

Report from the Condo Board Work Session, Jan 12, 2006

A large portion of the Work Session was devoted to discussing issues surrounding the enforcement of the 55+ Age Restriction in Venture Out. The Board and members of the public present were unanimous in their resolve that this restriction should be uniformly and rigorously applied within the park in order to ensure that the park's 55+ designation is retained. The Board is aware that if, as a Board, it does not enforce this regulation, the door is open to other non-age complying individuals who wish to occupy a property within the park. Examples were given of where this has occurred in other parks.

Article XIII, J of the Declaration of Condominium and Land Use Restrictions states: "All Lots shall be reserved and restricted for occupancy by at least one person fifty-five (55) years of age or older and the minimum age for occupancy shall be eighteen (18) years of age. Residence within a Recreational Vehicle or Park Model on a permanent or semi-permanent basis shall be limited to not more than two (2) adults, except upon the prior written approval of the Board of Directors in special hardship cases."

The Board has a legal responsibility to enforce the Declaration provisions and to ensure that there is no violation of those provisions. The Board emphasized that this is, and always has been, the Board's responsibility and should not be considered as a new initiative of any individual Director or group of Directors. The age restriction has always been addressed by previous Boards whenever a potential violation was placed before them. The need for active enforcement was heightened when greater market pressure emerged from under-age buyers, and at the same time, the Board was receiving specific legal advice that the park's 55+ designation was in jeopardy if it did not take steps to see that the restriction was enforced. Every reported instance of suspected violation brought before the Board has been dealt with in a consistent manner. A notice of violation has been issued, the party in question has been invited to a private hearing with a Committee of the Board, and the Committee has rendered its decision. A final appeal to the entire Board is available should any party believe that they have been dealt with unfairly.

The Board is currently dealing confidentially with several individuals in attempting to resolve their respective occupancy status. Some residents present expressed the wish to have specific information about cases in question circulated within the park and offered suggestions regarding sanctions that might be imposed. While the Board recognizes that many residents would like to hear more details, it will continue to work confidentially with each case in an effort to find a mutually acceptable solution. The matter of appropriate sanctions will be dealt with at the next regular meeting of the Board.

The Board recognizes that there may be some other cases of violations and asked residents to report their concerns to the Manager so that they may be appropriately investigated.

Submitted with the approval of the Board of Directors.