



BARRINGTON PLACE HOMEOWNERS' ASSOCIATION
LEASING RULES AND REGULATIONS POLICY

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

The Barrington Place Homeowners' Association, Inc., (hereinafter the "BPHOA" or Association") is the governing entity for Barrington Place Subdivisions, Sections 1, 2, 3, 4, 5-B, and the Gateway Subdivision, according to the Maps and Plat Records of Fort Bend County, Texas as follows:

- (a) Barrington Place, Section One, Subdivision, Fort Bend County, Texas according to the Map or Plat thereof recorded under Volume 429, Page 20, and Slides 486A, 486B and 838A (and any additions, supplements, or replats thereto);
- (b) Barrington Place, Section Two, Subdivision, Fort Bend County, Texas according to the Map or Plat thereof recorded under Slides 592B, 593A, 593B, 594A, 728B, 778A, 778B, 838B, 839A, and 839B (and any additions, supplements, or replats thereto);
- (c) Barrington Place, Section Three, Subdivision, Fort Bend County, Texas according to the Map or Plat thereof recorded under Slides 594B, 595A, 729A, 729B, and 860A, (and any additions, supplements, or replats thereto);
- (d) Barrington Place, Section Four, Subdivision, Fort Bend County, Texas according to the Map or Plat thereof recorded under Slides 801B, 802A, 802B, 840A, 840B, 841A, 925B, 926A, and 926B (and any additions, supplements, or replats thereto);
- (e) Barrington Place, Section Five-B, Subdivision, Fort Bend County, Texas according to the Map or Plat thereof recorded on Slides 1098A and 1098B, (and any additions, supplements, or replats thereto); and
- (f) Gateway Community under Slides No 1517A and 2158A (and any additions, supplements, or replats thereto).

WHEREAS, The Association, by and through its Board of Directors, pursuant to Article VI, Powers and Duties of the Association, (b) of its By-Laws, can exercise for the Association all powers, duties, and authority vested in or delegated to the Association, and not reserved to the membership by other provisions of the By-Laws, the Articles of Incorporation, or the Declaration, thus empowering the Association's Board of Directors to regulate the use of the Subdivisions; and,

WHEREAS, The City of Sugar Land has enacted The Residential Rental Property License Ordinance that was adopted by the City Council on November 20, 2007 (Ord. 1660); and,

WHEREAS the Association has determined that many Lots in Barrington Place Subdivisions and Gateway Community are being rented by the Owners of the Lots and are not occupied by the Owners of the Lots. Incidents of observed and reported criminal activity involving the discharge of firearms, vandalism, and theft have increased as the number of rented homes has increased. Vehicles not belonging to the Owners of the Lots are parked on the driveways blocking the sidewalks to pedestrian traffic in Barrington Place with no means to contact the Owner of the property or the Owner of the vehicle to relocate the vehicle. The vehicles are parking in the streets, oftentimes parking in the wrong direction, interfering with traffic use and flow. Owners are renting their Lots without complying with The Residential Rental Property License Ordinance adopted by the City Council. The Association has been notified by Owners who live in and occupy their Lots of complaints of increased traffic from renters as well as nuisance complaints regarding party's/loud noise during traditional sleep hours, loose trash and debris, and parking issues, and concerns regarding strangers coming in and out of the neighborhoods on a frequent basis. Additionally short-term leases less than 30 days in length are inconsistent with the residential use of the Subdivisions, lead to the diminishment of the residential character of the Subdivision, and are contrary to the Association's purposes and the use and enjoyment of owner-occupied Lots.

WHEREAS there is a need to adopt rules and regulations regarding leasing in the Barrington Place Subdivisions and Gateway Community.

This policy shall be known as the Barrington Place Homeowners' Association Leasing Rules and Regulations Policy and it henceforth applies to the aforementioned Barrington Place Subdivisions and Gateway Community and to the BPHOA.

All City of Sugar Land Rules and Regulations contained in section 6 of Ordinance No. 1660 and any subsequent amendments to Ordinance 1660 adopted by the City of Sugar Land, that are necessary for the rental license application and property to pass any and all required screenings and inspections are incorporated and included in this policy.

Rent means the offering or leasing of a dwelling unit to an occupant other than the Owner, or to a member of the Owner's family within the first, 2nd & 3rd degree of consanguinity or within the first & 2nd degree of affinity of the Owner, and involves the payment of a rental amount.

License means a residential rental property license issued under Ordinance No. 1660 and any subsequent amendments adopted by the City of Sugar Land. The terms "Owner", "Association", "Lot", "Lots", and "Subdivision" shall have those meanings as set out in the recorded Declarations. The term "Renter" includes "Tenant" and "Occupant". The terms Lots and Lots shall also include the term Property".

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In conjunction with City Ordinance Article VIII-Residential Rental Property Licenses, Sec. 4-121, and any subsequent amendment or successor statute, it is prohibited for any Owner to rent an unlicensed dwelling unit in a single-family dwelling in Barrington Place Subdivisions and Gateway Community.

Each Owner renting a residential Lot in Barrington Place Subdivisions and Gateway Community shall comply with the following:

1. A copy of any rental license issued by the City of Sugar Land to the Owner of a Lot shall be forwarded to the BPHOA by the Owner by email, personal delivery, or US Mail. The copy of any rental license issued by the City of Sugar Land to the Owner of the Lot shall be forwarded to the BPHOA upon receipt by the Owner. Any renewal of an existing rental license shall be forwarded to the BPHOA upon receipt by the Owner of any license or renewal issued by the City. Non-receipt by the Owner of the Lot of the rental license or renewal of any existing rental license issued by the City of Sugar Land does not excuse the Owner of the Lot from sending a copy of the rental license or renewal of any existing rental license to the BPHOA.
2. Each written agreement or contract creating a lease of real property in the Barrington Place Subdivisions and Gateway Community shall include within it a provision stating:

"Any breach of the Association's restrictive covenants, rules, regulations, or policies, by the Tenant, shall be considered a substantive breach of the lease, and that such a breach shall constitute grounds for termination of the lease by the Owner." If a written agreement or contract creating a lease of real property in the Barrington Place Subdivisions and Gateway Community does not contain this provision at the time this policy becomes effective, upon the renewal of the lease term, this provision shall be added to the renewal.

3. Any Owner leasing a Lot in the Barrington Place Subdivisions and Gateway Community, in addition to filing a rental license application with the City of Sugar Land, shall provide the following information in writing to the BPHOA before the lease term commences:
 - A. Owner's Name
 - B. Owner's mailing address
 - C. Owner's phone number
 - D. Owner's email address

If any of the above listed information changes during the lease term, the Owner is to provide updated information, within 7 days of the change in information, in writing to the BPHOA.

4. If an Owner uses a management company or agent to lease the Lot in the Barrington Place Subdivisions and Gateway Community, the Owner shall provide the following information in writing to the BPHOA, before the lease term commences:

- A. Management Company's/Agent's Name
- B. Management Company's/Agent's Name mailing address
- C. Management Company's/Agent's Name phone number
- D. Management Company's/Agent's Name email address

If any of the above listed information changes during the lease term, the Management Company/Agent is to provide updated information, within 7 days of the change in information, in writing to the BPHOA.

5. The Owner shall, at the commencement of any lease of a Lot, provide the following information in writing to the BPHOA:

(A) contact information, including the name, mailing address, phone number, and email address of each person over 18 years of age who will reside at a property in the subdivision under a lease for more than 30 days; and

(B) the commencement date and term of the lease.

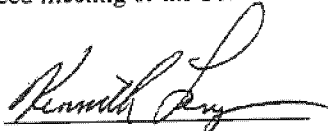
(C) the Make, Model, Year, Color, License Plate of any motor vehicle operated by any of the Tenants that will be parked in the Barrington Place Subdivisions and Gateway Community.

If any of the above listed information changes during the term of the lease for any person who will reside at the property being leased, the Owner is to provide updated information, within 7 days of the change in information, in writing to the BPHOA.

6. **SPECIAL NOTE ABOUT RESTRICTIONS ON RENTING TO REGISTERED SEX OFFENDERS** Under the City of Sugar Land Code of Ordinances, Chapter 3, Article XI, Sec. 3-183, it is unlawful for a property owner to rent a residential property to a registered sex offender if the residential property is located within 2,500 feet of any schools, playgrounds, youth centers, video arcade facilities, public swimming pools, public parks, private recreational facilities, skate parks, or youth athletic fields. BOTH the OWNER and the TENANT can be fined up to \$500.00 per violation per day for violating this ordinance. It is the responsibility of the owner of the property to properly screen potential tenants to ensure compliance with these regulations.
7. The Owner shall lease the entire Lot. An Owner may not lease a portion or part of the Owner's Lot or any improvement situated on the Lot. The Owner will not allow any lease of their Lot that would violate this restriction.
8. An Owner who does not comply with this Leasing Rules and Regulation Policy shall not be eligible for any discount offered on the annual assessment offered on the yearly assessment. The ineligibility for any offered discount on the annual assessment shall apply to annual assessments commencing with the 2024 annual assessment.
9. This Leasing Rules and Regulations Policy will go into effect on October 1, 2023.

CERTIFICATION

I, hereby certify that the foregoing Barrington Place Homeowners' Association Barrington Place Homeowners' Association Leasing Rules and Regulations Policy, were adopted at an open and properly noticed meeting of the board of directors, on April 18, 2023, at which a quorum of the Board was present.

By: 
Kenneth Langer

Title: President

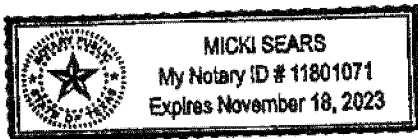
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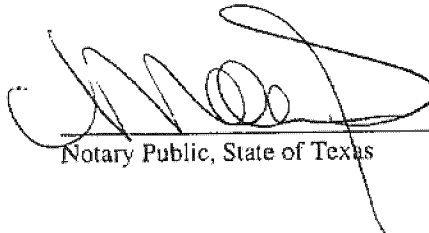
STATE OF TEXAS

COUNTY OF FORT BEND

Before me, the undersigned authority, on this day personally appeared the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that he is the person who signed the foregoing document in his representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this day of 16th May, 2023.





Notary Public, State of Texas