

**OAK HILLS TOWNHOUSE ASSOCIATION  
BOARD RESOLUTION FOR RENTAL LIMITATIONS AMENDMENT TO THE  
DECLARATION**

The following Resolution was adopted on Sept 4<sup>th</sup>, 2021, by the Board of Directors ("Board") of the Oak Hills Townhouse Association (the "Association").

**RECITALS**

**WHEREAS**, the Board has authority pursuant to ORS 94.590(2) and Article VIII, Section 1 of the Amended and Restated Bylaws of the Association to propose an amendment to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions of the Association ("CCR's"); and

**WHEREAS**, having received information regarding increased insurance premium charges for the Association based on the use of short-term rentals in the Association, and having received concerns from Owners regarding the effect of short-term rentals on the Association community, the Board has concluded that it is in the best interest of the Association and the Owners to amend the CCR's to prohibit rental terms of less than six months; and

**WHEREAS**, Article X, Section 3 of the CCR's provides, in part, that the CCR's may be amended by an affirmative vote of not less than seventy-five percent (75%) of the Lot Owners; and

**WHEREAS**, ORS 94.650 and Article X of the Bylaws allow that, upon resolution of the Board, any vote of Owners to approve a particular matter may be held at a properly noticed Special Meeting of the Association; and

**WHEREAS**, under ORS 94.647(1) the Board has discretion to propose a vote on an amendment to the CCR's to be conducted by written ballot in lieu of a formal meeting.

**NOW, THEREFORE, IT IS HEREBY**

**RESOLVED**, that the Board hereby directs the President to prepare and deliver written ballots to all owners seeking a "yes" or "no" vote on the following proposed amendment to Article IX of the CCR's:

(The following will be added as Article IX, Section 2 of the CCR's)

**Section 2. Leasing/Renting Lots.** A Lot Owner may only enter into a lease agreement for a Lot or otherwise cause or permit a tenancy to occur or arise on any Lot after prior express approval of the Board and in accordance with the following rules:

- a) Before entering into any new lease agreement or otherwise permitting a tenancy to arise on any Lot, the Lot Owner must first request permission from the Board

of Directors to lease any Lot, which permission shall be denied if the lease would violate any of the limitations in this Section 2.

- b) The minimum term of any lease shall be six (6) months, excluding month-to-month or other continuous extensions of leases, which are allowed provided the original term was more than six (6) months;
- c) Any lease must be for an entire Lot, rather than for a room or other portion of a Lot.
- d) Lot Owners must promptly supply the Board with a copy of all lease agreements and keep the Board apprised of the full name and contact information for all tenants.
- e) Before commencement of the any lease, the tenants must agree in writing to abide by and be subject to the Association's Declaration of Covenants, Conditions, and Restrictions, the Bylaws, and the rules and regulations of the Association and Board of Directors. Notwithstanding anything to the contrary herein, Lot Owners shall remain fully liable to the Association and other Owners for the acts and omissions of their tenants and tenants' guests.

**RESOLVED**, if the Owners vote to approve the proposed amendments to Article IX of the CCR's, the Board shall adopt the amendment and cause the same to be recorded in Washington County, Oregon,

**RESOLVED**, if the Owners vote to approve these proposed amendments and a separate but concurrent proposed amendment to Article IX of the CCR's limiting the total number of rentals to no more than 50% of the total number of Lots within the Association, the Board shall unify the two amendments to eliminate duplicative language, and

**RESOLVED**, that the Board directs the President to send all owners a copy of this Resolution along with the written ballot in accordance with ORS 94.647. This Resolution will be effective upon mailing.

This Resolution was passed by the Board of Directors on the 4<sup>th</sup> day of September, 2021.

*James Sapp (President)*

*Lisa Mammes (Vice President)*

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Title:

ATTEST:

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