaws");
  - 3 The Owner and Resident Manual for Condominium Living ("Owner's Manual"); and
  - 4 The Rules and Regulations (Policy Resolutions Nos. 4 – 10 and any other Policy Resolution adopted by the Board after the date of this resolution).

#### **V. Tenant's Responsibilities**

- A. Tenants and all other occupants of the unit must comply with the Declaration, the Bylaws, and the Rules and Regulations.
- B. Failure to comply with the Declaration, Bylaws, or the Rules and Regulations will be considered default under the Lease.

#### **VI. Enforcement**

- A. If these Rules are violated, the Association reserves all of its legal remedies, including, but not limited to, the right to compel eviction, and the assessment of special charges and/or the suspension of privileges, subject to the due process procedures set forth in 55-79.80:2 of the Code of Virginia, the Declaration, the Bylaws, and the Rules and Regulations.
- B. Payment and collection of the Annual Investor Registration Assessment shall be made in accordance with the Bylaws and the Virginia Condominium Act, including without limitation the right reserved to the Board to accelerate payment of the assessments and the right to recover attorney's fees and costs.

This Policy Resolution No. 10A supersedes and replaces Policy Resolution No. 10 and shall take effect January 1, 2008.

We affirm that Annual Tenant Registration Assessment was increased and the rules and regulations were reaffirmed, as set forth in this Policy Resolution No. 10A, by the required vote of the Board of Directors at the Board of Directors meeting held on the 15th day of November 2007.

**MOSBY'S LANDING UNIT OWNERS' ASSOCIATION**

By: \_\_\_\_\_  
Paula Bennett, President

By: \_\_\_\_\_  
\_\_\_\_\_, Secretary