

Braeloch Homeowners,

The HOA board and Cedar Management company would like to update you on a few topics.

1. Due to multiple homeowners expressing concern regarding per room rentals the HOA in conjunction with Cedar Management sought a legal opinion. Per the attorney our covenants do not permit homeowners to rent individual rooms. Please see below attached legal opinion.

**KARRENSTEIN & LOVE, PLLC**

**Attorneys at Law**

10590 Independence Pointe Parkway, Suite 200, Matthews, North Carolina 28105

Chris Karrenstein\*

Telephone: (704) 364-6464

Kenneth Love\*\*+

Facsimile: (704) 364-6466

\*Licensed in NC & SC

\*\*Super Lawyers "Rising Star," 2016-2021.

Super Lawyer, 2022-2024

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Braeloch Board of Directors

Legal Opinion Re: Renting of rooms

Braeloch Community Board of Directors:

I have been asked to give an opinion concerning the ability or lack thereof of owners to rent out rooms in their homes. For the reasons stated below, they are not permitted to engage in this activity.

Braeloch is a community located in Cary, North Carolina. Like other Homeowners Associations, it is governed by Chapter 47F of the General Statutes and the recorded Declaration of Covenants, Conditions, and Restrictions. Owners are required to follow the covenants and restrictions found in the document.

Article VII, section 2 dictates the usage of each lot and the limitations of such usage. Specifically, the lots are to only be used for "single-family" residential purposes. The North Carolina appellate courts have defined this as a home being used for some recognized family, either my marriage or blood. Renting out rooms to strangers cannot satisfy this requirement. However, if the owner rents out the entire home to a family unit, this would satisfy the requirement. But renting single rooms to whomever applies and pays the rent is not acceptable.

The Association would be within its rights pursuant to NCGS 47F-3-1017.1 to follow the procedure to declare a violation and if necessary assess fines against the unit.

Signed,

*Kenneth Love*

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