

MEMORANDUM

To: Starwood Homeowners

From: Rick Crandall, Starwood HOA Board Chair and Heather Dresser, Starwood Executive Director

RE: STARWOOD HOME RENTAL POLICY AND PROCEDURES

As a result of the global pandemic, the interest in both purchasing and renting homes in Aspen and Starwood has substantially increased. Some Starwood homeowners are choosing to loan or rent their homes to friends and others, who are understandably seeking a highly desirable rural environment. Renting is certainly the homeowner's prerogative but must comply with Starwood's publicly recorded Protective Covenants (which have been legally in force governing all property use in Starwood since 1962).

Our experience indicates that owners wanting to rent their homes are eager to observe Starwood's rules. Given the increased level of interest in renting, the Starwood HOA Board wants to provide an overview of Starwood's rental policy. New owners may not be completely familiar with Starwood's Protective Covenants, and others who may now consider renting their Starwood home for the first time may benefit from a review of Starwood's requirements. Based on the Starwood Protective Covenants, **homes in the subdivision may only be rented for thirty (30) days or more**. Per the Covenants, in section 3 on pages 5 and 6, the policy is stated as:

"No Business Uses and Short-Term Rentals:

Each lot shall be used only for single family residential purposes and such accessory uses as may be permitted by the Protective Covenants. No residence on a Lot in Starwood shall be leased for any period of less than thirty (30) days, nor shall any lot be used for short term lodge, bed and breakfast, tourist accommodation type uses among unrelated family members or other than legitimate guests of owners. The Board of Trustees is hereby empowered, in addition to such other authority as exists under law, to make rules and regulations in furtherance of this restriction. Any Owner found to be in violation of this restriction shall forfeit and pay to the Association the amount of rent or other compensation collected for any rental in violation of this restriction, in addition to such reasonable fine as may be imposed by the Board of Trustees, or other appropriate legal and equitable relief as may be sought by the Board of Trustees, acting on behalf of the Association or other Owner enforcing the provisions of this section.

All rentals of a residence and the names and addresses of all persons authorized to occupy and use a residence, other than the title owners, in connection with such rentals shall be registered in advance with the Association, which registration shall specify the occupant's relationship to the owner (if any), the anticipated length of stay, and whether or not any income will be paid for the right to occupy the residence."

Consistent with Starwood's governing Covenants, in 2012 the HOA Board deemed the following rental guidelines as requirements to follow:

- All rental advertisements must include the wording that the rental is a “30 day minimum”.
- Any potential lease must be provided to the Starwood Office, at least two weeks in advance of the rental’s commencement, for approval. The Gatehouse staff must be given, at least one week in advance, the names of all people who will be at the home during the rental period, not just the name of the renter/head of household on the contract, but every adult staying at the home, and any anticipated guests that the renters will have coming and going.
- The homeowner, or rental agent, needs to be available by phone throughout the rental period to authorize (or not allow) entrance of any persons, not on the previously submitted access list, to Starwood and the home.

These procedures are not meant to be onerous, but are for the community’s safety, to act as a safeguard for the owner(s)’ home and property, and are designed to protect the greater good of the entire neighborhood. Rentals not in compliance with these requirements, including recurring rentals for shorter periods, could be viewed by neighboring homeowners as having the potential to adversely affect their own property interests. In the past, isolated instances of noncompliance have resulted in fines and unfortunate embarrassment.

The Board of Trustees and the Starwood staff are grateful for your willingness to follow the rental policies and procedures. It is also important that renters familiarize themselves with all of Starwood’s Rules and Regulations and Covenants prior to their arrival in Starwood. Those documents can be accessed on Starwood’s website: www.starwood.org. All renters are subject to abiding by Starwood’s rules, including not violating the speed limit, when they are in residence in the subdivision. The documents can also be printed from the website and given to your rental agent or left in your home for renters to peruse.

We all value Starwood’s unique rural character, the peaceful environment and the strong community character. Your understanding of the rental policy and the courtesy of your renters will be appreciated by your neighbors.

With regards,

Rick Crandall, Starwood HOA Board Chair
and
Heather Dresser, Starwood Executive Director