

RULE CONCERNING AB 3182

WHEREAS, Section 2.04(a) of the Declaration of Covenants, Conditions and Restrictions for Pine Forest at Truckee (“Declaration”) provides that “any rental or lease may only be . . . for a term not less than ninety (90) days”; and

WHEREAS, Section 2.04(b) of the Declaration provides that “no Residence may be leased or rented for a period of less than thirty (30) days”; and

WHEREAS, AB 3182 added Civil Code section 4741 that allows associations to prohibit short-term rentals of thirty days or less, but does not allow associations to continue to prohibit or unreasonably restrict owners from leasing or renting their residences within the common interest development; and

WHEREAS, the Pine Forest Owners’ Association (the “Association”) desires to comply with this new law to the most limited extent legally required, and to preserve all other rental conditions, covenants and restrictions set forth in the Declaration.

RULE

1. So long as mandated by Civil Code section 4741, the Association shall not enforce the portion of Section 2.04(a) of the Declaration that requires rentals or leases within Pine Forest to be ninety (90) days or more.

2. In all other respects, all rental and lease restrictions set forth in the Declaration shall remain in full force and effect, including, without limitation, the following:

- a. No Residence may be leased or rented for a period of less than thirty (30) days (Section 2.04(b));
- b. Any rental or lease of a Residence may only be to a single family for Single Family Residential Use (Section 2.04(a));
- c. Any rental or lease of a Residence shall be evidenced by a written lease or rental agreement which provides the tenancy is subject to the Governing Documents and failure of the tenant to comply with the Governing Documents shall constitute a default under the lease or rental agreement (Section 2.04(b));
- d. Owner must notify the Association of any lessees or tenants residing in the Residence (Section 2.05(a)); and
- e. The owner/member is responsible for all violations by its tenants/lessees and the Association may fine the owner/member for the acts of its tenants/lessees (Section 2.04(c)).

3. This Rule shall remain in effect until amended or repealed by the Association. The Association reserves the right to amend or repeal this rule, including if Civil Code section 4741 is amended or interpreted to allow the Association to fully enforce Section 2.04(a) of the Declaration as written.

ADOPTED JANUARY 7, 2021
BOARD OF DIRECTORS
PINE FOREST OWNERS’ ASSOCIATION