

Moonridge Marina Property Owners Association Renter and Landlord Rules and Regulations

Being able to rent your property in Moonridge Marina is a current privilege afforded to the members of our community. As such, the Board of Directors wants to ensure that the experience is rewarding for you as well as the members of the entire community. Renters become a part of the community and are afforded the same privileges as members; as such, they are required to act in the same manner as if they were members. It is in the best interest of the property owner to fully educate renters on the expectations of the community in which they are about to reside.

The following rules and regulations have been adopted by the Moonridge Marina Property Owners Association (MMPOA) Board of Directors for establishing a rental policy for the Moonridge Marina community. These polices, in line with our CCR's, rules and Arizona statues, are an important part of maintaining our quality of life in Moonridge Marina.

1. Rental Properties in Moonridge must comply with Arizona Statues

Arizona Statute 33-1902

“An owner of residential rental property who lives outside this state shall designate and record with the assessor a statutory agent who lives in this state and who will accept legal service on behalf of the owner. The owner shall designate the agent in a manner to be determined by the assessor. The information shall include the name, address and telephone number of the agent. Residential rental property shall not be occupied if the information required by this section is not on file with the county assessor....”

2. Documentation required from property owners

- A) Assigned Statutory Agent: Moonridge Marina property owners residing outside of the state of Arizona and renting property in Moonridge Marina for any length of time must submit to Moonridge Marina the name of the assigned statutory agent using the AZ State Form 82901.
- B) Renter Information: Moonridge Marina property owners wishing to rent property in Moonridge Marina for any length of time must submit renter information in line with AZ Statue 33-1806.01: Names of adults residing at the location, renter's phone number, description of all vehicles and license numbers of all vehicles and trailers. Documents must be submitted prior to the renters occupying the property. Forms are available on www.moonridgemarina.com
- C) Failure to submit a complete document prior to renter occupancy will result in a \$15 fine to the property owner.

D) Mail or email renter forms to the address listed on the last page of this document.

3. Compliance with MMPOA CCR's and Rules and Regulations

Property owners renting their property in Moonridge Marina are responsible for ensuring that their renters and renter's visitors follow the Moonridge Marina Property Owners Association rules and regulations and the Community Codes and Regulations. This includes, but is not limited to, property maintenance, property use, vehicle and trailer use, conduct and other rules in the MMPOA governing documents. The governing documents are publically available on the community website and must be provided to renters prior to occupancy.

Failure by Moonridge Marina property owner's renters, renter's visitors or the property owner to adhere to MMPOA rules and regulations and CCR's is a violation of community adopted rules. Violations can result in warning notices, fines, and or legal action against the property owner by the Moonridge Marina Property Owners Association.

A) Violations of the MMPOA CCR single family residence clause

In accordance with the 1989 MMPOA CCR's "*Lots 1 through 71 and Lots 97 through 145 shall be known and described as single family residential lots.*" These lots can only be occupied in single family residential status. As such, simultaneously renting the same property to more than one party is not allowed. Likewise, Moonridge property owners or members of their family cannot simultaneously reside on the property while the property is being rented, leased, borrowed or exchanged for other compensation, as this would violate single family status as stated in the MMPOA CCR's.

Exception: Current owners who purchased or built their home prior to 1983 (Prior to La Paz County formation) must apply to La Paz County zoning for a possible multifamily designation. MMPOA CCR's require that all properties be properly permitted and zoned in accordance with their use.

Property owners in violation of MMPOA single family status will be sent a notice of violation and will have 15 days from the mailing to comply. Failure to comply will result in a fine of \$100 a month for each month the violation occurs for the first 12 consecutive months and \$200 a month thereafter. A late fee of \$35 per month will be added to all unpaid invoices. Persistent violations or unpaid fines may result in legal action taken against the property owner.

B) Violations of CCR's and rules and regulations (except listed in section 3, paragraph A above)

- Each offense: A violation warning notice will be sent to the property owner via email or written correspondence.
- Action required from property owner: From the mailing date of the notice, the property owner has 30 days to comply with the notice. Reoccurring violations within 30 days of the original notice serve as a noncompliance.
- Failure to comply within 30 days of violation notice: \$100/month fine until compliance with the notice has been met. Fines are payable within 30 days of invoice. A late fee of \$35 per month will be added to all unpaid invoices.
- Ongoing, unresolved or repeated violations or unpaid fines may result in legal action against the property owner.

C) Rental Duration

- All rental durations must be for a minimum of 30 days.
 - Failure to comply with the 30 day minimum will result in a \$500 fine. Fines are payable within 30 days of invoice. A late fee of \$35 per month will be added to all unpaid invoices.
4. Renters have the same access to the public common area facilities that are afforded to Moonridge Property Owners.
 5. Damage Liability: Moonridge Marina Property Owners are financially responsible for the replacement or repair of any damaged or missing community property where their renter or renter's visitor caused the damage or missing property. Discretion whether to repair or replace damaged or missing items, and obtain a bid for same, is at the discretion of the Board of Moonridge Marina. Property owners will be notified in writing of the damage, provided details and costs to repair or replace the property. Property owners will have 15 days after written notice of the incident to have a hearing before a Moonridge Board of Directors. Reimbursement for the costs to repair/replace the property is due 30 days from the date of invoice. A late fee of \$35 per month will be added to all unpaid invoices. Nonpayment can result in further fines, liens and legal action against the property owner.
 6. Payment of fines: Fines are due within 30 days of the date of invoice. A late fee of \$35 per month will be added to all unpaid invoices. Unpaid fines and fees from the current fiscal year will remain on the property owner's account until the next Moonridge Marina HOA dues are payable. Property owners with accumulated fines and fees will be invoiced with the annual HOA dues and the fines and fees will have the same payable due date as the HOA dues. Unpaid fines not paid with the HOA dues will be subject to collection through small claims court.

7. Protest of fine: MMPOA property owners have a 15 day period from the date the warning notification was mailed to request a formal hearing with the MMPOA Board of Directors. All correspondence will be delivered to the last physical address or email address provided by the property owner.
8. Right to Recover Legal Fees: In the event that the Association, Board of Directors, or any owner(s) of a lot undertakes any kind of action, including a court action, to enforce these restrictions, including the lien rights established in the CCRs, against any person or entity, the prevailing party shall be entitled to recover their reasonable attorney's fees, court costs, and any other cost associated with such enforcement in addition to the sums, if any, awarded or entitled from such person and entities in violation or threatened or attempted violation of these restrictions.

Addresses and Information

Mailing Address:

Moonridge Marina: 36855 Trout Lane, Parker, AZ 85344

(Use for mailing fines, hard copy of rental forms, protests, replies to violation warnings, but email is preferred method)

Make checks payable to: MMPOA

Email: Moonridgemarina@gmail.com

(Use for submitting rental forms, protests, replies to violation warnings general correspondence)

MMPOA Website: www.moonrdigemarina.com

(Use for obtaining copies of forms, documents, MMPOA information)

Glossary

MMPOA: Moonridge Marina Property Owners Association

CCR: Community Codes and Regulations

Rules & Regulations: List of adopted community rules & regulations

HOA: Home Owners Association

Adopted by the MMPOA Board of Directors 8/29/2015