

New Creek Lake Property Owners Association Policy on Preserve Property Rentals

Introduction

The Preserve at New Creek Lake has been since its inception a community of owner-occupied residences. While the covenants, which apply to all property owners, allow commercial activity with restrictions, they do not specifically address rental of properties.

With the advent of Airbnb, Vrbo and similar commercial rental companies, within the last few years when properties have been on the market the NCLPOA Board has been approached several times by prospective buyers asking about our policy on short-term rentals of Preserve properties. While our responses have discouraged such proposals, we feel we need an official policy to specifically state the position of NCLPOA regarding rentals of Preserve properties. Since it is our opinion that the majority of our property-owner members are opposed to the idea of allowing short-term rentals of Preserve properties to unknown parties, the following policy is designed to formalize this position.

Policy

It is the position of the New Creek Property Owners Association (NCLPOA) that properties in The Preserve shall not be made available for short-term rental by unknown parties. This is based on section 5 of the ***Protective Covenants and Restrictions*** which states in part:

No commercial use of any area shall be permitted which can be either seen, heard, smelled or otherwise detected from any lot line or which jeopardizes the peace, privacy or security of any other Lot Owner. (Emphasis added)

It is believed that allowing short-term rentals of properties to unknown parties would jeopardize the peace, privacy and/or security of other lot owners.

1. No Preserve property shall be made available for short-term rental on Airbnb, Vrbo or other rental agency, nor by private arrangement by the property owner with unknown individuals or parties.

2. Use of properties by family members or friends of the owners, with or without the presence of the owners, is allowed with the provision that those individuals are fully aware of the restrictions and that the owners shall be responsible for the behavior of the non-member occupants. While no formal agreement or contract is required, the NCLPOA Board should be informed of the arrangement and provided with contact information for the persons who will be in residence.
3. Any other arrangements shall be subject to prior approval by the NCLPOA Board.
4. Violation of this policy will be subject to sanctions of the property owners to be determined by the Board and designed to be sufficient to discourage subsequent violations.