

## Rules and Regulations for Flex Time Periods

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- A. On a reservation basis, each owner of a Flex Time Unit Week shall be entitled to the regular use and occupancy of a condominium unit designated by the Association for a period of seven (7) consecutive nights per calendar year for each Flex Time unit week owned. Such use and occupancy shall be during those unit weeks designated and defined as flex time unit weeks in the Declaration of Condominium.
- B. In order to ensure the use and occupancy of a condominium unit for regular use, an owner of a Flex Time unit week shall make a reservation request directed to the Association by methods authorized by the Association. Reservation requests may be by email or other electronic means provided the flex time owner verifies the email request is the same as a signed request form. The Association shall provide paper or electronic request forms to the flex time owner. Such a reservation request must be received by the Association at least seven (7) days in advance of the first day of the week requested. Reservation requests shall be held by the association until the second Monday in February of the year prior to usage.
- C. Upon receipt of a timely reservation request for regular use or bonus use, said request shall be confirmed or denied by the Association by mail, telephone, or electronic means within one (1) week of the date of receipt, but not earlier than the second Monday of February of the year prior to usage. Use and occupancy of a condominium unit, whether for bonus use or regular use, will not be given unless and until there has been a confirmed reservation request.
- D. A lottery will take place the second Monday in February of the year prior to usage. In order to participate in the lottery the Flex Time owner shall meet the following two criteria:
- The current year's maintenance fee must be paid in full (due on January 31<sup>st</sup>).
  - The reservation request must be received at the Treehouse Village office by the second Monday in February of the year prior to usage.
- E. The lottery for eligible Flex Time reservation requests (Paragraph D) will proceed as a random drawing. The first reservation request will be confirmed for the first choice on the request form. The drawing will continue until all eligible request forms have been drawn. In the event that the week of first choice has already been filled by eight previously selected requests, then a week

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will be assigned based on second, third choices as indicated on the request form. The Flex Time owner may enter additional choices on the request form in the case that the first three choices are not available. Owners of multiple Flex Time weeks shall submit a reservation request for each week owned, each of which will have their own place in the lottery.

- F. The only event which will result in the denial of a reservation request is that the particular time requested is not available due to the confirmation of previously received reservation requests from other owners, or the use of said week by the Association for maintenance, as defined in the Condominium Documents.
- G. All reservation requests received after the second Monday in February of the year prior to usage, whether for regular use or bonus use, shall be confirmed on a first come, first served basis. In the event that a reservation request is denied because of full occupancy, notice of such denial shall be given in the same manner used for confirming reservation requests.
- H. A reservation request, for regular use, which has been confirmed by the Association, shall not be subject to cancellation by the Flex Time Unit Week owner; provided, however, that the Association in its absolute discretion may allow cancellations of a confirmed reservation request if the request for cancellation is received by the Association at least twenty-one (21) days prior to the date set for first occupancy.
- I. All reservation requests for regular use made by the owner of a Flex Time unit week must be for a period of seven (7) consecutive nights commencing with a Friday afternoon at 3:00 p.m. and terminating on the immediately succeeding Friday at 10:00 a.m., during the Flex time Unit Weeks as defined in the Declaration; provided, however, that should the owner of a Flex Time unit week request regular use during either Unit Week 22 or 41, as defined in the Declaration, said occupancy shall commence as follows:
- Week 22 commences on Friday at 3:00 p.m. and shall terminate on the immediately succeeding Saturday at 10:00 a.m. Occupancy of Unit Week 22, although the same constitutes eight (8) nights, shall, for all purposes, be deemed to be a consecutive seven (7) day period.
  - Week 41 commences on Saturday at 3:00 p.m. and shall terminate on the immediately succeeding Friday at 10:00 a.m. Occupancy of Unit

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Week 41, although the same constitutes six (6) nights, shall, for all purposes, be deemed to be a consecutive seven (7) day period.

- J. An owner of a Flex Time Unit Week may only submit, and have pending at any one time, one (1) reservation request for regular use per Flex Time unit week owned. The receipt by the Association of more than one reservation request for regular use from a particular Flex Time unit week owner shall result in a denial of all requests so made. Notwithstanding anything to the contrary herein, this provision shall not be read so as to prohibit the compilation of forms by the Association which would allow the owner of a Flex Time unit week to designate on one reservation request a first choice, as well as alternate choices should the first choice not be available.
- K. Flex Time use, whether regular use or bonus use, is not cumulative from year to year. Failure to make a reservation request for regular use and occupancy, or the failure to have a reservation request confirmed during a calendar year, results in the waiver of use for that particular year, and may not be used in subsequent years.
- L. In the event that a reservation request for regular use is confirmed by the Association and the owner making the request is notified of confirmation, and the person making said request fails to use and occupy the condominium unit during the unit week reserved (or any part thereof) then, and in that event, the owner failing to so use and occupy shall be deemed, for all purposes, to have used the week reserved for seven (7) consecutive days and such owner shall not be entitled to further regular use and occupancy during that calendar year. This provision shall apply to all flex time unit weeks owned by an owner.
- M. On a reservation basis, and in addition to regular use, each owner of a flex time unit week shall be entitled to the use and occupancy of a unit to be designated by the Association, and the common elements, for two bonus use periods per Flex Time Unit Week owned, in accordance with these Rules and Regulations. A "bonus use period" shall consist of a minimum of two (2) consecutive nights and a maximum of four (4) consecutive days. Any and all bonus use and occupancy shall be during those unit weeks designated and defined in the Declaration as flex time unit weeks. All bonus use reservations which are confirmed shall not be subject to cancellation.
- N. In order to reserve the use and occupancy of a unit for bonus use, an owner of a flex time unit week shall make a reservation request directed to the Association

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on forms authorized by the Association. Such a reservation request for bonus use must be received by the Association at least forty-eight (48) hours in advance of 10:00 AM the first day of occupancy requested, but not more than six (6) days prior to such date. All reservation requests for bonus use received by the Association, and which do not fall within the above time frame, will not be honored or confirmed by the Association.

- O. A reservation request for bonus use may not be made by an owner of a flex time unit week until such time said owner has requested his regular use, and which request has been confirmed, or his week has been exchanged. Thereafter, said owner may make bonus reservation requests for the balance of that particular calendar year. Bonus use reservation requests are confirmed on a space-available basis only, and such space availability is not in any manner guaranteed by the Association at any time.
- P. Annually, the Board of Directors of the Association shall fix a per diem charge for bonus use by owners of flex time unit weeks. Such per diem charge shall be payable by the owner to the Association in advance of any bonus use occupancy. All money so collected by the Association for bonus use shall belong to the Association and shall be placed in its general fund.
- Q. Check-in and check-out times for bonus use shall be fixed from time to time by the Board of Directors of the Association.
- R. In the event that an owner of a flex time unit week has had his reservation request for bonus use confirmed, but does not occupy the unit during such time reserved, (or any part thereof) the owner shall not be entitled to a refund.
- S. These Rules and Regulations may be amended as necessary from time to time by the affirmative vote of a majority of the Board of Directors of the Association. Any rule or regulation amending these Rules and Regulations and adopted by the Board of Directors of the Association may be repealed and/or altered by the affirmative vote of seventy-five (75%) percent of all of the owners of flex time unit weeks at the owners' annual association meeting.
- T. Unless the context otherwise requires, all of the rules and regulations set forth and adopted with regard to the use and occupancy of fixed time unit weeks shall apply to flex time unit weeks.

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- U. Reservation requests, whether for bonus use or regular use, submitted by an owner of a flex time unit week who is delinquent in the payment of his maintenance fee(s) will not be considered until such time as said delinquent fee(s) are paid to the Association. Any reservation request being so held by the Association will be deemed to have been received by the Association on the date of payment of the delinquent fee(s).
- V. The Association, in its absolute discretion, shall determine which unit a flex time unit week owner will have use of during his period(s) of occupancy. In the event that the unit designated for use is one which has a higher or lower per week maintenance fee (as a result of a change in unit design, size, etc. pursuant to Article XXIX of the Declaration) the flex time unit week owner's maintenance fee for that particular year shall be based upon the type of unites) occupied during his period(s) of use.