

POLICY REGARDING USE/MISUSE OF AYOCK COMMUNITY PROPERTY

Ayock Beach Improvement Association (ABIA) Board of Trustees Policy, as allowed in Article VIII, section 2 of the existing By-Laws of the ABIA pertains to Sections 4 and 5, which define the use of Community Property and Amenities.

OVERVIEW:

The By-Laws of the ABIA, which is a homeowner's association (HOA), were revised and approved by the membership in May of 2022. They include rules and regulations that must predominantly rely on the goodwill of each other as neighbors to define "acceptable" conduct. The ABIA's Board and Membership have approved "Rules and Regulations" to assist in defining a code of conduct that applies to the community's common property, such as the road, water system, beach, park, pier structure, dock, and boat launch. Section 4 clearly defines who may, or may not, use these amenities. A key item in the Rules and Regulations is that no paying guest "renter" may utilize Ayock community property consisting of the beach, park, pier, dock, or boat launch ramp. In addition, there are a few Mason County and Washington State ordinances that govern the use of private property, such as noise ordinances and the use of fireworks and an existing burn ban.

The Ayock Community saw a significant increase in 2021 in the number of homes being rented, especially short-term, via such websites as Airbnb, Vacasa and VRBO. While many renters have behaved well, a few have presented problems to neighbors and the community. It is acknowledged by the ABIA Board that not all violators of the ABIA Rules and Regulations are renters but are sometimes Members, or non-paying guests, at the home of Members when they are present or not present. This policy may pertain to those violators but is focused on the steps that Members and the Ayock Board are expected to follow when responding to concerns about short-term and long-term renters.

PROACTIVE STEPS BY ABIA BOARD OF TRUSTEES:

The ABIA Board of Trustees (Board) shall request that Members notify the Board of their intention to rent out their home to either short-term or long-term renters.

The Board shall designate in its directory which homes are used as rentals. This directory shall be made available to the membership and updated on an annual basis.

The Board shall monitor, as best as possible, the websites of the rental listings for known homes in the community. If the Board determines that any listing is misleading, the owner of the home shall be notified.

CORRECTIVE STEPS FOR VIOLATIONS BY RENTERS:

1. IDENTIFYING RENTERS WHO VIOLATE THE RULES AND REGULATIONS AND ASSOCIATING THE RENTAL PROPERTY:

The Ayock community first wishes to rely on neighbor-to-neighbor communications for a first attempt to resolve issues. Sometimes this is not feasible. Ayock Board does not expect Members to put themselves in harm's way when confronting persons who are violating the rules or are behaving inappropriately. In some cases, if the owner is notified immediately, the owner may be able to contact the violator and notify them of the violation. The Board, or helpful neighbors, must know if the violator is a renter and which house is being rented for a Board Member to approach the Member-owner regarding the inappropriate behavior of people known, or suspected, to be renters. The initial requirement, then, is in figuring out which Member-owner to verbally contact. If deemed appropriate at the time, the helpful neighbor may contact the owner by phone or may contact a member of the Board by phone. In addition to a phone call, it is requested that the helpful neighbor email the Ayock Board of Trustees.

(AyockBoard@yahoo.com) The minimum data consisting of the date, time and a description of the violators and the violation should be provided to the owner and the Board. A Board member will attempt to contact the owner by phone and follow up by email. If the home/owner is unknown, the Board member (or designee) shall email all the known owners of rental houses at Ayock asking for voluntary confirmation of whether the violators match the renters at the Member-owner's respective home on that date and time. Note: this may be helpful/necessary if the violator is, or is not, a renter.

2. VERBAL AND WRITTEN NOTIFICATION - FIRST VIOLATION:

The first communication about a suspected first-violation will be verbal communication between a Board member and the Member-owner. The Board member may communicate a verbal warning. The Board member will make written notes, especially if a verbal warning was issued, to put in a file specific to the address of the Member's property that was rented. The ABIA President should be notified so that he/she may follow up with a written notice via email of the violation.

3. VERBAL AND WRITTEN NOTIFICATION - SECOND VIOLATION:

The second incidence of a violation of the Rules and Regulations associated with a specific Member-owner, and a renter associated with a specific address, will cause a board member to verbally discuss the second incident with that Member and a written notification in the form of a **certified letter** will be sent to the Member from the Board. This letter will outline the next steps if another violation occurs.

4. SUBMISSION OF ORAL OR WRITTEN COMPLAINT TO AGENCY – THIRD VIOLATION:

The third violation associated with a specific address will result in a Board member notifying the Member-owner, **both verbally and written**, that a complaint will be filed with one or more rental agencies, such as Airbnb, VRBO and/or Vacasa.

5. FOURTH OR ADDITIONAL VIOLATIONS:

The Board may institute a system of consequences and/or fines. Fines will be added to the total amount of dues and assessments owed on the lot in which the Member-owner, or guests of a Member-owner are in violation.

Contact Ayock Board by emailing AyockBoard@ayockbeachcommunity.org or postal mail at 360 N. Ayock Beach Dr., Lilliwaup, WA 98555

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