

The Malvern Communicator

March 2020 Special Edition

A Message From our President

Summary: this Special Edition Newsletter is being sent in order to comply with the notice requirement to amend an existing Malvern covenant. This newsletter contains information to help guide you in making an informed decision to vote on a covenant amendment that will prohibit short-term rentals.

Background: The membership directed the Board to develop a covenant prohibiting short-term rentals during the April 2019 Spring Membership Meeting. The Board presented the proposed wording and the method that would be necessary to amend one of the existing covenants during the October 2019 Fall Membership Meeting. The membership then directed the Board to proceed with the process to present the proposed amendment to the membership for vote.

Proposed Deed of Dedication Amendment: The Association proposes that the Deed of Dedication be amended by replacing the current Section 2 with the following new Section 2 (new language is in bold text):

2. The lots designated in the subdivision shall be used for residential purposes only, and no profession, business, trade, enterprise or commercial activity of any kind or any nature shall be conducted or carried on upon any said lot or within any dwelling hereinafter erected thereon, without the express written approval of the developer and/or Property Owner's Association. No lot or dwelling thereupon shall be rented for revolving use, transient use, or hotel purposes—including use as a bed and breakfast, for short term online rental, or the like. No lot or dwelling shall be leased or rented in its entirety for any period less than 30 days.

Voting: A two-thirds majority is required to adopt the amendment. This means owners representing at least 156 lots within Malvern must vote for the amendment to be adopted. The voting period will commence during the April 25, 2020 Spring Membership Meeting. Voting can be in person or by proxy. The voting period will end when at least 156 lots vote in favor of adoption, when at least 79 lots vote against adoption, or March 24, 2021, whichever event occurs first.

What you need to do:

Option 1 is to attend the Spring Membership Meeting on April 25, 2020 where the proposed amendment will be voted upon or alternatively,

Option 2 is to submit a proxy form and a recordation page and return them to the Board before the Spring Membership Meeting or no later than March 24, 2021. The recordation page is required only if voting in favor of the covenant.

Forms and instructions will be provided in the Spring Edition of the Malvern Communicator which will be mailed to members on or about April 11, 2020.

Respectfully,
Rodney Taylor, President
Malvern Club, Inc.