

MEMORANDUM OF UNDERSTANDING  
Horizon Crest Community Association  
September 10, 2018

Home or room rental or lease within Eagles Mere Divisions No. 2, 3, 4 and 5 (“Horizon Crest”)

This Memorandum of Understanding is published to provide guidance to home owners within Horizon Crest regarding acceptable practices for renting any portion of a single-family home. For the purposes of this Memorandum, the terms rental and lease are used interchangeably and are meant to define all activities where the right to occupy any portion of a single-family home is exchanged for valuable consideration, and home and dwelling are used interchangeably to define a structure within Horizon Crest intended as a residence.

WHEREAS, References 1 through 3 (CC&Rs Areas 2 through 4), paragraphs 7 state in part “No trade, craft, business, profession, commercial or manufacturing enterprise or business or commercial activity of any kind shall be conducted or carried on upon any residential lot or within any building located in this subdivision on a residential lot”, and

WHEREAS, Reference 4 (CC&R Area 5), paragraph 2 states in part “No lot shall be used except for residential purposes”, and

WHEREAS, Reference 5 (Washington Administrative Code) defines the rental of any lodging for less than 30 continuous days as a Transient Rental and a retail transaction, and

WHEREAS, Horizon Crest is zoned as R5 or R3.5 within the City of Bellevue, and

WHEREAS, References 6 (City of Bellevue, Single Family Dwelling Rentals), 7 and 8 provide the requirements for rentals of single-family homes.

NOW THEREFORE,

Horizon Crest Community Association (HCCA) understands the following regarding single-family dwelling rentals within Horizon Crest:

1. Any rental for a period of less than 30 continuous days is a commercial activity and thus prohibited by Horizon Crest Codes, Covenants and Restrictions. This prohibition applies to Airbnb, bed and breakfasts, and similar rentals.
2. A Boarding House, as defined in Reference 7, is permitted as long as all the requirements of References 6 through 8 are met. Specifically, these requirements include:
  - a. The owner of the home must reside in the home.
  - b. Not more than two rooms may be rented to not more than two non-family members.
  - c. Rental agreements must be for a period of at least 30 continuous days.
  - d. At least one off-street parking location must be provided for each room rented.

- e. A Home Occupation Permit (<https://bellevue.municipal.codes/LUC/20.30N>; <https://development.bellevuewa.gov/zoning-and-land-use/zoning-requirements/home-occupations>) has been issued by the City of Bellevue.

Horizon Crest Community Association will assist Horizon Crest residents in upholding these requirements. As always, HCCA advocates that a neighbor-to-neighbor conversation should be the first step in resolving any conflict. Other resources include:

1. City of Bellevue, Code Compliance; <https://development.bellevuewa.gov/codes-and-guidelines/code-compliance>, or the MyBellevue app.
2. City of Bellevue, Conflict Resolution Center; <https://planning.bellevuewa.gov/community-development/conflict-assistance>

Approved by the Horizon Crest Community Association Board of Directors, September 10, 2018

Kurt Lutterman, President

References:

1. PROTECTIVE COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS RUNNING WITH THE LAND FOR EAGLES MERE DIVISION NO. 2, September 14, 1976, filed with King County Washington Auditor under recording number 7610080276; <http://horizoncrest.org/covenants>
2. PROTECTIVE COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS RUNNING WITH THE LAND FOR EAGLES MERE DIVISION NO. 3, October 9, 1975, filed with King County Washington Auditor under recording number 7512080659; <http://horizoncrest.org/covenants>
3. PROTECTIVE COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS RUNNING WITH THE LAND FOR EAGLES MERE DIVISION NO. 4, August 22, 1977, filed with King County Washington Auditor under recording number 7708290320; <http://horizoncrest.org/covenants>
4. PROTECTIVE COVENANTS RUNNING WITH THE LAND, September 11, 1978, filed with King County Washington Auditor under recording number 7809130350 (Eagles Mere Division No. 5); <http://horizoncrest.org/covenants>
5. Washington Administrative Code 458-20-166, Hotels, motels, boarding houses, rooming houses, resorts, hostels, trailer camps, and similar lodging businesses; <https://app.leg.wa.gov/WAC/default.aspx?cite=458-20-166>
6. City of Bellevue, Zoning Requirements, Single Family Dwelling Rentals; <https://development.bellevuewa.gov/zoning-and-land-use/zoning-requirements/rentals>
7. City of Bellevue, Land Use Code 20.50.012, B Definitions, Boarding House; <https://bellevue.municipal.codes/LUC/20.50.012>
8. City of Bellevue, Land Use Code 20.20.140, Boarding houses and bed and breakfasts; <https://bellevue.municipal.codes/LUC/20.20.140>