

Kings Lake HOA Document Revision – FAQ’s

12-09-2022

For clarification, the following FAQ’s refer to the restated and amended documents that were issued for vote at the February 2022 annual meeting **and revisions that have been made by the Documents Review Committee**. These **latest red line** documents can be found on the Kingslake.today website home page under the heading Committees. These do not apply to our old documents unless stated. As the Documents Review Committee recommends additional changes, we will add to these FAQ’s in order to clarify provisions under revision which will be incorporated for a re-vote.

1. CAN I RENT MY SINGLE FAMILY HOME PROPERTY - Yes

See Protective Covenants, 10.2 A. Property may be leased up to 6 times per year with a minimum lease of 30 days. This gives an owner the flexibility to rent for multiple months at a time. This provision is being modified to approve a lessee from year to year in cases of multiple year leases to the same lessee.

The property manager (currently Southwest Property Mgmt.) of Kings Lake HOA is the designee that oversees this process. An application for lease is submitted through the property manager and reviewed.

This process is outlined in proposed covenants 10. Leasing of Parcels, 10.1 Procedures, 10.2 Term of Lease and Frequency of Leasing and 10.3 Regulation by Association, 10.4 Fees Related to the Lease of Parcels and 10.5 Effective Date of this Section 10, which extends through December 31, 2024.

Condominium Associations may have more restrictive rental rules which would take precedence.

2. DO THESE DOCUMENTS APPLY TO CONDOS AS WELL AS SINGLE FAMILY HOMES? - YES

These are Master Association documents. In cases where a condominium association and the master have a provision dealing with the same issue the MORE RESTRICTIVE, (usually condominium), rules apply.

Example: Master association may allow non-commercial trucks to be parked in a driveway overnight for single family homes while a condo association may restrict truck parking altogether.

3. CAN THE BOARD OR THE ARC ENTER MY PROPERTY WITHOUT PERMISSION? – NEVER INTERIOR. EXTERIOR ONLY AS STATED BELOW.

In cases where a homeowner submits an ARC request form to the association in order to modify the EXTERIOR of their home, such as add a pool, an outside addition, expand a driveway, etc., the owner provides contractor drawings and copies of their County permits to the property

manager. These plans are then reviewed by the ARC committee for approval. When work is complete, County inspection approval suffices and the ARC request is closed.

If this does not occur, and there is question that the work was not completed as submitted, ARC is required to give official notification to the owner that an additional EXTERIOR inspection may be required. Covenants 6.7 in revision.

4. IS GRANDFATHERING ALLOWED FOR SHORT TERM RENTALS?

In cases of rentals, NO. However, this provision is not retroactive. Therefore, any lease that has already been entered into by an owner, before the recording of the amended and restated documents, would be subject to the old restrictions. Anytime a new lease is entered into, the new documents would apply.

5. CAN I SELL MY HOUSE TO ANYONE I WISH?

Transfer of ownership, of any property requires an application to be presented and approved. Inheritance by individuals such as a spouse or blood relative, cannot be denied.

Covenants 9, under revision.

6. IF MY HOUSE IS SERIOUSLY DAMAGED, MAY I CLEAR ALL OF THE DEBRIS AND MAINTAIN AS A VACANT LOT? – YES

To be included in Covenants 8.3

7. MAY I INSTALL AN ELECTRONIC FENCE TO KEEP MY PETS IN MY YARD. – YES

To be included in Covenants 7.4 and 7.21

8. MAY THE BOARD ARRANGE FOR REPAIR OF MY PROPERTY IF I DO NOT MAKE REPAIRS? – YES – This is also required by our existing documents.

The Association, upon sufficient notices to the owner which have gone un-responded to, may repair, replace or maintain any item which constitutes a hazard to other property or residents, prevents the assoc. from fulfilling its maintenance responsibilities, or which has a materially adverse effect on the appearance of the property. See Protective Covenants 5.3.

9. MUST MY SINGLE FAMILY HOME HAVE A GARAGE? – YES, minimum 2 car.

This is no change from existing documents.

10. MAY I HAVE A WINDOW OR THRU WALL A/C UNIT? - YES

Wall or window A/C units are not permitted on the front or street side of a unit. See Protective Covenants 7.13, under revision.

11. IS APPROVAL OF ARC REQUIRED BEFORE REMOVING OR REPLACING TREES AND SHRUBS? - NO

12. DOES THE HOLIDAY LIGHTS PROVISION, PROTECTIVE COVENANTS 7.28, ONLY APPLY TO THE FRONT OF SINGLE FAMILY HOMES? - YES

This provision does not address the interior of single family homes or their lanais.

13. CAN SINGLE FAMILY HOMES FORM THEIR OWN ASSOCIATION?

YES. A new declaration and documents may be submitted **at any time by any single family homeowner, or group of homeowners. These new documents** must then be voted on by all single family homeowners and their mortgagees, if any. The newly formed association would only consist of owners who opted in by vote. Those not opting in will not be included **nor can they be forced** into the newly formed association. Both groups would still be governed by the Master Association **similar to the individual condominium associations.**

14. WHAT IS THE PROCESS FOR MAKING CHANGES TO GOVERNING DOCS?

Once revised documents are approved by the board they can be voted on by the membership either at the annual homeowners meeting or in a special meeting.

15. WHAT IS A QUORUM?

There are 1178 owners in the Kings Lake HOA. A quorum is 25% or 295. This means a minimum of 295 owners are required to submit a proxy to vote.

16. HOW DOES A PROXY CARD WORK?

The Master association has always used a general proxy, not a limited proxy. This means that an owner, by properly filling out their name, address and signature may choose to give their proxy to the Secretary of the Assoc or any other person they designate to vote in their stead in all matters up for vote at the annual meeting. Proxies are valid for 90 days.

17. OWNERS RIGHTS AND WHO CAN SERVE ON THE BOARD?

There are currently 1173 owners in Kings Lake Homeowners Assoc. Regardless if an owner has multiple properties or one, regardless if they occupy the property or otherwise designate who

shall reside there or lease their property for rental, regardless if their property is a single family home or a condominium, they must pay annual dues to Kings Lake Homeowners Assoc.

As such, each owner is entitled to vote at the annual members' meeting or any special members' meetings, shall have the ability to serve on committees designated by the Board of Directors within the Association and shall have the ability to run for a position on the Board of Directors at the annual election. All members receive election ballots and decide by vote who shall serve on the Board of Directors.