

**Celery Lakes
Homeowners Association
Rental Packet**

Revised 07/22/09

Dear Homeowner,

If you have purchased your house prior to March 2, 2007, you may rent your property if you so desire, providing that you follow the instructions set forth in this packet. For anyone that purchased their home on or after the above date is prohibited from renting their home, per Section 20 of the Covenants and Restrictions. Included in this packet, you will find the following:

- Procedural steps required by any owner requesting to rent their property.
- Intention to Rent/Lease Form
- Prospective Tenant Form
- Required information to be submitted on a prospective tenant.
- Approval guidelines for an owner's request to rent.
- Approval guidelines for a proposed tenant(s).
- Frequently Asked Questions

The purpose of the rental restrictions, that have been imposed by the Board of Directors and approved by the members of the Association, is to provide a stable and non-transient resident base for our community as well as to protect our property values. The Board is committed to providing a speedy turn around to requests, once all requested information has been provided. The Board understands that an empty house or too strict rules will cost you money and we want to minimize, if not eliminate the negative effect that these restrictions could impose.

The preferred ways to submit the required information are listed below, in order of preference:

1. Fax all the documents to (321) 249-1728 – this will convert everything to an electronic form and deliver it to the board members, via e-mail.
2. E-mail everything to faxes@celerylakeshoa.com
3. Mail the items to the Board of Directors (note, this will take longer to receive a response).

Celery Lakes HOA
225 Fairfield Dr
Sanford, FL 32771
Phone (321) 249-1728

The Board will approve or deny the request within 7 days of the Board's receipt of all required documents.

Procedures for Renting Your Property

Failure to comply with these rules will jeopardize the approval of your request to rent, your prospective tenant(s) or both. If you allow your prospective tenant(s) to move in prior to obtaining proper approval, your ability to rent will be suspended for the current year and the following year. You may request approval to rent again, after your suspension has lifted.

NO APPROVAL WILL BE GIVEN UNTIL ALL REQUIRED PAPERWORK FOR THE APPROVAL STAGE, YOU ARE AT, HAS BEEN RECEIVED AND ANY RENTAL SIGNS HAVE BEEN REMOVED OR ADVERTISEMENT HAS CEASED, PRIOR TO COMPLETING STEPS 1-4 BELOW.

ANY SIGN POSTED PRIOR TO OBTAINING APPROVAL WILL BE DESTROYED, IF NOT REMOVED WITHIN 72 HOURS OF BEING NOTIFIED! ALL SUBSEQUENT SIGNS PLACED UP PRIOR TO APPROVAL IT WILL BE DESTROYED IMMEDIATELY AND YOUR ABILITY TO RENT WILL BE SUSPENDED FOR 90 DAYS, FROM THE DATE DESTROYED. AFTER THAT PERIOD YOU CAN REQUEST APPROVAL TO RENT.

All other forms of advertising, prior to approval, will result in a 90 suspension of your ability to rent from the date such advertising has been discovered.

Prior to Placing Sign in Yard:

1. Determine if you purchased your property before March 2, 2007.
2. Find a lease that you want to use.
3. At least 14 days prior to the desired first day of occupancy or expiration of current lease, submit **an Intention to Rent/Lease form along with a sample copy of the lease.**
4. Wait 7 days from when the board receives all required paperwork for approval. If a response is not given within that time, it will be considered an approval, **as long as all requested documentation has been provided.**

Once Approved & Before any Tenant(s) can move in:

5. Advertise your property according to the Covenants and Restrictions.
6. Once you have some prospective tenants, run a background check using tenantalert.com or another service. You must provide all the information mentioned previously, crossing out all Social Security Numbers. The board may also choose to disapprove the tenant until you provide all the required information for reconsideration.
7. Once the Board receives all the required information on your prospective tenant(s), a response will be issued within 7 days. If no response is given, then the tenant is approved. (NOTE: The board will attempt to provide a response within 24-48 hours, whenever possible).

Tenant(s) can move in at this point, if they were Approved:

8. If your tenant is approved, then within 5 business days of the execution of the lease, a copy must be mailed to the Association or the lease will be considered null & void. (NOTE: All leases or lease extensions must be a minimum of 1 year in length unless otherwise approved by the Board)

When the lease is about to Expire:

9. When the lease is about to expire, you must resubmit an Intention to Rent/Lease form 14 days prior to the expiration of the lease. If the tenants would like to renew the lease, their information will need to be submitted again. (NOTE: a full background check will not be necessary, only their names, contact information and a copy of a completely filled out lease, with the exception of the signatures.) If the tenants are not renewing, then a copy of the proposed lease must also be included. (NOTE: If you have replacement tenants already lined up, you may submit their information and background checks at the same time, realizing that if your rental request is denied, because of the reasons listed previously, then you will not be allowed to rent to any prospective tenant (even one renewing a lease) until you are approved to lease again.
10. This process will continue until you are no longer approved to lease, you sell your property or you no longer desire to lease your property.

**Celery Lakes Homeowners Association, Inc.
Intention To Rent/Lease Form**

Date Submitted: _____ **Property Purchase Date:** _____ (Must be before 3/2/07)

Property Owner(s): _____

Property Address: _____

Owner's Mailing Address: _____

Owner Phone Numbers: Home: _____ **Work:** _____ **Cell:** _____

Owner e-mail Address: _____

Is the property currently being rented: No Yes, **Current Lease Expiration:** _____

If Yes, does the current tenant intend on renewing the lease? Yes No

PLEASE READ AND SIGN

I/We have read the governing documents concerning the right to lease (Article IX, Section 20) and will abide by the terms stated. Failure to do so may terminate my/our ability to lease. I/We will provide the Board of Directors with the required documentation on prospective tenants as well as a copy of the lease with any approved tenants. Renting to a non-approved tenant may result in termination of my/our ability to lease.

Owner's Signature

Date

Owner's Signature

Date

FOR USE BY RENTAL COMMITTEE

Current on Assessments: Yes No **Any unpaid fines:** Yes No

Violations of Covenants on Existing Tenants: No Yes, **Correct in timely manner:** Y/N

Prior Violation of Leasing without Approval (Owner or Leasing Agent): Yes No

Property Purchase Date verified and has the right to lease: Yes No, **please explain:** _____

Provided Copy of Sample Lease: Yes No

FOR USE BY THE BOARD OF DIRECTORS

The Board of Directors decision on the ability to lease is:

Approved, provided that the Board of Directors approve the prospective tenant(s) and Lease.

Denied, for the following reasons: _____

Board of Directors Signature

Board of Directors Signature

Board of Directors Signature

Fax or e-mail form to: (321) 249-1728 or faxes@celerylakeshoa.com

You may also submit to:

Celery Lakes HOA
225 Fairfield Dr
Sanford, FL 32771
Phone: (321) 249-1728

For more information, please call the Association or visit <http://www.celerylakeshoa.com>

**Celery Lakes Homeowners Association, Inc.
Prospective Tenant Form**

Date Submitted: _____ **Property Owner(s):** _____

Property Address: _____

Owner's Mailing Address: _____

Owner Phone Numbers: Home: _____ **Work:** _____ **Cell:** _____

Owner e-mail Address: _____

PLEASE READ AND SIGN

I/We have read the governing documents concerning the right to lease (Article IX, Section 20) and will abide by the terms stated. Failure to do so may terminate my/our ability to lease. I/We have provided the Board of Directors with the required documentation on prospective tenants as well as a copy of the lease with any approved tenants. Renting to a non-approved tenant or providing false information may result in termination of my/our ability to lease.

Owner's Signature

List of Tenants

Please clearly print the name(s) of each tenant that will be signing the lease: _____ **Date**

Owner's Signature

Date

Please clearly print the name(s) of any other person that will be residing with the above tenants: _____

For Use by RENTAL COMMITTEE

Property Owner has been approved for renting: ___ Yes ___ No

FOR USE BY THE BOARD OF DIRECTORS

The Board of Directors decision on prospective tenants is:

___ Tenants Approved

___ Denied, for the following reasons: _____

Board of Directors Signature

Board of Directors Signature

Board of Directors Signature

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Required Information on Prospective Tenant(s)

The information below is required to be submitted for each adult prospective tenant and must be legible:

- On any form that contains the prospective tenants' SSN, please cross out the SSN on the copy you send to the Association.
- Prospective Tenant Form (one form can be used for all tenants)
- Copy of Drivers License or State Issued ID Card for any person 18 or older.
- Names of all prospective tenants (Adult and Juvenile), not just those responsible for the lease.
- Current Address and Phone numbers for prospective tenants
- Provide sex offenders report on all prospective adult tenants from the following web address: (This is a free report)
<http://offender.fdle.state.fl.us/offender/homepage.do>
- A copy of the TenantAlert – Value Package from tenantalert.com or equivalent information. This package contains:
 - National consumer credit data
 - Credit and collection accounts
 - Fraud detection – Comparison of information provided by applicant and the information from the credit report.
 - FICO score or nation Risk Score
 - “Skip” Report
 - Possession and money judgments
 - Multi-state eviction search
 - Delinquent Tenant cooperative search
 - Searches of multiple regional eviction databases
 - National address history
 - Age Verification
 - SSN Verification
 - Public Records and bankruptcy search
 - Sex offender search
 - National criminal search
 - Terrorist database search
 - Cross checking personal information for criminal record verification

Failure to provide any of the above information will result in a delay in approval or automatic disapproval of the tenant.

Approval Criteria for Rental Request

The following is required for approval of your rental request:

1. You purchased the property prior to March 2, 2007
2. You are current on your annual assessment as well as any special assessments.
3. You do not have any outstanding violations or fines.
4. You or your management company do not have a history of leasing without approval, leasing to troublesome or improperly screened tenants and/or refusal to control or accept responsibility for the occupancy of your Lot and Dwelling.
5. You agree to rent to a single family household.
6. Your home is not currently be advertised, prior to approval.

If the terms above are met and there isn't any other reason found, you will be approved to rent. If you do not meet all of the requirements, then you will be denied the ability to rent your property until items 2-4 & 6 are resolved.

Approval Criteria for Prospective Tenant(s)

The following is required for approval of your prospective tenant(s):

1. You have submitted an Intention to Rent/Lease form and a copy of the proposed lease **and have been approved to rent.**
2. You have provided all of the required.
3. The prospective tenants have not been convicted of a felony involving violence to persons or property, a felony involving sale or possession of a controlled substance, or a felony demonstrating dishonesty or moral turpitude, including, without limitation, sexual offenses.
4. The prospective tenant(s) do not have a history of conduct which evidences disregard for the rights and property of others.
5. The prospective tenant(s) do not have a strong probability of financial irresponsibility.
6. The prospective tenant(s), during their previous occupancy, have obeyed the Covenants and Restrictions of Celery Lakes or have quickly rectified any violations that have occurred.
7. The prospective tenant(s) has given complete and true information.

Frequently Asked Questions

Q. If I am currently renting my property, how do these restrictions affect me?

A As long as the lease was executed into prior to March 2, 2007, all you have to do is provide us with a copy of the lease. You must file an Intention to Rent/Lease Form at least 14 days prior to expiration of the lease and submit the tenant information for tenant approval. You will need to provide a copy of your current lease to the Board of Directors, for the Association's records.

Q. Are there limits on the length of the lease?

A Yes. All leases must be a minimum of 1 Year in length. Upon renewal, the board will have to re-approve the tenant (a background check is not required again, it will be based solely on if there were any violations or other issues) and if they are approved, whether they can go to a month to month lease or not.

Q. I purchased my property after March 2, 2007, is there any instance which I can rent my property?

A There aren't any provisions to rent if you purchased your property after March 2, 2007.

Q. If I do not get approved to rent my property, but I purchased it prior to March 2, 2007, is this a permanent situation?

A Not necessarily. If you once again comply with all the approval requirements and you can demonstrate that you will continue to comply, then you may rent your home, once approval has been given by the board.

Q. What will be the typical turn around time for approvals?

A From the point that the Board has all the requested paperwork, approval/disapproval will come no later than 7 days. The goal of the board is to keep it between 24-48 hours if at all possible. This applies to both rental requests and tenant approvals. As long as your property was purchased before March 2, 2007, a lack of response in 7 days, from when the board receives the paperwork will constitute an approval.

Q. What is the definition of a single family?

A

- No more than two adults on the lease for any single property/premises who will be responsible for its fulfillment.
- All minors must be children, by birth or legally adopted of one or both of the adult lessors.
- No other adults may reside on the premises except those for whom the lessors are providing more than ½ of their care and/or support and are either:
 1. Children of one or the both of the lessors, by birth or adoption (i.e. in college or starting out in the workforce) or
 2. Parents of one or both of the lessors, by birth or adoption (i.e providing care

for an elderly parent)

- No more than 2 people per bedroom.
- An extended family member (i.e, aunt, uncle, niece or nephew of the lessor or spouse of an adult parent) wishing to reside at the premises for the purpose of the lessors proving for their care and/or support may request special dispensation from the board.**

** This gives tenants the ability to have an extended family member live at the premises with the board's permission in unusual circumstances. For example, say a tenant's sister dies and she wants her nephew to come live with them as part of the family, they would be able to do so without violating the "single family" rule. And in my mind, that would still constitute a single family. But, on the other hand, it prevents 12 adults saying they are all a single family (brothers, sisters, cousins and aunts, etc.) when to most people they would clearly not be from residing in a single family home.