

CLEARWOOD COMMUNITY ASSOCIATION

BOARD RESOLUTION NO. 2024-01-27

Subject to Membership approval at the Association's 2024 General Meeting

A RESOLUTION to Amend the Rules & Regulations to Require Tenant Screening Pursuant to RCW 64.38.130

WHEREAS, according to the Amended Protective Covenants of the Clearwood Community Association (the Association" or "CCA") and the powers vested in the Association by RCW 64.38.020, the Board of Directors (the "Board") is responsible for the enforcement of the same;

WHEREAS, RCW 64.38.130(a) provides that a homeowners' association may "[r]equire any lot owner intending to lease the owner's lot to use a tenant screening service or obtain background information, including criminal history, on a prospective tenant, at the owner's sole cost and expense, prior to the owner entering into a lease agreement with a prospective tenant";

WHEREAS, RCW 64.38.130(b) provides that a homeowners' association may "[r]equire proof that the tenant screening requirement has been fulfilled or that the background information on a prospective tenant has been obtained by the owner intending to lease the owner's lot"; and

WHEREAS, the Board has determined that the Association should require any Member desirous of leasing their property to screen any potential tenants as authorized by RCW 64.38.130 to ensure tenants that will treat the Clearwood community with care;

NOW, THEREFORE, the Board of Clearwood Community Association resolves as follows:

1. The Board deems it appropriate to require any Member desirous of leasing their property to screen any potential tenants as authorized by RCW 64.38.130 to ensure tenants will treat the Clearwood community with care.
2. The Association's Rules and Regulations Section C should be amended as follows:
 6. **Renting or Lending of Residential/Recreational Lots** - Members of CCA who rent or lease their property within Clearwood Community Association must submit to the CCA a completed CCA Rental Form (copies of which are available online or in the Administration Office) and the Rental Administration Fee ("RAF") at least three (3) days prior to the commencement of such rental period. The RAF is to cover CCA's added administrative costs associated with renters, e.g., responding to tenant questions, keeping renters advised of CCA activities and rules, access issues, etc.
 - a. For purposes of this Section, the term "rent" or "lease" refers to any situation where a member offers a third party the right to use the member's property in exchange for consideration and includes, without limitation, licenses, and short-term rental arrangements such as Airbnb, VRBO, etc.

b. In addition to providing the CCA Rental Form and/or RAF to CCA, Members are also required to screen any potential tenants of a property within Clearwood using a tenant screening service or obtain background information, including criminal history, on any prospective tenant, at the Member's sole cost and expense. Tenant screening shall be conducted prior to entering into any lease agreement with the prospective tenant. Proof that the tenant screening requirement has been fulfilled or that the background information on a prospective tenant has been obtained by the Member intending to lease the owner's lot must be submitted to the CCA together with the CCA Rental Form and RAF.

c. Failure to timely submit the CCA Rental Form, RAF, and/or proof of tenant screening to CCA will result in a fine. The fine will double each thirty (30) day period in which the Member fails to submit the CCA Rental Form, RAF, and/or proof of tenant screening to CCA.

Members who rent their property pay a fee to cover added costs of dealing with renters and keeping them advised of community activities.

Members are responsible for all acts of vandalism of their renters and their renter's children, relatives, or guests. The Board of Directors will assess costs and fines, in cases where these acts can be proven, either through criminal actions taken by local authorities or by actions as provided for in the Rules and Regulations (Red Book) of CCA.

Members are responsible for the upkeep of the exterior of their dwellings and their lot, and adherence to Rules & Regulations. The Board of Directors will assess costs and fines against the owner- Members in cases of failure to abide by these rules.

Effective this 27 day of January, 2024.

Adopted this 27 day of January, 2024.

FOR THE CLEARWOOD COMMUNITY ASSOCIATION

_____, Board President

ATTEST:

_____, Secretary