



COMMUNITY SIGNING DAY



What's the primary reason for a leasing prohibition? Property values. By and large, neighborhoods that are primarily owner occupied have higher property values than neighborhoods that are heavily rented. This also allows the HOA to address problems with the owner/occupant rather than an absentee owner. Lastly, while there are certainly exceptions, owner occupants tend to take better care of a property than a tenant who may only live there for a year or two.

How does this leasing amendment affect my property rights? For the most part, it doesn't. Anyone who is an owner in Lagrange Commons right now, will be able to lease his/her property even after this is passed. This grandfather clause applies to all owners, whether or not they are currently leasing their property. This is a requirement of state law as of May, 2021. The only restriction that is placed on current owners is the prohibition against short-term leasing (e.g., less than 30 days). This prohibits using sites like Airbnb, VRBO, etc.

Why can't we prohibit all owners from leasing? The TN Legislature requires that an HOA grandfather all existing owners. This law was passed in May, 2021.

What happens if someone has a valid reason, he/she needs to lease the property (e.g., being deployed and wants someone to occupy the property during deployment)? The Leasing Amendment allows for the Board of Directors to grant hardship exceptions in events like that. Another example is when someone needs to go out of town to care for a sick relative and they may be gone for several months.

How do you enforce this? If necessary, the HOA would file a lawsuit. The owner violating the leasing prohibition can be ordered by the Court to stop AND that owner can be ordered to pay the legal fees for the enforcement of this provision.

There is always strength in numbers. The more individual or organization that you can rally to your cause is better. - Mark Shields