

**MONTCLAIR SECTION 4B TOWNHOUSE
HOMEOWNERS ASSOCIATION, INC.
T/A Nob Hill Forest Townhome Association**

POLICY RESOLUTION NO. 2020-0116

LEASE AGREEMENT RESOLUTION

WHEREAS, Article II, Section 2 of the Declaration of Covenants, Conditions and Restrictions for the Montclair Section 4B Townhouse Homeowners Association, Inc. t/a Nob Hill Forest Townhome Association (the “Declaration”) states that any “[o]wner may delegate, in accordance with the By-Laws of the Association, his right to enjoyment to the Townhouse Common Area and facilities to the members of his family, his tenants, or contract purchasers who reside on the Property”;

WHEREAS, Section 2 further states that “every owner [...] covenants that should the owner desire to lease or rent his lot that the lease or rental agreement shall contain specific conditions which require the lessor/rentor to abide by all Townhouse Cluster Association and Master Association Rules and Regulations and that any owner desiring to rent or lease a lot further covenants that the lessor or rentor will be provided a complete set of all Association and all Master Association covenants and any and all rules and regulations”;

WHEREAS, Article VII, Section 1 of the By-Laws of Montclair Section 4B Townhouse Homeowners Association, Inc. and Section 55.1-1819(A) of the Virginia Property Owners’ Association Act (Code §§ 55.1-1800, *et seq.*, the “Act”) provide that the Board of Directors (the “Board”) of the Montclair Section 4B Townhouse Homeowners Association, Inc. t/a Nob Hill Forest Townhome Association (the “Association”) shall have the power to adopt and publish rules and regulations;

WHEREAS, Article VII, Section 1(c) of the By-Laws provide that the Board may exercise for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the membership;

WHEREAS, Section 55.1-1806(B) of the Act provides that the Association may require lot owners to provide the Association with: (i) the names and contact information of and vehicle information for the tenants and authorized occupants; and (ii) the tenant’s acknowledgement of and consent to any rules and regulations of the Association;

WHEREAS, the Board has determined that it is in the best interests of the Association to establish and promulgate rules and regulations relating to the leasing of lots by lot owners to ensure compliance with Article II, Section 2 of the Declaration.

NOW, THEREFORE, BE IT RESOLVED THAT the Board hereby adopts the following rules and regulations relating to the leasing of lots by the owners:

I. LEASE AGREEMENTS - Requirements

- A. Written. All lease agreements must be in writing.
- B. Compliance with Documents. All lease agreements must contain clauses stating that the tenants and all other occupants of the lot must comply with the Declaration, Articles of Incorporation, By-Laws, the Montclair Property Owners Association Declaration, and any rules and regulations promulgated by the Board and/or the Montclair Property Owners Association
- C. Acknowledgment. All lot owners leasing their lots must provide their tenants with copies of the foregoing documents and must have their tenants execute written acknowledgments of receiving and consenting to the same. A sample acknowledgement is attached to this Resolution as Exhibit A.
- D. Tenant Roster. All lot owners who lease their lots must provide the Association with an up-to-date list of the names, contact information, and vehicle information for all occupants residing in their lots at the start of each new lease and must promptly notify the Association of any changes.

II. ENFORCEMENT.

- A. Suspension of Privileges. The Association may suspend the right of a lot owner (and that lot owner's tenants) to use the facilities and services provided through the Association (including parking privileges) for violations of this Resolution. Suspension of privileges will not occur until the Association has given the lot owner written notice of the violation and an opportunity for a hearing in front of the Board in accordance with Section 55.1-1819 of the Act and any other procedures that may be adopted by the Board.
- C. Other Remedies. The Board the right to take such other measures as it deems reasonable and as may be otherwise provided for under the Declaration to enforce the provisions of this Resolution.

ATTEST: This resolution was adopted by the Board of Directors for the Association on
January 16, 2020.

President of the Board of Directors
(signature on file)

**MONTCLAIR SECTION 4B TOWNHOUSE
HOMEOWNERS ASSOCIATION, INC.
T/A Nob Hill Forest Townhome Association**

RESOLUTION ACTION RECORD

Resolution Type: Policy, No. 2020-0116

Pertaining to: Lease Agreements

Duly adopted at a meeting of the Board of Directors of Montclair Section 4B Townhouse Homeowners Association, Inc. t/a Nob Hill Forest Townhome Association held January 16, 2020.

Motion by: President

Seconded by Vice President

	YES	NO	ABSTAIN	ABSENT
President	X			
Vice President	X			
Treasurer	X			
Secretary	X			
Member				X

ATTEST: Secretary of the Board of Directors
(signature on file)

Distributed to all 216 owners of record via First Class mail on 2/7/20 and posted on cavaliermanagementhoa.com.

**IF YOU HAVE A TENANT(S), YOU MUST COMPLETE THIS
ACKNOWLEDGEMENT AND RETURN TO CAVALIER MANAGEMENT.**

TENANT ACKNOWLEDGMENT

I/we, _____, owner(s) of the lot located at
_____ (the "Lot") hereby certify that on _____, I/we
leased the Lot to the following tenants:

Tenant Telephone Number Vehicle (Make, Model, Tags)

Tenant Telephone Number Vehicle (Make, Model, Tags)

Tenant Telephone Number Vehicle (Make, Model, Tags)

Furthermore, I/we certify that the tenants listed above were provided with copies of the Association's Declaration, Articles of Incorporation, By-laws, and rules and regulations as well as those of the Montclair Property Owners Association. Tenant(s) hereby acknowledge that they have received copies of these documents and agree that they will comply therewith at all times while residing within the Montclair Section 4B Subdivision.

Tenant(s):

Signature

Date

Print Name

Signature

Date

Print Name

Signature

Date

Print Name

**AFTER EXECUTION, PLEASE PROVIDE THE ORIGINAL TO THE ASSOCIATION'S
MANAGEMENT AGENT**