

POLICY PROHIBITING SHORT-TERM RENTALS (STRs) IN THE ARBORS AT DOGWOOD CREEK SUBDIVISION

Foreword: Popular events such as SXSW, Rodeo Austin, Circuit of the Americas, ROT Biker Rally, etc are increasing national and international event attendance with each year. But with the explosive growth in Austin and surrounding areas, near-by accommodations for attendees are becoming more expensive and more difficult to find.

As a result, the demand for temporary housing under short-term vacation rentals (STRs) in surrounding areas is becoming progressively more popular. AirBnb, VRBO, and HomeToGo are enterprises which offer such services.

As this subdivision was plated and planned for residential, one family housing use only, in the subdivision Covenants, Conditions, and Restrictions (CC&Rs), such enterprises such as short term rentals are detrimental to our community structure.

It is therefore considered that the following Board approved policy be put into place effective September 1, 2020

Section 1 & 2 CC&R's currently contain the following restrictions:

1. LAND USE AND BUILDING TYPE

(a) Land Use

All lots in the Subdivision shall be used for single family residential purposes. Only one single family residence shall be permitted on each lot.

As a further clarification to the above CC&R restrictions, the proposed Policy would specifically prohibit all rentals of less than 30 days in duration.

Short Term Rental Restriction Policy

No property within the Subdivision shall be rented or made subject to a lease agreement for a term or duration of occupancy of less than 30 consecutive days.

For terms of determining compliance, an Owner may not enter into a lease agreement for a period of longer than 30 consecutive days while also proposing, offering or agreeing to cancel, waive or ignore the agreement of the Renter to pay rent and occupy the leased premises for longer than 30 consecutive days.

The following fine policy will be made effective on the same date:

**Fine Policies for Short Term Rentals
The Arbors at Dogwood Creek
Homeowners Association
Effective September 1, 2020**

Policy for fines for Short Term Rentals

Any member found to be in violation of the Short-Term Rental Restriction or found to be offering a Arbors at Dogwood Creek property for rental in violation of the Short-Term Rental Restriction will

1. Be sent an initial warning letter placing the member on notice that such a violation has been determined.
2. Be given 10 days to cure and not repeat the violation; the member has the opportunity to challenge the violation notice in a hearing before the Board during the 30 days following the date of the violation notice.

If the violation occurs again within the next 12 calendar months a \$1,500 per day fine will be imposed and the violation will be turned over to the Attorney representing the Association for the purpose of securing a Restraining Order preventing the member from continuing the violation and/or from repeating the violation in the future.

The member will be responsible for all costs and legal fees necessary to support this policy and enforce the policy in addition to any accrued fines.