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Mesa Village Homeowners Association

EFFECTIVE 4/15/2025

TIME SHARE (NOT ALLOWED), RENTAL REQUIREMENTS AND COMMERCIAL USE

Note: These regulations are not intended to supersede city, county, state or federal regulations in regards to these matters.

Rental Requirements

Information

All Homeowner must provide tenants with a copy of the Rules and Regulations. All tenants must comply with these Rules and Regulations, the By-Laws, and the CC&R's. (CC&R Article V).

The Rules and Regulations are also available on the Association's website at www.mvhoa.org

XVI. Rental Rules Compliance

The Association recommends homeowners, realtors and property managers include a clause in their leases requiring the tenants to comply with the Association Rules and Regulations and provide that any violation of the provisions thereof may constitute a default in their lease.

Section 1. Rental Policy

The Association supports the City of San Diego's Short Term Rental Regulations Ordinance (STRO) which prohibits transient rentals. Transient rentals or leases for periods of 30 days or less are prohibited.

A. Short-Term Rentals. Short-term rental is defined as (1) renting, leasing or subletting a Residence for a period of fewer than thirty days or less; (2) soliciting or advertising the Residence for rent, lease, subletting or occupancy for a period of 30 days or less; and/or (3) using the Residence for transient or hotel purposes wherein lodging or sleeping amenities are provided and amenities or services including, but not limited to, cable, internet, and/or linens are provided, for a period of 30 days or less. Therefore, no Residence shall be used for any type of short-term rental or vacation home (such as Airbnb, Home Away, VRBO, etc.) in violation of the provisions of the Rules.

Pursuant to City of San Diego's Short Term Rental Regulations Ordinance (STRO). The STRO Ordinance requires a license for all STROs of a dwelling unit, or part thereof, for less than one month within the City of San Diego.

B. All lease agreements shall identify that the premises are located within the Mesa Village HOA properties and state the length of the agreement is for more than 30 days.

C. **Rental of Entire Residence.** Unless the homeowner is residing in the subject residence, all leases and rental agreements must be for the entire residence, including any carport. Rental, leasing, letting of any portion or portions of a Residence (i.e., less than the entire Residence) is prohibited. (CC&Rs, Article VII, Section 2 Letter i.)

D. **Residential Use / Single Family Residential.** Except as otherwise authorized by law or the CC&Rs, Residences may only be used as a “single family residential use as defined by the CC&R’s

E. Owners are personally responsible for their tenants and guests and are responsible for any violations of the governing documents. That includes financial obligations (fines or repair costs) to items that are the association’s responsibility if the damage is a result of the tenants or guests actions.

F. **Penalties for Rental Violations.** Violation(s) of the Rules in sections (A – E) above are subject to the disciplinary measures listed in the Violation and Fine Policy. Violations or potential violations of the above rental Rules or C&Rs, are subject to immediate notice of hearing without a Warning Notice, in the Board’s or management’s discretion. The fines in the Fine Schedule may be imposed per violation and not per month that such violations occur.