

Mango Park Rental Restriction Amendment – Vote to be held February 23, 2022
Responses to Issues and Questions raised at the
January 24, 2022 Annual Meeting, and the February 5, 2022 Town Hall.
Prepared by the Rental Committee - February 11, 2022 12:09pm

Why was this Amendment created?

Once a homeowner has owned their home for two years, the current Mango Park By-Laws have no limitations on either the duration or number of times a homeowner may rent their property during a calendar year. This allows an unlimited number of rentals, including daily or weekly rentals for the entire year. During the prior amendment process that established the two-year waiting period, many homeowners expressed desire for more stringent rental controls.

The Rental Committee spent the last several months considering the issue:

The Goal: To preserve Mango Park as a predominantly owner-occupied single-family residential neighborhood, while still providing flexibility to all owners for occasional rental activity.

The Issue: Given MP's location and the fact that neighboring subdivisions have severe rental limitations, the economic pressures and incentives to provide short-term vacation rentals in MP may increase in the future

The Mechanism of the Amendment: The Amendment still allows short-term rentals but limits the total number of rental transactions for each homeowner to 6 per calendar year.

Why did the Committee settle on the limit of 6 times per year?

It wasn't until July 2021, that it was possible for restrictions to apply to existing owners. Florida Statute (SB 630) now allows HOA rental rule changes to be effective for all homeowners if the restrictions concern limitations on rentals of less than 6 months duration, and/or more than 3 times per year. Therefore, the Statute does not allow any restrictions on rentals of 6 months or longer, or less than three times per year. The limitation of 6 rentals per year was chosen by the Committee as a compromise, to address the desire for stricter controls, while still allowing a moderate amount of rental activity for each homeowner. Restricting the number of rentals was deemed to offer more flexibility than limiting the duration of each rental.

What's wrong with short-term rentals? Aren't long-term renters more problematic than short-term?

The primary issue with short-term rentals is impact on neighborhood character. Yes, short-term rental clients may be nice people, but they are not vested in the community. When a house is a full-time short-term rental, the occupants at that address are not residents and are not qualified to vote in Manatee County. When the house is rented long-term, the renters are able to be registered voters, and they directly participate in the community as residents, workers and students etc.

There are no problems with MP's current short-term rentals, so why do we need this now? Isn't this Amendment unnecessary, and just a solution looking for a problem that does not exist?

Even though the current short-term rentals don't seem to be a major issue, there are some homeowners who do have problems with the current level of rental activity. While occasional short-term rentals throughout the neighborhood, or a few full-time short-term vacation rentals do not appear to be a major problem, if the number of full-time short-term vacation rentals were to increase to 25 houses or more, this may change the character of the neighborhood, as it has done on Anna Maria Island.

The Amendment is primarily aimed at preventing potential future problems. If no restrictions are put in place now, and problems arise after there are 10-20 full-time rentals, it may be much more difficult to address, since only 19 'no' votes are needed to block any change to the By-Laws. **This Amendment is an opportunity to be proactive.**

Why doesn't the Amendment "grandfather" existing owners? Wouldn't this be more fair?

While "grandfathering" (exempting) all current owners from the rules would certainly increase the chances of passing the Amendment, "grandfathering" in the long-run may not be very fair, equitable or effective. Since only 1-2 houses per year sell in Mango Park, "grandfathering" would mean that the

majority of houses could still become full-time short-term rentals (under existing ownership or heirs) over the next 10-20 years. The neighborhood could increasingly be made up of two classes of owners; those that could rent without restriction, and those with a limit of 6. If a homeowner thinks it is desirable to restrict new owners for the sake of the neighborhood, they should also be willing to restrict themselves.

What about the current owners who are already renting more than 6 times per year?

Current owners who rent more than 6 times in a calendar year, and wish to continue, could request waivers or exemptions from the Mango Park HOA Board of Directors. The Board could decide to grant outright, or temporary exemptions in order for the existing renters who exceed the limits to have a transition period to come into compliance. These decisions would be at the discretion of the Board, and would not be a certainty.

Does the MP HOA Board or Sunstate currently monitor rental activity? Do they review or approve the rental clients or the rental documents of renters?

Since there are no current rental limitations, neither the Board nor Sunstate currently review or approve specific rental transactions. If the Amendment passes, the Board may decide to establish procedures to implement the new rule and monitor compliance.

It seems like several MP rules are not being adequately enforced, why should we add another?

The Mango Park HOA Board and the HOA Management Company will have the responsibility for monitoring and ensuring compliance. If the Amendment passes, it is likely that most homeowners would comply without issue. If there are compliance issues, the Board does have tools that can be used.

If passed, when would the new rule take effect?

The new rule would take effect when the Amendment documents are recorded with Manatee County. This usually occurs within 1-2 months following the vote.

How many Yes votes are required to pass the Amendment? How will the vote be conducted?

There are 60 lots in Mango Park. At least 42 yes votes (70% of all lots) are required for the Amendment to pass.

All votes will be tabulated at the February 23, 2022 meeting. You are able to vote, or change your vote, anytime up to and including at the meeting. The last dated ballot for each homeowner will be the one that is counted to determine the final vote. See link below for complete meeting information.

Which way should I vote?

Whether to vote Yes or No is a decision for each homeowner to make based on their own perspective and assessment of the issues.

If you are concerned that full-time short-term vacation rentals may impact the character of Mango Park in the long run, and wish to limit all homeowners, including yourself, to no more than 6 rentals per year, and you want to address this potential problem now – vote Yes.

If you feel that there are no existing problems, and think it would be better to solve any issues at a later time if and when rentals increase, or you do NOT want to limit all homeowners, including yourself, to no more than 6 rentals per year – vote No.

I don't really have a strong opinion either way, should I Vote?

Yes. Your vote is very important as a way for Mango Park Leadership to receive input from every homeowner. When homeowners do not vote, leadership tends to only receive input from the most vocal and active homeowners.

Whether the Amendment passes or fails, the number of votes in total, and the number of votes in each category, will provide valuable information for Mango Park Leadership moving forward.

This Q & A Document was prepared by the Rental Committee.
If you have any further questions or comments the contact information for the Rental Committee and 2022 Board Members is listed below.

Rental Committee Members:

Andres Tolomei, andres.tolomei@gmail.com – 404 431 6125
Mary Ann Clark, maclarkphd@aol.com - 941 795 5886 (landline)
Barbara Bretko, bbretko@gmail.com – 610 812 0602
Ron Sikkema, rsikkema@tampabay.rr.com – 941 794 2964
Bob Emerson, emerson16@gmx.com – 941 752 5761 (landline)

2022 Mango Park HOA Board Members:

Jamie Linnane, linnanej@hotmail.com – 941 794 9911
Doug Peck, peckd@tampabay.rr.com – 941 794 8932
Zack Kallis, accc1wash@aol.com – 941 761 8231

The Mango Park website link below has specific information about the meeting and the Amendment including the Cover Letter, FAQ Sheet, and proxy ballot. Note: the February 23, 2022 meeting information is on the right-hand side of the page. <https://www.mymangoparkhoa.com/about/>