



Mohawk Trails Homeowners Assoc.

Leasing Policy

I. Purpose

The Board of Directors of the Mohawk Trails Homeowners Association (MTHOA) adopts this policy to establish clear rules governing the leasing of Units within the community — including a prohibition on short-term rental activity and a minimum rental term for all leases — consistent with the Declaration of Protective Covenants and Restrictions. This policy provides homeowners, tenants, and Edgewater Management Group with clear guidance on permitted and prohibited rental arrangements.

II. Governing Authority

This policy is grounded in the following provisions of the Declaration of Protective Covenants, Restrictions, Easements, Conditions, Charges and Liens governing the Mohawk Trails Homeowners Association.

Section 8.01 — Residential Use Only

"[Units] shall be used only for residential purposes."

The Declaration permits only two exceptions to residential-only use, both requiring Architectural Committee consent: a model home or a real estate sales office. Short-term transient rentals do not qualify as residential use and do not fall within either exception.

Section 8.02 — Commercial Activity

"No business or home industry shall be conducted in or on any Parcel or portion thereof without the consent of the Architectural Committee."

Operating a unit as a short-term rental property — accepting payment from rotating transient occupants through platforms such as VRBO, Airbnb, or similar services — constitutes operating a business from the parcel. The Architectural Committee has not granted, and would not grant, consent for this use.

Section 7.16 — Long-Term Rentals Permitted

Section 7.16 of the Declaration explicitly references "sale or rental," confirming that leasing a unit to a long-term residential tenant is a permitted use. This policy does not restrict or prohibit traditional residential tenancy.

Residents' Guide

The Residents' Guide (2017 edition and 2026 draft) explicitly prohibits "for rent" signs without Board consent, reflecting the Association's longstanding position that rental activity is subject to Board oversight.

III. Definitions

"Short-term rental" means the rental of all or any portion of a unit for a period of fewer than thirty (30) consecutive days, including but not limited to rentals arranged through online platforms such as VRBO, Airbnb, or any similar short-term rental service.

"Long-term rental" means a lease of a Unit for residential occupancy by a tenant for a term of not less than six (6) consecutive months, consistent with the minimum rental term adopted by Board motion on June 9, 2026. A lease term of thirty (30) days or more but less than six (6) months does not qualify as a Long-Term Rental and is not a permitted rental arrangement under this policy.

IV. Policy

Short-term rentals of any unit within MTHOA are prohibited. Transient, paid, nightly or weekly occupancy of a unit does not constitute "residential use" within the meaning of Declaration §8.01, and constitutes operation of a business within the meaning of §8.02. No Declaration amendment is required to enforce this prohibition; the existing governing documents provide full authority.

Long-term rentals — where a unit owner leases their unit to a tenant for residential occupancy for a term of not less than six (6) consecutive months — remain permitted consistent with Declaration §7.16 and subject to all other applicable Declaration provisions. Rentals of thirty (30) days or more but less than six (6) months are not permitted. This six-month minimum term was adopted by Board motion on June 9, 2026, after the Board considered thresholds of 90 days, 5 months, and 6 months, in order to prevent revolving-door tenancies and preserve the residential stability of the community.

Activity	Status	Governing Authority
Long-term rental (6-month minimum)	Permitted	Declaration §7.16; Board motion 6/9/2026
Rental term of 30 days to 6 months	Not Permitted	Board motion 6/9/2026
Short-term rental (VRBO, Airbnb, nightly/weekly)	Prohibited	Declaration §§8.01, 8.02

Activity	Status	Governing Authority
"For rent" signage	Requires Board consent	Residents' Guide — Signage Section

V. Lease Registration

To verify compliance with the minimum rental term established in Section IV, Unit Owners who rent their Unit must file lease documentation with Edgewater Management Group as follows:

1. Owners shall submit the front (identifying) page and the signature page of the executed lease, showing the parties, the Unit address, and the lease term.
2. Rent amount and other financial terms may be redacted; the complete lease document is not required.
3. This filing is for verification of the minimum rental term only. It does not constitute Board approval, consent, or endorsement of the tenancy, and does not create any relationship between the Association and the tenant.
4. The deadline and submission method for this filing will be set by the Board and communicated to homeowners upon adoption of this policy. [Open item pending Board determination.]

VI. Enforcement

Violations of this policy will be addressed through the Association's standard enforcement procedures:

1. Written notice from Edgewater Management Group to the homeowner citing the specific Declaration provisions violated.
2. Opportunity to cure — the homeowner must remove any active short-term rental listing and cease all such activity.
3. The Association's fine schedule applies to continuing violations pursuant to the Board's Violation/Fine Resolution.

VII. Homeowner Notice

Upon adoption of this policy, Edgewater Management Group will distribute written notice to all unit owners advising them of this policy and its effective date. Homeowners are expected to bring existing short-term rental arrangements into compliance prior to enforcement action.

VIII. Adoption

This policy was adopted by the Board of Directors of the Mohawk Trails Homeowners Association at a duly constituted meeting held on August 11, 2026, by a unanimous vote of directors present.

Established by Board Resolution, effective August 11, 2026.

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