

# **Normandie Homeowners Association**

## **Policies and Procedures for Rental Properties**

Introduction: The Leasing Amendment to the Declaration of Covenants, Article III, was recorded with the Wake County Register of Deeds on May 9, 2024 in Book 019607, Page 00058 of the Wake County Registry. The Amendment places a Leasing Cap of: *“No more than fifteen percent (15%) of the total number of Lots subject to this Declaration shall be leased at any time”*. The total number of Lots in the Association is 98, therefore, no more than 15 homes may be leased at a given time. For the purposes of these Policies and Procedures, the definitions of “Owner or “Owners” and “Person or “Persons” and “Lot” are found in Article I of the Declaration. To effectively administer the leasing process, and to assist in clarification of said process, the Board of Directors has set forth the following Policies and Procedures for the benefit of all Lot Owners.

### **PROCEDURES**

#### **Obtaining Approval**

- Homeowners wishing to rent their home must complete a Rental Application (Exhibit A) and submit to the association manager (alex@pwraleigh.com) for review and approval by the Board of Directors.
- Board approval must be granted prior to a lease being signed with a tenant.
- The Board has thirty (30) days to issue a written response to all rental applications.
- Details on the application requirements are found on the Rental Application.

#### **Following Approval**

- Homeowners who have obtained Board approval will have six (6) months to secure a tenant from the date of approval. If a tenant is not secured within six (6) months a new application must be submitted. This is for the purpose of keeping track of the rental cap.
- Once a lease is signed, homeowners must submit a signed copy of the lease to the Association Manager.
- Please reference “POLICIES” for lease requirements.
- Lease renewals must also be submitted for record-keeping purposes.
- Notice of vacancy must be submitted for record-keeping purposes if the vacancy is over thirty (30) days.
- Once a tenant moves out, homeowners do not need to re-submit an application for rental approval. However, if the home is vacant for more than six (6) months, the property will lose its “rental status” and a new application to rent must be submitted.

## POLICIES

Rental Definition: The Normandie Board of Directors hereby defines “rental” or “rental property” as follows: Any Lot in which the deed holder is not the primary occupant, or the primary occupant is not listed on the deed. Rental occupancy by a direct family member does *not* count towards the Rental Cap, however, it is still defined as a rental property and subject to the policies and procedures outlined in this document.

1. Owner(s) may not lease their Lot without the express written permission of the Board of Directors. Prior to leasing a Lot, the Owner(s) shall apply to the Board of Directors using the application form.
2. Owner(s) receiving approval to lease from the Board of Directors shall submit the final executed lease to the association manager or Board of Directors within thirty (30) days of execution or occupancy, whichever occurs first.
3. All leases must contain a copy of these leasing Policies and Procedures as well as the Normandie Community Standards. The Board, at its sole discretion, may request signed copies of the Normandie Community Standards by the tenant(s) as evidence of their acknowledgement.
4. All leases must be for a period of at least six (6) months. Renewals cannot renew month-to-month following expiration.
5. A Lot Owner(s) shall not lease less than the entire residential structure on the Lot. Example: Space above a garage cannot be used as a rental property while the deed-holder occupies the main house.
6. Subletting or Sub-leasing is not allowed. Example: No tenant may lease a property or any part of the property, such as a room, to another tenant.
7. Owner(s) receiving approval to enter into their lease from the Board of Directors shall submit the final executed lease to the Association Manager within thirty (30) days of execution or occupancy, whichever occurs first.
8. Owner(s) or Person(s) denied approval due to the rental cap may, by written statement to the Board of Directors, request to be placed on the Waiting List.
9. The Association Manager will maintain a list of leased Lots, including the terms of said leases, for the purpose of determining the number of Lots subject to lease at any given time.

10. The Board of Directors will maintain a Waiting List of Lot Owner(s) desiring to lease their Lot. The Board of Directors may from time-to-time request in writing Owner(s) on the Waiting List whether they wish to continue to be on the Waiting List. Failure to respond within thirty (30) days may result in removal from the Waiting List.
11. The Board of Directors reserves the right to request copies of a lease as well as tenant contact information at any time regardless of whether a lease or tenant information has previously been submitted.
12. The Board of Directors, in its sole discretion, may waive any requirements of the leasing amendment for demonstrated hardship conditions. Any Lot owners who may be affected by this decision will be notified by the Board in writing.

### **Violations of these Policies & Procedures**

1. Lot Owners are responsible for the actions of individuals on their property regardless of whether they are a guest, family member, or tenant.
2. Lot Owners whose tenant(s) is in violation of the leasing policies or Normandie Community Standards will receive notice of the violation. Note: The violation will not be sent to the tenant but can be sent to a property management company if the Lot Owner has previously provided the association manager with appropriate contact information.
3. Continued violation of the Community Standards or leasing policies, or failure to address violations after prior notice, may result in fines to the Owner(s) account and/or legal action taken against the Owner(s) by the Association.
4. While the Board does not have the legal authority to terminate a lease, it may at any time revoke a Lot Owner's approval for leasing. This would go into effect at the expiration of the current lease in place and the Lot Owner would need to re-apply for approval. If the current lease in place does not expire for more than six (6) months the Board may seek legal advice and/or action.

### **Disclosures**

The Board of Directors is not, by these Leasing Policies & Procedures, attempting to regulate any type of tenant. The Board of Directors, in its sole discretion, may add, remove, exempt, or otherwise alter these Leasing Policies & Procedures by a majority vote of the Board of Directors. If these actions occur, the Board of Directors will notify all Owner(s) or within 30 Days of said vote. In the event there is a conflict between these Policies & Procedures and the Declaration of Covenants, Conditions and Restrictions for Normandie, the Declaration shall control.

**NORMANDIE HOMEOWNERS ASSOCIATION, INC.  
LEASE APPLICATION**

Date:	
Property Address in Normandie:	
Owner(s) Name(s):	
Owner(s) Mailing Address:	
Owner(s) Phone Number:	
Owner(s) Email Address:	

Proposed Lease:             New Tenant             Family Member Lease (see below)

Please indicate the relationship of the tenant(s) to the Owner(s): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**ACKNOWLEDGEMENT OF TERMS**

I have read the Amendment to “Article III, Leases of Lots”.  Yes             No  
 of the Declaration of the Association in full and agree to comply  
 with all Restrictions contained within.

I am aware if my lessee, or myself, are found to be in violation  Yes             No  
 of any of the Restrictions of the Amendment the results or actions  
 may be the maximum amounts allowable by Statute.

I am aware there is a 15% leasing cap on the total number of  Yes             No  
 Lots eligible to lease in the Association (15 homes).

I acknowledge I have been provided all relevant documentation  Yes             No  
 of the Amendment to “Article III. Leases of Lots” of the  
 Declaration.

Proposed lease term is a minimum of six (6) months with *no* month-to-month renewal option.

Yes  No

Lease contains a “no sub-leasing” clause.

Yes  No

Lessee(s) have been provided copies of all the following:

Normandie Community Standards &  
Normandie Leasing Policies & Procedures  
(documents available at [pwraleigh.com](http://pwraleigh.com))

Yes  No

I will provide the Association Manager with a copy of the signed lease and contact information for my tenant(s).

Yes  No

Owner Signature: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

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*Following submission, the Board of Directors will have thirty (30) days to issue a response. During this time, the status of the application is not approved so executing a lease is not permissible and may result in legal action. Only upon an approved application can a lease then be executed.*