

A RESOLUTION ADOPTING RULES AND REGULATIONS RELATIVE TO THE PROHIBITION OF SHORT-TERM HOUSE-RENTALS IN THE VILLAGE IN RELATION TO CHAPTER II, PARAGRAPH (b) OF THOG'S DEED OF RESTRICTIONS:

b. "Lots shall be used only for residential purposes"

WHEREAS, Tali Beach Homeowners' Group (THOG) is a non-stock, non-profit corporation duly organized and existing under and by virtue of the laws of the Philippines;

WHEREAS, during the Regular Meeting of the Board of Directors of the Association held on October 5, 2018, wherein a quorum was present, the Board of Directors discussed the procedural steps to be taken by the THOG Management including imposition of graduated penalties against violators of unauthorized short-term rentals of houses;

WHEREAS, the Board, exercising its power as provided in Section 1, Article X of the By-laws, "The Board shall have the power to promulgate such rules and regulations consistent with law, the Articles of Incorporation or these By-Laws," has approved the following rules:

WHEREFORE, BE IT RESOLVED, THAT THE BOARD OF DIRECTORS OF TALI BEACH HOMEOWNERS' GROUP, INC. (THOG) hereby adopt and implement the following rules and regulations relative to short-term lease:

WHEREAS, the following shall be the Definition of Terms:

1. **Prohibited Commercial Use** - The use of the residential house or any portion thereof in exchange for a fee, rate, charge or other consideration, or directly or indirectly in connection with any business or other undertaking intended for profit.
2. **Short-term Rental** - Renting out of a furnished house or resort condominium complex on a temporary basis to tourists or guests as an alternative to a hotel or the renting out of a residential house or portion thereof on a day-to-day, night-to-night, daily, weekly or monthly basis not exceeding six (6) months, minimum.

WHEREAS, the following are the Prohibitions:

1. **Prohibited Commercial Use:**
 - a. No residential house shall be used in pursuit of any commercial purpose particularly short-term rentals pursuant to Chapter II, paragraph (b) of the THOG's Deed of Restrictions, which provides that:

b. "Lots shall be used only for residential purposes"

- b. Posting photographs of a Tali Beach property in the internet, newspaper, magazine or any other medium which promotes its commercial use or for the property to be rented out on short-term lease.

WHEREAS, the following shall be the Verification Process:

1. Receipt of Complaint of Violation (Short-Term Rental and/or mere posting of Advertisements)
2. Village Manager conducts a verification of the complaint, thereafter submits a recommendation to the Board if a violation is committed
3. During regular or special meetings, the Board decides whether or not there is sufficient basis that a violation was committed on the prohibition on short term rentals and posting of advertisements.

RESOLVED FURTHER, the Board approves and adopts the following procedures in observance of due process in the implementation of the rules and regulations on short-term house rentals:

1. 1st Notice - a written notice is given to the homeowner of his/her violation of the rules to which he is given a period of five (5) days from receipt of such notice to explain;
2. Upon evaluation of the homeowners' Answer, the Board has the discretion to require the homeowner to present evidence in support of his/her defense on the next Board meeting;
3. 2nd Notice - a written second notice is given to the homeowner on the decision of the Board whether or not the homeowner has committed a violation and the penalty imposed;
4. 3rd Notice - For third and subsequent violations, the homeowner will be informed on the past violations and will be required to explain to the Grievance Adjudication Committee why said homeowner should not be declared a member not in good standing. In the event that the grievance is not settled by the committee the same shall be referred to the Board of Directors.

RESOLVED FINALLY, that the Board approves and adopts the following penalties in the implementation of such rules and regulations on short-term house rentals:

1. Actual Commercial Use:

1.1 1st Offense -P 50,000.00

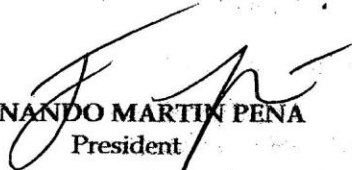
1.2 2nd Offense, - P 75,000.00

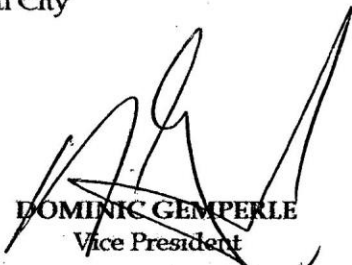
1.3 3rd Offense - P 100,000.00 and only accompanied guests of the erring homeowner shall be allowed; declaration of the erring homeowner as a member not in good standing, and cutting of utilities.

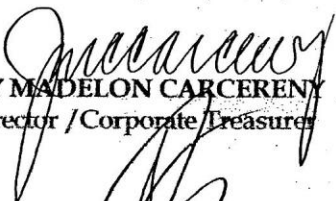
2. Grievance Adjudication Committee - The Grievance and Adjudication Committee shall accept and investigate complaints filed by a member against any other member or officer and shall settle or arbitrate any dispute within its power in the community. In the event that the grievance is not settled by the committee the same shall be referred to the Board of Directors. The decision of the committee shall be appealable to the Board of Directors. (Section 2, par. a., Article VII of the By-laws)

DONE, this October 5, 2018, in Makati City

APPROVED:


FERNANDO MARTIN PENA
President



DOMINIC GEMPERLE
Vice President



JAY MADELON CARCERENY
Director / Corporate Treasurer

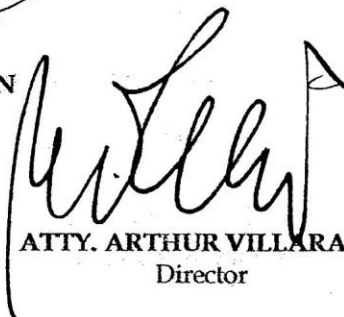

ERIC RAMIREZ
Director


PHILIP HAGEDORN
Director


FELIX LIMCAOCO
Director


RAMON TUASON
Director


ANA INES UGARTE
Director


ATTY. ARTHUR VILLARAZA
Director