

Desert Mountain Homeowners Association



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DMMA

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Rental Amendment Clarification

Dear Desert Mountain Homeowner:

A letter dated July 28, 2017 was sent to you from your Desert Mountain Master Association regarding a proposed amendment regarding property use restrictions. This letter has generated some questions from Homeowners, and we would like to provide you with some important background information, outline the rationale that was used to present this proposal, and explain your options for responding to the letter.

Until the end of 2016, the city of Scottsdale maintained an ordinance prohibiting the rentals of private homes located within the city with terms of less than 30 days. The state of Arizona enacted a law, effective January 1, 2017, which now prevents cities, towns or counties from prohibiting short term rentals.

This new legislation has had an impact on many private communities, such as Desert Mountain, where Owners and Members are concerned about their continued ability to retain control over the threat of unchecked expansion of short-term rentals. These concerns are based on the fundamental needs of safety and protection, and in maintaining the integrity of the neighborhood. As a result, the members of several nearby communities have changed their governing documents, placing restrictions on short-term rentals of 30 days, 60 days or even longer minimums.

Your Master Board has received a great deal of homeowner input urging action on this issue. It was first raised by residents at a Council of Presidents Meeting in early 2017. This alert triggered an extensive research effort by DMMA staff and deliberations at two subsequent Board meetings. At its July 24, 2017, the DMMA Board of Directors debated and approved a resolution proposing an amendment similar to those adopted by neighboring communities, to effectively limit rentals of homes in our community to no less than 60 days.

Why are we proposing this action at this point in time? Your Board is very concerned about the potential for short-term, potentially nuisance-type of rental activities to invade Desert Mountain as it has in other communities that have not yet adopted restrictions. This activity has been facilitated by VRBO and other online rental sites, and is certainly expanding. We strongly believe that in order to maintain the exclusivity and uniqueness of our beautiful community, while still enabling owners to lease their homes, this amendment is appropriate and necessary.

We would emphasize the numerous exceptions available to the proposed minimum rental term. Any current Desert Mountain property owner, or any member of the Desert Mountain Club, will be able to rent a home within the community with no minimum restrictions. This is intended to facilitate use by family and friends during holidays, golf events or other get-togethers. In addition, if from time to time, the Desert Mountain Club finds it necessary to rent homes for prospective members, those rentals will not be subject to term restrictions.

A red-line version, outlining the proposed changes to this amendment, has been enclosed for your review. This will enable you to easily identify the changes proposed by the amendment.

It is important to note that some Villages within the community already have language in their governing documents limiting rentals to 30 days; those requirements would remain in

effect in accordance with each Village's governing documents, even though the Master Association's governing documents stipulate less than 60 days. To that end:

1. Owners who live in villages that do not have the 30-day restriction could...
 - Rent to anyone for more than 60 days
 - Rent for less than 60 days only if they meet the exception of renting to a Club member or Association property owner
2. Owners who live in a village with a 30-day restriction could...
 - Not rent to anyone for less than 30 days because the Master is not authorized to make an exception to the Villages' 30-day rule
 - Can rent between 30 days and 60 days if they meet the exception of renting to a Club member or Association property owner
 - Can rent to anyone over 60 days

Please read the proposed amendment and consider its potential to maintain and improve the way of life within our community. As a Desert Mountain property owner, you have the right to object to this proposal, in writing to the Association office, within 45 days of July 28, 2017. *In light of the interest expressed on this issue, and to accommodate those owners who may be traveling in the summer months, we are extending the deadline for objections to be received to October 31, 2017.* If no more than 10% of the Homeowners object in writing by that date, the Board will proceed to record the Amendment. If 10% or more of Desert Mountain Homeowners do object to this proposal, the Desert Mountain Master Board will need to hold a meeting and conduct a vote of Homeowners on this matter.

In closing, we apologize for any confusion and lack of clarity caused by our earlier letter. We encourage you to participate in the governance of your community and to contact me at the DMMA office with any questions you may have. Your involvement is greatly appreciated.

Sincerely,

Kevin Pollock

Kevin Pollock, PCAM, CAAM
Desert Mountain Community Manager

[Enclosure](#)

Submitting a Design Review application? Please note the following:

- **Design Review Meeting dates: August 3rd, August 17th, August 31st (NEW), September 7th (CANCELLED),**
- Please allow **two weeks** for Design Review Administrative Approvals.

- To ensure proper customer service, **Design Review appointments are highly recommended.**
- To access **Design Review Forms**, visit the [website](http://desertmthoa.com/ResourceCenter/228~195610/Design-Review).
<http://desertmthoa.com/ResourceCenter/228~195610/Design-Review>



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|--------------------------|---------------------|
| Main Gate: | 480-635-5630 |
| Main Office Line: | 480-635-5600 |
| Main Office Fax: | 480-488-7484 |
| Design Review: | 480-635-5605 |
| Owners Services (OSB): | 480-635-5610 |
| DHE Gate: | 480-635-5635 |

REMEMBER: Download the full HOA [list](#) of phone numbers with Email addresses and print for easy reference.



Design Review Meetings

Design Review Meetings are scheduled on the first and third Thursday of every month. They take place at 8:00am at the HOA Office, which is located at 10550 East Desert Hills Drive, Suite 100. Please send an [email request](#) or call 480-635-5605 to be included on the meeting schedule.

Your HOA's new communication tool is Constant Contact. Please add this email address to your contact list thus avoiding messages appearing as spam.

Desert Mountain Master Association
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480-635-5600 HOA@desertmthoa.com

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