

Spanish Trail Homeowners Association, Inc
Board of Directors Meeting Minutes
December 3, 2018

Meeting began at 5:51 pm.

Attendees:

Board members present: Joyce Schweissing, Deb Jensen, Robert Rentie, Stephanie Heald and Joe Kuta (absent Carol Nichols)

Members present: Frank Schweissing, Randal & Mary France, Bruce Phillips (representative of Daniel & Mary Miner) Bridget Rentie, Bob Whitmore, Kelly Drake

HPM representative Elizabeth Marvin

- The purpose of this meeting is to gather information from the homeowners of Spanish Trail HOA regarding their opinions on if short term rentals should be permitted within the subdivision.
- The Board of Directors is responsible to make a decision based on what is best for the community as a whole.
- Opinion provided by the HOA's attorney on this issue was discussed.
 - The CC&R's do not currently prohibit this type of activity. They would need to be amended by 67% of the homeowners.
 - The Board can put a policy in place regarding short term rentals.
- Excerpts from a letter received from a current homeowner who rents their home as a short term rental were read aloud. (The BOD was already provided a copy of this document and copies were available for homomers who wanted to read the letter in its entirety.)
 - Noted that they followed all of the current city permitting requirements and that the current governing document of the HOA do not address this type of rental.
 - Opinion that it improves property values
 - Opinion that short term rentals are a good fit for the Spanish Trail HOA
 - Discussion on the specific management of their property
- Comments from Joyce that some of the potential issues of short term rentals include the fact that the homes are close together, parking issues, CC&R violations, no background checks required and how all of these things could impact homeowners.
- Discussion on a "grandfathered clause" if the CC&R's are amended
- One owner notes that the city regulates the short term rentals more than a homeowner would a typical long term renter.
- Current homeowner on Metate who also rents his property out as a short term rental states that he has quite a few regulations and has not had issues with any of his renters. Currently has a 2 night minimum, no violations of the CC&R's, and notified all of the neighbors as he is located on one of the "shared driveways." States that they would be willing to work with the Board of Directors on policies for other owners who intend to use their property as a short term rental.
- Questions:
 - What is classified as a short term rental? – anything less than 30 days
 - What is the purpose of the HOA? – to enforce the CC&R's, to maintain property values, etc.
- Opinion that each owner has the right to do whatever they would like to do with their property as long as it does not affect my property value.
- Recommendation that the HOA have the city enforce their requirements vs the HOA enforcing requirements. The city requires a condition of use permit. Opinion that enforcement of this would possible be more effective and enforceable.

- The HOA could put reasonable restrictions in place with behavior based policies to include notices and fines if needed.
- The Board will continue to discuss this issue to make a decision on how to move forward on this issue: amendment of the CC&R's to prohibit short term rental (which would need to be voted on by the membership and requires 67% of the homeowners to pass) or policies to restrict specific behaviors.

The meeting adjourned at 6:56 pm.

Minutes taken by
Elizabeth Marvin
Heritage Property Management