

C11.01-1 LEASING PROCEDURE FOR ENCORE AT BRIAR CHAPEL

**COVENANTS SECTION NO.**

Leasing within Encore at Briar Chapel is governed by Encore at Briar Chapel Covenants Article XI Restrictions, Section No. 11.01 “Leases Restrictions”.

**DEFINITIONS**

ASSOCIATION - Encore at Briar Chapel Homeowners Association (HOA)

BOARD - Encore HOA board

DWELLING – Building on the lot for which a certificate of occupancy has been issued and is used or occupied, or intended for use or occupancy, as a residence, whether by the Owner thereof or by tenants or lessees of the Owner.

MASTER DECLARATION – The Declaration of Covenants Conditions Restrictions for Briar Chapel

OWNER - Record owner of dwelling

**GENERAL POLICIES**

- As used herein the term “Association” or “HOA” includes the Association, its officers, directors, members, partners, employees, coordinators, volunteers and agents, and all persons, corporations, partnerships, and other entities with which it is or may in the future become affiliated, including without limitation, the property management company, developer of the Encore at Briar Chapel Community and its affiliated entities, and the successors and assigns for any of them.
- Leasing of any dwelling is restricted as set forth in the Master Declaration. All leases authorized must be in writing.
- The owner of a leased dwelling is jointly and severally liable with his tenant to the Association to pay any claim for injury or damage to property caused by the negligence of the tenant.
- The information and rules contained within may be changed periodically and without notice as deemed necessary by Encore at Briar Chapel Homeowners’ Association or its Management.

**LEASING PROCEDURE**

Step No.	Procedure Step	Assigned To
1	Complete Lease Form <a href="#">Briar Chapel Life - Lease Submission Form - Formstack</a> on the BC Association website. Include a statement that the dwelling in Encore Briar Chapel is intended for the housing of persons fifty-five (55) of age or older.	Owner

2	<p>Include in the proposed leasing document:</p> <ul style="list-style-type: none"> <li>● The length of time for the leasing period. No lease shall be for a period of not less than twelve (12) months.</li> <li>● Statements in conspicuous type that the dwelling in Encore Briar Chapel is intended for the housing of persons fifty-five (55) of age or older, as set forth in Encore at Briar Chapel Covenants ARTICLE XVI.</li> <li>● Provide that failure to comply with the requirements and restrictions of Article XVI shall constitute a default under the lease.</li> </ul>	Owner
3	<p>Submit a copy of the proposed lease and documentation verifying compliance of ARTICLE XVI to the board President prior to occupancy by the tenant. Examples of age verification include: driver's license, birth certificate, passport, immigration card, and military identification.</p>	Owner
4	<p>Review and respond to the owner within ten (10) calendar days following receipt of the information.</p>	Board