

**Property Occupancy Policy**  
**For**  
**Wallenpaupack Lake Estates**  
Approved on November 22, 2003

**WHEREAS**, the lot covenants for the WLE community provide that lot owners, their successors and assigns are required to comply with the Associations Bylaws, rules and regulations; and

**WHEREAS**, property owners, and their families and guests are generally more predisposed to care for the properties and the community, and to respect their neighbors and the community interest, and to comply with the rules of the community, when they occupy such properties rather than others, and property owners are better able to control their non-tenant occupants; and

**WHEREAS**, it is in the community's interest, including for reasons of security and safety, for the Association to know the occupancy status of the houses thereat and for the Association and its lot owners to be aware of the occupants thereof in advance of occupancy, and for the owner to require financial security for the houses occupied by persons other than their owners and their families/guests;

**PROPERTY OCCUPANCY**  
**REGISTRATION, SCREENING & FINANCIAL SECURITY POLICY.**

**Registration**

The owners of each residential property of W.L.E. shall register, with the Association, all existing and prospective occupants of the property and shall identify their relationship to the property owners, and furnish such other information to the Association as required by the Board. For each property, each time that a new occupancy or tenancy occurs, or any renewal of the then existing occupancy/tenancy occurs, under a lease or other agreement with the owner and otherwise, or any of the prospective occupants or the occupancy of the house will change, then re-registration shall be immediately required.

**Screening**

If any of the properties will be occupied by persons other than their owners, their immediate family members, or intermittent, short-term guests, (whether as Tenant Members and otherwise), then such persons, as prospective occupants of the properties, shall be subject to pre-screening and occupancy approval by the Association and the property owner for decision and action by the property owner. If the property owner is a non-natural person, such as a corporation or similar type entity, or other organization, then the chief executive officer or other natural person of equivalent rank/title shall be deemed the property owner for determining property occupancy for purposes of application of this policy. The property owners will have the prospective occupants of their properties furnish certain information (which may include the following) about such occupants to the owner, who will furnish a copy to the Association.

- Their current and former occupation & employer, and the duration of such occupation/employment;
- Their former residence (including location) within the last two (2) years, the period of residency thereat, and the names, addresses, and phone numbers of the property owners (including landlords or their managing agents) for such residents;
- Proof of vehicle insurance for vehicles owned or operated by them;
- References of three (3) other persons (familarly unrelated to them) whom are familiar with their history, character, reputation, and other attributes, including the names, addresses, and phone numbers of such references and a description of such persons' relationship to them.
- Proof of renter's liability insurance or similar liability insurance coverage for the non-owner occupants/renters of the house.

As part of this pre-screening process, the Association may inquire into the foregoing information about the prospective occupants, including by contacting former landlords and neighbors of their former residences and others for information, and the Association may interview the prospective occupants. This process may be completely or partially conducted by contracting agents of the Association. The property owners shall deliver a completed authorization form signed by the prospective occupants consenting to the Association's inquiries of others and the release of information from such others about the prospective occupants, including release of their credit history and the foregoing information.

If the Association rejects the approval of the prospective occupant, the property owner will be notified in writing and if the owner still allows his property to be occupied by or rented to such rejected occupant, it is done at the owners' sole discretion and they shall bear the risk of all fines, sanctions, WLE property damage caused by such occupants, etc.

The property owners shall be subject to Association disciplinary action and any resulting fines and other sanctions (including denial of community & Association privileges) for any violations of this policy or non-compliance with the Association's rules and regulations, including, for allowance of property occupancy and the occupants' access/use of the common areas & recreational facilities before Association occupancy approval.

Any information requirements may be waived or modified by the Association. Any waiver or modification decision of the committee may be appealed, in writing, to the Board within fifteen (15) days from notice thereof.

All information and reports about the prospective occupants, and the proceedings and decisions of the Board for the Association will be private and confidential amongst the Association (its officials, management staff & other agents), the owners of the subject property, and the prospective occupants thereof; other Association members shall have no access to such information.

### **Security**

For each property subject to occupancy screening by this policy, the property owner shall have funds deposited with the Association for the duration of the house occupancy in an amount of \$1,200.00. The effective date for this deposit requirement will be April 1, 2004 or the date of the occupancy change or a new occupancy under a lease renewal and otherwise, whichever comes later. The Association shall hold the refundable deposits in a non-interest bearing bank account.

This security deposit shall be liquidated for fines imposed or assessed against the offending lot and its property owners for rule violations by the property owners or occupants, and for damages to any of the common areas/facilities of WLE and Association property attributed to them. If the deposit balance is, by liquidation, reduced to less than 40% of the full amount, at any time during the approved house occupancy, the deposit shall be replenished to the full-required amount within ten (10) days from notice thereof. The Association may increase the deposit after three (3) infractions of this policy or the Association's bylaws or rules/regulations by the property owner or occupants of the property.

### **Miscellaneous**

Any required notice shall be effective upon mailing to the addresses furnished to the Association.

The Board of Directors for the Association shall establish rules and procedures and forms and other requirements for and as part of this policy, and any fees for implementing the policy and its procedures, and shall have the discretion to construe, apply, and otherwise implement and effectuate this policy.

For purposes of the policy, wherever the Association is hereby authorized or empowered or required to act, do something, make decisions or receive anything, or the "Association" is referenced herein (unless the context is explicitly otherwise), it shall mean and refer to its Board of Directors and its committees or designees and not the membership.