



**RULES & REGULATIONS RELATED TO
SHORT-TERM RENTALS
FOR
FIRETHORNE COMMUNITY ASSOCIATION, INC.**

At a regular meeting of the Board of Directors for the Firethorne Community Association, Inc. (the "Association"), held on January 25, 2018, said meeting being properly called and a quorum being present, came to be heard the matter of establishing certain factual determinations of the Board and rules and regulations related to a short-term rentals.

After consideration of the matter, the Board voted to approve the following resolution related to short-term rentals.

The approved rules and regulations are effective immediately and apply to all Properties subject to the Declaration of Covenants, Conditions and Restrictions for Firethorne (the "Declaration"), recorded on March 23, 2005, in the Official Public Records, Fort Bend County, Texas under County Clerk's File No. 2005032616. Such Properties include all real property that has been or may be subsequently annexed to be brought within the jurisdiction of the Association in accordance with the provisions of the Declaration.

The full resolution related to Short-Term Rentals for Firethorne Community Association, Inc., is as follows:

WHEREAS, Article VII, Section 1 of the Declaration provides that each and every Lot in the Properties is hereby restricted to use for single-family residential purposes exclusively.

WHEREAS, this Section of the Declaration further provides that no trade or business may be conducted in or from any Lot, except that an Owner or Occupant may conduct business activities within the Single Family Residence so long as:

- (a) the existence or operation of the business activity is not apparent or detectable by sight, sound or smell from outside the Lot;
- (b) the business activity does not involve persons coming onto the Properties who do not reside in the Properties or door-to-door solicitation of residents of the Properties; and
- (c) the business activity is consistent with the residential character of the Properties and does not constitute a nuisance, or a hazardous or offensive use, or threaten the security or safety of other residents of the Properties, as may be determined in the sole discretion of the Board.

WHEREAS, this Section of the Declaration authorizes the Board to promulgate rules and regulations to insure that home businesses comply with the above standards

and to make factual determinations regarding the impact of a home business on the residential character of the Properties; and

WHEREAS, the Declaration provides that if, in the judgment of the Board, a home business has a detrimental impact on the residential quality of the Properties or otherwise constitutes a nuisance, the Board is authorized to require that the Owner cease the home business or alter it to the Board's satisfaction.

NOW, THEREFORE, the Board's factual determinations and rules and regulations are as follows:

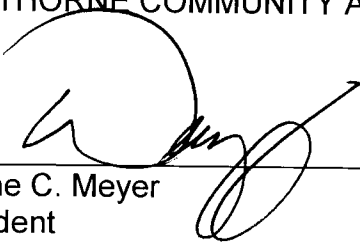
Factual Determinations as to Short-Term Rentals in Firethorne

1. The Texas Tax Code defines a short-term rental as "the rental of all or part of a residential property to a person who is not a permanent resident." Tax Code §156.001(b). Pursuant to the Tax Code, a permanent resident must have the right to use or possess a room for at least 30 consecutive days. Tax Code §156.101.
2. Under the Tax Code, short-term rentals as defined constitute a "hotel."
3. There has been a noticeable increase in the frequency of owners renting out residential property in Firethorne as short-term rentals, and a noticeable increase in the frequency of complaints from nearby property owners regarding short-term rentals.
4. The Board has determined that the operation of the business of short-term rentals of residential property in Firethorne:
 - (a) is apparent and detectable by sight and sound from outside the Lot;
 - (b) involves persons coming onto the Properties who do not reside in the Properties;
 - (c) is not consistent with the residential character of the Properties; and
 - (d) constitutes a nuisance or offensive use of the Properties.

Short Term Rentals Policy - Rules and Regulations

All leases or property rentals in Firethorne shall be a minimum of six (6) months in duration. All leases or property rentals of shorter than six (6) months duration are strictly prohibited.

FIRETHORNE COMMUNITY ASSOCIATION, INC.



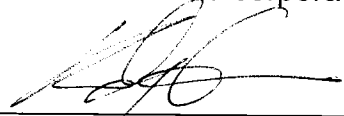
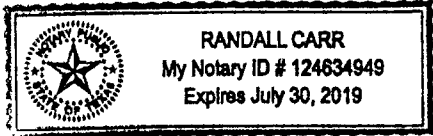
Wayne C. Meyer
President

STATE OF TEXAS

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COUNTY OF FORT BEND

This instrument was acknowledged before me on the 25th day of January, 2018, by Wayne C. Meyer, President of Firethorne Community Association, Inc., a Texas non-profit corporation, on behalf of said corporation.



Notary Public, State of Texas

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