

CACAPON SOUTH NEWSLETTER SPECIAL EDITION AUGUST 11, 2022

Amending Covenants to limit short-term property rentals

The Board has been studying the issues related to short-term rentals (less than 30 consecutive days to a single renter). As we all know, there has been a significant increase in home rentals for short-term recreation using Airbnb, VRBO, and other organizations and managers. Longer-term rentals are NOT under discussion.

Board representatives met with a West Virginia-licensed attorney on August 2, and he confirmed that the Board's proposal for ending short-term rentals, subject to a limited "grandfather," is fully consistent with West Virginia law.

The Board is focused on maintaining the highest standards and best practices for our community. Our goal is to preserve our residential neighborhood with well-maintained properties, roads, and common spaces. Additionally, we are responsible for protecting Cacapon South from commercial activity which could adversely impact the aesthetics of the subdivision and the value of our homes. (See current Covenants: Land Use, Section VII, 10).

The attorneys also noted various state and local requirements that apply to commercial activities such as short-term rentals. Examples include licensing and tax matters, residential mortgage restrictions on rental usage, etc. (needless to say, we can't opine on these topics, and suggest that affected owners consult an attorney).

Proposal

Amend the Cacapon South Covenants to specifically prohibit short-term rentals (less than 30 consecutive days to a single renter) going forward, with an exemption ("grandfathering") for existing owners who during 2020 – August 31, 2022, have engaged in a short-term rental or during the same period notified the Board that they expect to do so. The exemption ends with the current owner's sale of its property.

Amendment Process

Amending our Covenants requires a 66 2/3% approval of all lot owners who vote (in person or by proxy) at a special meeting for such purpose (see Covenants, Article IX,4). The Board hopes to convene this meeting in the Fall, likely on the same day as our regular Annual Meeting, which is scheduled for Saturday, November 5, 2022.



This one-page quarterly newsletter is an additional way to keep all residents informed of current topics and/or issues within our wonderful community. Always refer to the community webpage for information.

The Newsletter will be sent by email using Cacapon South Google Group at cacapon-south-community@googlegroups.com and posted on our webpage as needed at <https://cacaponsouthpoa.com/>

Any suggestions for topics are welcome. You can reach out to the POA Board of Directors for comments and suggestions. We hope you find this Newsletter helpful.

Current Board Members: Bruce Anderson, Don Brannon, Scott DuBoff, Reidonna King, Dale Kirchner, Thom Rubel, Craig Thibaudeau, Carol Wiles.

Email: directors@cacaponsouthpoa.com

Thank you for working with us to maintain and preserve our beautiful community!



Please provide your comments, questions, and input to the Board of Directors by August 31. We look forward to hearing from you and will consider your input as we prepare our final proposal. Email: directors@cacaponsouthpoa.com