



ADULT MANUFACTURED HOUSING
COMMUNITY

MEMORANDUM

To: Realtors and Prospective Unit Buyers

From: Phyllis Holmes – President
David Creed – Vice President
Terry Westerbeke – Treasurer

Date: June 12, 2019

Subject: Governing Documents, Declaration, By-Laws, Amendment to Declaration Paragraph 12. Sale and Rental of Condominium Units, and “The Rules We Live By” (Excerpts from the Governing Documents)

On April 4th, 2019 Forest Lakes of Cocoa Condo Association amended Article 12 of the Declaration of Condominium. The policy changes were made to enforce and preserve the residential character of Forest Lakes of Cocoa. This objective provides standards/restrictions on unit sales and assures the enforcement of such standards. This letter references existing rules concerning the sale of Forest Lakes of Cocoa condominium units contained in Forest Lakes of Cocoa Condominium Association, Inc. foundational/governing documents (Declaration of Condominium, Articles of Incorporation and By-Laws) and in applicable Florida law.

Below is a summary of the requirements for the Sale and Rental of Condominium Units:

1. Eligible Residents - units may be occupied only by persons age fifty-five (55) or older with exceptions outlined in Rule 1 of the governing documents. (See Rules We Live By)
2. The Board of Directors has the right to screen all sales and transfer of units.
3. Completed requests for a change of occupancy must be properly submitted to the Board of Directors. The request must include a background check report paid by the applicant.

The amendment includes the following changes:

1. Timesharing of the units is prohibited.
2. An owner must own their unit for a minimum of two (2) years before leasing or renting the unit.
3. All short-term rentals and licenses (which are for less than a three (3) month period) are strictly prohibited. Units cannot be leased more than two (2) times in any calendar year. If any lease is terminated before the end of the original lease term, a new lease may not be initiated until the original lease term expires,

except when the termination of a lease is for good cause as determined at the sole discretion of the Board.

4. The Board of Directors has the right to require an owner or tenant to provide a notarized sworn statement that the unit will not be used as a rental or lease through AirBnB, VRBO or other short-term rental companies.

In addition to the above, it should be noted that our governing documents are covenants running with the land. Each prospective buyer needs to know that ownership of land also includes a presumed knowledge of the covenants/governing documents, i.e., Declaration, By-Laws, Rules, etc. The Board encourages each owner to have and become familiar with the governing documents. Traditionally, document books are passed from the seller to the new owner; however, this does not always occur. Therefore, document books can be purchased at the association office for a fee of \$35.

We suggest that realtors make the prospective buyer aware that life in a condominium setting sets forth restrictions as well as privileges for unit owners; and that the board has the authority to enforce by court action the restrictions and regulations which govern the community. Additionally, as a condominium, our association is governed by Florida Statute 718 as well as the State of Florida Administrative Code 61B, both of which are available on-line at www.forestlakesofcocoa.org.

Enclosed for your use is a copy of “The Rules We Live By” which contains excerpts from the governing documents in an easy to use handbook. These booklets are free and available at the association office. Please take the time to read this booklet in its entirety. Also, enclosed is a copy of frequently asked questions which the prospective buyers may find helpful.

If you have questions or if we can be of further assistance, please call or stop in the association office between the hours of 10:00 a.m. and 12:00 noon, Monday through Friday.

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Enclosure – “The Rules We Live By”