

Approved: _____

**Solana Courtyards Homeowners Association
Minutes of the June 21, 2018 Board Meeting
Solana Clubhouse**

*- No inaccuracies identified
+ Approval Not Reached
due to changes in Board
personnel from the time
of the meeting.*

Call to Order

The meeting was called to order at 6:35 PM.

Roll Call

Board members present included:

Dave Fickes
Ellen Levey
Regina Rose
Sandra Massoth
Bruce Emery

There being present all currently-serving Board members, a quorum was present for the conduct of business.

Proof of Notice of Meeting

The Secretary provided a true copy of the Email providing notice of the meeting, which correctly stated the date, time and location of the meeting, and included a list of all recipients of the notice—thereby verifying that notice had been given in accordance with the Bylaws.

Adoption of Minutes

There were no prior minutes requiring consideration.

Officers' and Committees' Reports

There were no Officer or committee reports.

Unfinished Business

There was no unfinished business.

New Business

The Board considered a request for hearing on a Warning of Violation, which was issued May 31, 2018 on the Owners of 10 Tanoak Court. The Secretary provided background, indicating the matter was properly before the Board based on Section 1.1, CC&Rs, *Definitions*, "Notice and Opportunity to be Heard," and Section 9.2, CC&Rs, *No Waiver of Strict Performance*. The Secretary noted that he had received a total of three contacts from members indicating concern about the possible short-term rental of the subject property through the Website AirBNB, Starting May 27th. After investigation, the Solana Courtyards ACC issued a Notice of Warning on May 30, 2018 to the owner, finding that the property was being rented in violation of the provisions of Section 6.10, CC&Rs, *Leasing*, and that if the activity was not abated, the owner could be

subject to claims for damages and/or injunctive relief in accordance with Section 9.1.1, CC&Rs. The Secretary received a response from the owner on May 31, 2018, requesting that the matter be reviewed by the Board of Directors under the provisions of Section 1.1, CC&Rs, *Definitions*, "Notice and Opportunity to be Heard." The Secretary read for the record five emails that were received on the matter; one in support of approving a waiver, and four expressing concerns about the activity. Names were not reported by the Secretary to preserve the anonymity of the commenters.

The proponent addressed the Board, indicating that he wanted to offer his home on AirBNB as a way to make ends meet. He indicated he was enduring financial hardship due to his spouse being in hospice care. The manager of the unit for purposes of rental, identified as Sara, addressed the Board. She indicated she had 8 years of experience managing units for AirBNB. She indicated the Website provided screening services, and that she also provided additional screening to ensure quality renters. She indicated she never had a problem with a renter in those eight years, and had a rating as "Super Host" from the website. The proponent added that he currently had the unit booked for intermittent periods through August, 2018.

The Board members asked questions of the proponent and Sara concerning the operation. The proponent indicated he had a basic homeowner's policy but that his agent was aware of the rental activity of the property. He also indicated that his plan was to allow the unit to be rented as long as the medical need for his spouse was present, but was not able to provide any clear determination of how long that would be.

The Board allowed attending Members to voice their thoughts on the matter. Concern was expressed that the precedence of such a waiver might eliminate the HOA's ability to control short term rentals.

The Board discussed the matter. One option discussed was whether a waiver could be allowed for the duration of the current bookings for the property, through the end of August, 2018. Concern was reiterated of the potential precedence and the ability to enforce the prohibition of short term rentals on future would-be rental owners. It was noted that short term rentals typically command a much higher price than long-term rentals, creating an incentive for more to participate should the option become available. It was also noted that, although the Board members empathized with the proponent's circumstance, economic hardship was arguably outside of the reasonable scope of consideration for the Board to justify the granting of a waiver. Given this discussion, it was moved and seconded to deny the request for a waiver from strict adherence to the minimum rental terms of Section 6.10, CC&Rs, which passed unanimously.

Non-Agenda Items and Discussion

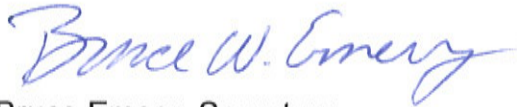
The Board considered non-Agenda discussion items. The Secretary was asked about the status of the landscape Committee's recommendations. He

responded, indicating that a meeting of the Community Association Board would be forthcoming based on time constraints. Concern was expressed regarding the expansion of properties purchased for rental purposes.

Adjournment

The meeting was adjourned at 7:50 PM.

Respectfully Submitted,



Bruce Emery, Secretary
Solana Secretary