

Dear Homeowners,

Attached to this letter, you will find a copy of the new Rental Rules that were approved by the BHVA Board of Directors on November 1, 2024. They are unchanged from the April 26, 2024 rules other than clarification of the Rental Rules Violation Fee Schedule. This revision is in response to input received from and actions taken by Owners who rent in the BHV.

Notice of the new rules is initially being sent to homeowners that are currently enrolled in the rental program and a property-wide notice will be sent to all other homeowners in the coming weeks.

All of the Rental Rules in this document are mandatory, however, please make note of these **very important points**:

- a. ***Owners must submit a completed Rental Notification Form advance notice to BHVA's management company at least 24 hours before any Tenants check in. The advance notice must include the names of each tenant residing at the rental unit.***
- b. ***A list of any vehicles used or parked within BHV by the Tenant, including the make, model, and license plate number must also be submitted on the Rental Notification Form. We understand that in situations where a rental car will be involved, the license plate information may not be available at the time of form submission. In that event, this information must be submitted to the management company no later than 11:59 PM the day of check-in.***
- c. ***Owners must obtain one (1) limited access card at the cost of \$40.00 to be used by renters. Renters are not permitted to use homeowner access cards to access amenities. (See Limited Access Card Agreement for more information).***
- d. ***The BHVA Board reserves the right to prohibit tenants from using any BHVA property, common elements, or amenities, including the roads, if an owner's account is in arrears thirty (30) days or more, or for breach of any of these rules.***

Also attached to this correspondence is a document that must be signed in acknowledgment that you have read and understand the new Rental Rules. Please sign and return the letter of acknowledgment by May 10, 2024, even if you have already signed the previous letter to acknowledge these revised rules.

Violations will be assessed if these rules are not followed. See the fee schedule included with this packet.

We look forward to everyone's cooperation and adherence to the new Rental Rules. If you have any questions, please contact the management office at (585) 424-1540 or via email at achristoff@kenrickfirst.com.

Sincerely,

Kenrick Corporation
3495 Winton Place, Building D, Suite-4
Rochester, New York 14623
Phone: (585) 424-1540
Fax: (585) 424-1553

Bristol Harbour Village Association (BHVA) Rules for Owners Renting Their Residences

These rules were approved by the BHVA Board of Directors on November 1, 2024

Introduction

Bristol Harbour Village (BHV) is a residential community located near Canandaigua Lake in the Town of South Bristol, NY. The community consists of a variety of individually owned residences comprising condominiums, townhouses, single-family homes, patio homes, and duplexes. There are no apartment complexes within BHV and BHVA does not rent any residences.

The BHVA Board is tasked with establishing reasonable rules and regulations to protect the financial interests of BHV and ensure that the residents, as defined in the BHVA Declaration, can have the quiet enjoyment of this community.

BHVA owns many common elements including but not limited to all roads within BHV (there are no public roads), the beach, the elevator and stairway providing access to the beach, the pedestrian bridge that provides access to the elevator, the Community Center and maintenance facility and the land appurtenant to those structures, the refuse and recycling center, and the pickleball and tennis courts. There are additional amenities enjoyed by owners of the residences within BHV, including, but not limited to, the exercise room within the Community Center, the kayaks and kayak storage structure, the grills and fire pits, picnic tables, playground facilities, and lawn furniture.

The common elements and amenities are paid for and maintained at the expense and for the benefit of the residential owners within BHV. BHVA must safeguard the good condition of these common elements and amenities for the benefit of residents and to promote general security within the community.

BHVA acknowledges that some residents desire to rent out their homes. Rental terms may be on a Short-Term basis (less than 12 months) or a Long-Term basis (12 months or more). Residents and their Tenants must abide by the rules and regulations that govern Members, Residents, Tenants, and Authorized Guests within the community.

The rules and regulations that may be implemented by any of the various associations within BHV may also apply, and these rules are not intended to supersede those association rules.

Complementary associations within BHV include:

- Condos 1, 2 and 3
- Andrews Way
- Lakewood Trail
- Lochcrest Circle
- Terrace Homes

Residents and their Tenants must also adhere to the Town of South Bristol's ordinance governing Short-Term rentals. Owners interested in renting out their residences should go to <https://www.southbristolny.org/> and follow the requirements detailed therein. In particular, Owners wishing to rent their residences Short-Term must comply with the Town of South Bristol permit requirements.

Definitions

Most of the terms contained within this document have the same definitions as given in the BHVA Declaration. The Declaration is available at bristolharbourvillage.org in the Homeowner Section. If such terms are not defined, common usage definitions are used with the following exceptions:

Rental Units: The residential property owned by an individual(s) or entity within the BHV community that is offered to the tenant(s) for lease which is the right to occupy or reside therein in exchange for rent (in dollars or in-kind).

Short-Term Rental: A lease whereby the rental term is less than 12 months. Short-term rentals also include those rental units offered to the public for overnight stays through such services as Airbnb.com or Booking.com or VRBO.com (or any similar site or service), as well as ShortTerm rentals as defined by the Town of Bristol (stays for a term of up to 30 days).

Long-Term Rental: A lease whereby the rental term is 12 months or more.

Owner: An individual, group of individuals, or entity that owns one or more residences within BHV. Owners are Members of the BHVA as defined by the BHVA governing documents.

Tenant: A person or persons staying at a Rental Unit for a Short-Term rental (Short-Term tenant) or signing a lease for a Long-Term rental unit (Long-Term tenant) within BHV. Tenant here is intended to include those invitees referenced and/or defined in the Declaration as renting residential units within BHV.

Authorized Guest: A person or persons invited within BHV by an owner or tenant with the express approval of the owner or tenant.

Rental Rules

Permits:

- 1. Owners wishing to rent their residences must first obtain a permit from the Town of South Bristol, if required to do so by the Town of South Bristol ordinance.**
- 2. A copy of the rental permit shall be provided to the BHVA management company before any Rental Unit is offered for lease if a permit is required by the Town of South Bristol. A current and valid permit shall be maintained with a copy retained by the BHVA management Company at all times.**
- 3. The full requirements of the Town of South Bristol Short-Term rental law can be found at <https://www.southbristolny.org/>. A fee may be charged by the BHVA Board or its designated agent to offset administrative costs.**

Notice to BHVA:

1. For Long-Term rentals, a copy of the lease agreement with the Tenant(s) shall be provided to BHVA's management company before the start of the lease term.
2. Owners shall provide proof of current, in effect "Landlord" insurance stating that the residence is a rental property inclusive of the following minimum coverage:
 - a) Commercial Landlord Policy with \$1,000,000 liability and BHVA listed as additional insured.
3. Owners renting their residences must provide advance notice to BHVA's management company **at least twenty-four (24) hours** before any Tenants arrive at the Rental Unit, by filling out a BHVA RENTAL NOTIFICATION FORM or other form approved by the BHVA Board. For Short-Term rentals, including overnight stays for any length of time, this form shall be provided for every new reservation for use of the Rental Unit by a Short-Term Tenant(s).
4. The information to be provided shall at a minimum include:
 - a) The name of the individual who made the reservation, as well as the names of all individuals residing with them at the Rental Unit.
 - b) A list of any vehicles used or parked within BHV by the Tenant, including the make, model, color, and license plate number.
5. Owners are responsible for the conduct of their Tenants and their guests within the BHV community and on BHVA property and private property within BHV. Owners shall notify all Tenants of the BHVA rules and regulations and Short-Term rental/overnight stay agreements and/or lease agreements shall include a provision that all Tenants and their guests agree to follow BHVA rules and regulations while residing within the BHV community.
6. Owners are responsible for any damage caused by Tenants or their guests to BHVA property including without limitation any common elements and amenities and any private property within BHV.

Use of Property:

1. Long-term tenants may use any of the BHVA common elements and amenities, provided the Owners of their Rental Units and the corresponding Tenants comply with these rules.
2. Short-term tenants **are authorized to use** the following BHVA common elements and amenities only:
Roads, beach, elevator to beach, the pedestrian bridge to the elevator, playground, basketball court, outdoor car wash, trash and recycling center. Use of the pickleball and tennis courts by Short-Term Renters will be permitted for shared use from 3 PM to Dusk daily unless a scheduled event is being hosted.

Short-Term Tenants **are not authorized to use:** the Community Center, fitness room, BHVA-owned BBQ grill, kayaks or paddleboard rental program, and fire pits.

Short-term renters are prohibited from launching their kayaks and paddleboards from BHVA's beach. Please inform renters that they may launch from Kershaw Park in Canandaigua or Onanda Park Beach.

3. Short-term tenants are prohibited from having pets on BHVA property at any time.
4. All Tenants must abide by the rules governing the use of limited access cards. The renting Owner may provide a limited-use access card to their Short-Term Tenant(s) to gain access to authorized amenities. Owners are responsible for Tenant's use of the access card, and neither the BHVA nor its management company will provide or offer security access cards to any Tenant at any time. Owners shall provide Tenants with a copy of the BHVA security access card policy. BHVA reserves the right to charge its members an administrative fee for limited access security cards for use by tenants.
5. Parking is not allowed, without prior approval from the managing office, on BHVA roads at night. Roads must remain clear for emergency and first responders, as well as snow plowing and any necessary maintenance or repair work. No overflow parking is permitted at the Community Center parking lot at any time without prior approval.
6. The BHVA Board reserves the right to prohibit Tenants from using any BHVA property, common elements, or amenities, including the roads, for any breach of these rules.
7. In the event an Owner is thirty (30) days or more in arrears in any assessments or other charges due to BHVA, the BHVA Board reserves the right to prohibit any Tenant's use of BHVA property, common elements, or amenities until all assessments, charges, late fees and fines and other costs have been paid in full.
8. Members of the BHV community may submit an incident report form approved by the BHVA Board in the event of a disturbance related to the activities of a Tenant or guest. In the event an incident is reported that requires the involvement of the BHVA manager and/or BHVA Board, or law enforcement, the BHVA Board may take such action as it deems appropriate and may impose fines and penalties allowed by BHVA rules. Activities that may result in BHVA Board action include without limitation: illegal activity, excessive noise, excessive numbers of guests, a breach of these rules or other BHV/BHVA rules and regulations, or any activity that misuses or causes damage to BHV/BHVA property.
9. Owners shall comply with the fee schedule, attached to these Rules. Charges will be assessed in accordance with BHVA rules and regulations and the BHV governing documents.

INCIDENT REPORT FORM

Incident Date & Time _____

Address _____

Owner Name _____

Name of Person Filing Incident _____

Incident Details _____

Police Report Number (if applicable): _____

Please note: Owners reporting violations may also wish to file a complaint with the Town of South Bristol (585-374-6341) or southbristolny.org and/or call 911.

Bristol Harbour Village Association Rental Rules Violation Fee Schedule

Fines and procedures for enforcing rules and regulations:

To ensure compliance with the BHVA Rental Policy Rules and Regulations, Renting Members may be fined for violations. BHVA's Board of Directors has adopted this Fee Schedule, which will be in effect until changed by the Board. Any violation either by a Member or a Member's Tenant, Invitee, Authorized Guest or Unit occupant shall be subject to the following fines:

Violation	1 st Offense	2 nd Offense	3 rd Offense
Failure to Register a Unit for Renting with BHVA or without a TOSB STR Permit	<ul style="list-style-type: none"> • \$250 per Day fine for renting without TOSB Permit or BHVA Approval • Cease and Desist Letter to be sent to Unit Owner • Lien on Rented Unit if Fine Not Paid Within 7 Days 		
Rental Notification Form Not Submitted¹	\$100	\$200	\$300
Incomplete/Late Rental Notification Form	\$50	\$75	\$100
Failure to Submit Vehicle Information (on or before day of check-in)	\$50	\$75	\$100
Renter's Misuse of Amenities	\$50	\$75	\$100
Renter's Misuse of or use of Owner's BHVA Access Card	\$50	\$75	\$100

When non-compliance occurs, the following steps will be taken:

- A violation letter will be sent to the Unit Owner via email and USPS with the expectation that any fine levied is to be paid within 10 days.
- Within 7 days of receipt of the Violation Letter, the Unit Owner may request a hearing before the Board to discuss the violation by contacting the management office.
- In the event of excessive violations, the BHVA Board may suspend the Owner's Short-Term Rental privileges and disable the Owner's BHVA Access Cards. In this event, the homeowners will be notified of a hearing in which said violations will be evaluated and further action will be determined.

¹ Failure to submit a rental notification form is strictly prohibited. The BHVA Board reserves the right to prohibit Tenants from using any BHVA property, common elements or amenities, including the roads, for any breach of these rules.

Acknowledgment of Rental Rules

Owner's Name: _____

BHVA Rental Address: _____

Owner's Email Address: _____

Owner's Phone Number _____

Maximum Occupancy _____ TOSB Permit # _____ Exp. Date _____

I, _____, am the Owner of the rental property listed above and have read, understand, and agree to abide by the BHVA Rental Rules. I acknowledge that I am responsible for ensuring that all rental parties are conversant with and agree to abide by these same rules and regulations.

These include but are not limited to the following:

- *Short-Term Renters and Tenants shall comply with all BHVA Rules including pets, parking, and the approved use of the elevator to the beach, beach, and refuse/recycling center using the Limited Access Card purchased by the Owner for their Short-Term Renters.*
- *Short-term renters are prohibited from having pets on BHVA property at any time.*
- *Short-term renters are welcome to use the Basketball Court, Playground, and Outdoor Car Wash. Pickleball and Tennis Courts will be available for shared use by Short-Term Renters and Residents from 3 PM to Dusk daily unless a scheduled event is being hosted.*
- *Short-term renters are prohibited from using the following amenities: Community Center, BHVA-owned BBQ Grill and firepits, and the kayak/paddleboard rental program. A fine will be levied for non-compliance.*

I am up to date and in good standing with all BHVA and Homeowner's Association monthly and special assessments. I acknowledge that all BHVA accounts must be current at the time of submitting any Rental Notification Forms to the management office.

I agree to submit one Rental Notification Form per Rental Event to the management office **24 hours prior to the check-in date** via email to achristoff@kenrickfirst.com. If the rental car(s) will be utilized, I will submit updated Vehicle Information **no later than 11:59 PM the day of checkin.**

I acknowledge that I am solely responsible for dispute resolution on issues that may arise. Accordingly, **I agree to be available for contact by residents on a 24/7 basis** while Renters occupy my property and grant the management office permission to communicate my contact information to BHV Owners when necessary for conflict resolution.

Owner's Signature: _____ Date: _____

Rental Notification Form

Owner's Name: _____

BHVA Rental Address: _____

Owner's Email Address: _____

Check-in Date: _____ Check-out Date: _____ # of Occupants: _____

Rental Agency (if applicable): _____

Names of All Occupants: _____

Renter's Vehicle Information

(Number of vehicles limited by the number of parking spaces noted on your TOSB permit.)

	Vehicle 1	Vehicle 2	Vehicle 3	Vehicle 4
Plate Number				
State				
Make				
Model				
Color				
Rental (Y/N)				

Owner must submit the Rental Notification Form to the management office ***24 hours before the check-in date***. Please email to achristoff@kenrickfirst.com. If renter(s) will be utilizing a rental car, please put "TBD" in the plate number field and submit information no later than 11:59 PM on the day of check-in to avoid fines. ***Please remember that the maximum number of vehicles must reflect the maximum parking spaces noted on your TOSB permit.*** Owner also assumes full responsibility for their rental agent to comply with all the above. It is the responsibility of the owner to inform the rental agency of all BHVA rental rules. The Owner agrees that failure to comply will make them subject to fines and, in extreme cases, potential revocation of the approval BHVA has granted the Owner's Short-Term Tenants to use any BHVA property, common elements, amenities, and all roads within Bristol Harbour.

Owner Signature _____ Date _____