



Short-Term Rental Rules & Regulations

As stated in the deed restrictions below, there are conditions that must be met when offering a home in Michaywé as a short-term rental.

SECOND AMENDED AND RESTATED DECLARATION OF MASTER COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE MICHAYWÉ RESTRICTED PROPERTY

Article VI.1(b) Short-Term Rental of Residences. For purposes of this Section 1, short-term rentals for temporary housing, defined as a rental of 31 days or less, of any dwelling used primarily as a residence by the Owner thereof, as described herein, shall not be considered a commercial use, and the Association hereby grants a revocable license permitting the same as long as the following restrictions and issued rules and regulations are met. Qualifying short-term rentals of any residential dwelling shall be permitted, provided they do not exceed more than a total of twenty-five (25) rentals per calendar year not exceeding a combined total of 150 days per calendar year, subject to the following conditions. The Owner shall be responsible to ensure that (i) the renters' conduct is consistent with a residential community, (ii) the renters shall comply with the applicable requirements in these Restrictions and applicable rules and regulations of the Association, (iii) the renters do not create an annoyance or nuisance to neighbors, and (iv) a method has been established to immediately correct any violations with the renters while the renters are occupying the dwelling. The Association is granted the authority to develop, issue and enforce reasonable and appropriate rules and regulations in support of these provisions concerning short-term rentals. Further, the Association has the authority to rescind and subsequently reinstate the above license for individual Property Units and Owners who fail to maintain compliance with these requirements. Short-term renters (lessees) shall have no standing in the Association and are not entitled to any benefits and privileges from the Association. The Association shall develop, publish and maintain reasonable and appropriate procedures to be used in all rescission and reinstatement decisions.

To protect the property rights of all Michaywé property owners, the Rules & Regulations below are intended to further define the requirements of all short-term rentals within Michaywé.

1. Short-term rental property owners shall be members in good standing as defined in the deed restrictions below. Any short-term rental property owner failing to maintain their status as a member in good standing will automatically forfeit their revocable short-term rental license.

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Article IV.3(d) Standing. A Property Unit, Owner, and/or Member is/are in good standing on a specified date if all payments due and payable to the Association for dues, special assessments, fines and any other fees or charges assessed to the Owner, Member and Property Unit, have been fully paid, and the Owner and occupants of the Property Unit are in compliance with the provisions of these Restrictions, excluding violations of Article VI and fines related to those violations, if such violations are under appeal.

Short-term rental property owners who have forfeited their revocable short-term rental license must petition the MOA Board of Directors to be reinstated as a licensed short-term rental. The MOA Board of Directors may impose a reinstatement fee at their discretion.

2. Short-term rental property owners shall register each rental property with MOA Office. Registrations must include:
 - Rental address
 - Lot number
 - Emergency (24/7) phone number(s) that the rental owner shall provide to surrounding property owners



- Property Owner name, address, and phone number
 - If applicable, property manager (Agent) name, address and phone number
2. Short-term rental property owners shall:
- Inform the MOA Office in writing within 10 days of any changes in the Short-Term Rental Registration Form
 - Post the *Rental Rules* included below in a conspicuous location inside the rental unit
 - Ensure that renters obey all federal, state, and local laws, the applicable requirements in the Michaywé Deed Restrictions, and the Rental Rules below.
 - Ensure that renters' conduct is consistent with a residential community and does not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties. Examples may include:
 - Inappropriate, lewd, or offensive behavior
 - Loud music, activities, or conversations that may be disruptive to a neighbor. **Quiet time begins at 10:00 pm.**
 - Overcrowding of rental unit - occupants exceed the registered sleeping capacity
 - Campfires must be contained and attended or extinguished.
- Ensure that renters obey the applicable requirements in the deed restrictions and these Rules & Regulations. Examples may include:
 - Use of unauthorized vehicles and equipment on Association property, such as ATV's, privately-owned golf carts, or snowmobiles on the golf course is prohibited
 - Misuse of Association property and/or after hours trespassing on Association property such as unauthorized or inappropriate use of the golf course
 - Parking of recreational vehicles and equipment (ex: RV's, campers, boats, utility trailers, ATV's, snowmobiles, or any other equipment that meets the intent of these rules) in designated areas only, which shall comply with the Michaywé Deed Restrictions, the MOA Recreational Vehicles & Equipment Rules & Regulations, and the Otsego County Ordinance
 - Monitor the property for compliance with the Deed Restrictions and these Rules & Regulations
 - Owners (or their Agent(s)) shall take successful corrective actions or appear on the premises within two hours following notification of issues related to the use or occupancy of the premises
3. To use the Michaywé swimming pools, renters must possess a valid Rental Guest Card and the property owner's current Rental Pool Security Card (PSC).
- Renters shall NOT provide pool access to anyone not residing at the rental property.
 - Pool access for parties of 8 or more must be pre-approved in writing by the MOA Office.
4. Fines & Penalties - As stated in the deed restrictions below, the owner of a short-term rental is ultimately responsible for all violations that occur.



SECOND AMENDED AND RESTATED DECLARATION OF MASTER COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE MICHAYWÉ RESTRICTED PROPERTY

Article VII,1 General. The violation by any Owner, Member, Benefiting Member, Nonmember occupant, tenant or guest of any of the provisions of the Governing Documents including any duly adopted rules and regulations shall be grounds for assessment by the Association, acting through its duly constituted Board of Directors, of monetary fines against the Owner of the Property Unit involved. Such Owner shall be deemed responsible for such violations whether they occur as a result of his personal actions or the actions of his family, guests, tenants or any other person admitted through such Owner to any portion or part of the Michaywé Community, including Property Units, Common Areas, Restricted Property, and Michaywé Recreational Properties.

In addition to the fines outlined in the deed restrictions, the MOA Board may impose further penalties for short-term rental violations which include, but are not limited to:

- First violation – Written Warning
- Second violation - \$250 and MOA Board Hearing
- Third violation - \$500, MOA Board Hearing, and suspension or revocation of rental license

These Rules & Regulations were approved by the MOA Board of Directors at their regular meeting on August 18, 2018 at which a quorum was present.

Revision Log:

- Added clause requiring STR owners to be members in good standing 8-18-18
- Housekeeping amendments approved on 11-18-17
- Initial policy adopted on 9-23-17



Welcome to Michaywé!

Rental Rules

Please remember that Michaywé is a residential community with many family homes. Appropriate conduct is expected during your stay.

1. Renters must obey all federal, state, and local laws, the applicable requirements in the Michaywé Deed Restrictions, and these Rental Rules. Examples may include:
 - a. Zero tolerance for underage drinking or criminal activity
 - b. Use of unauthorized vehicles and/or equipment such as ATV's, privately-owned golf carts, or snowmobiles, is prohibited on Association property
 - c. No misuse of Association property and/or after hours trespassing on Association property, such as unauthorized or inappropriate use of the golf course
 - d. No overnight guests of renters that would exceed the maximum occupancy limit of this rental unit
 - e. Renters shall NOT provide pool access to anyone not residing at the rental property.
 - f. Pool access for parties of 8 or more must be pre-approved in writing by the MOA Office.

2. Renters will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties.
 - a. No inappropriate, lewd, or offensive behavior
 - b. Loud music, activities, or conversations that may be disruptive to a neighbor. **Quiet time begins at 10:00 pm.**
 - c. Campfires must be contained and attended or extinguished.
 - d. Parking of recreational vehicles and equipment (ex: RV's, campers, boats, utility trailers, ATV's, snowmobiles, or any other equipment that meets the intent of these rules) in designated areas only

MAX OCCUPANCY: _____



MOA Short-Term Rental Registration Form

Rental Information

Address

Lot #

Rental Landline Phone #

Maximum Occupancy #

Emergency Phone #'s*

THIS CONTACT INFORMATION SHALL BE PROVIDED TO THE SURROUNDING NEIGHBORS BY THE RENTAL OWNER: Per the Deed Restrictions Article IV, Sec 1, (b), (iv) "a method has been established to immediately correct any violations with the renters while the renters are

Name #1:

Position:

Phone #:

owner - agent - other:

Name #2:

Position:

Phone #:

owner - agent - other:

Owner Information

Member ID

Name

Home Address (non-rental)

Phone #

Property Manager (Agent) (If Applicable)

Name

Address

Phone #

Rental Owner Sign & Date:

*By signing this form, I give my consent to MOA to provide the emergency phone numbers listed on this form to surrounding property owners in accordance with the deed restrictions. This is an exception to the MOA Books & Records Policy.