

CT Condominium
Bozeman, MT 59718

ABSENTEE OWNER RULE

Article VIII of the Bylaws of the Association, POWERS AND DUTIES OF THE BOARD OF DIRECTORS, as amended July 17, 2023 provides for enforcement of the Declaration and Bylaws of CT Condominium, and empowers the Board to promulgate and adopt rules and regulations for the use of the common elements and for the occupancy of the units so as not to interfere with the peace and quiet of all residents.

The contracted property management company, currently Saddle Peak Properties, shall act as Agent for the Board. The Board of Directors hereby establishes the following RULE, based upon the authority cited above.

The Declaration and Bylaws of CT Condominium provide for the security, safety, and maintenance of the general and limited common elements, including individual units. Thus, the Board of Directors establishes the following requirements for Unit Owners who do not reside in their unit, as well as for those who are not at home in case of an emergency, when there is potential damage to their unit, or that of the other unit in the structure.

Standard Protocol:

1. **Caretaker:** Unit Owner shall designate a caretaker for their unit, who shall have a key to the unit. If unit is unoccupied for an extended period, caretaker shall inspect the unit's exterior and interior on a routine basis to ensure no damage or emergency has occurred. Examples of damage or emergency include, but are not limited to, break-ins, furnace or water heater out, plumbing or gas leaks, frozen or broken pipes, and fire.

2. **Contact Information:**
Unit Owner shall fill out the "Absentee Owner Information Form" (attached) with the following information and submit it to the CT Agent either via email or postal mail:
 - a. Unit Owner's winter/secondary address and phone number, if unit is vacant for extended period of time.
 - b. Designated caretaker or property manager name and phone number
 - c. Detailed instructions regarding how emergencies or repairs should be handled.

3. **Vacant Unit Recommendations:**
 - a. Unit Owners who leave for the winter shall set their thermostat at a minimum of 60 degrees.
 - b. Unit Owners shall leave written instructions in case of emergency (see above 2b and 2c).
 - c. Unit Owner will ensure Agent/Board has updated, current information on file using the attached "Absentee Owner/Renter Contact Information Form" (and submitting it to the CT Agent).

Emergency Protocol:

1. Per the Declaration, Article XIV, Miscellaneous, "The Association shall have the irrevocable right, to be exercised by the Manager or the Board of Directors, to have access to each Unit from time to time during reasonable hours as may be necessary for the maintenance, repair and replacement of any of the limited common elements therein or accessible therefrom, or for making emergency repairs therein necessary to prevent damage to the general or limited common elements or to any other Unit."
2. In case of fire, gas leak, break-in, or other dangerous situation, fire or police should be notified as soon as possible by persons seeing evidence of an emergency.
3. The Unit Owner will be notified as soon as possible by CT Condominium, its Agent or the Unit Owner's property manager (if applicable).
4. If the Unit Owner cannot be contacted, the designated caretaker will be notified as soon as possible.
5. The Unit Owner is responsible for all costs incurred which are not common elements.
6. Payment for common elements will be subject to professional determination.

Non-emergency Protocol:

1. In case of any non-emergency event or problem (including, but not limited to, water shut-offs to the entire building or water leaks in the unoccupied unit), the Unit Owner or property manager (if applicable) shall be contacted as soon as possible by CT Condominium or its Agent.
2. If the Unit Owner or applicable property manager cannot be contacted, the designated caretaker will be notified as soon as possible.
3. Damage assessment: If damage is result of a limited common element (i.e., furnace or water heater) malfunction in an absent owner's unit, that Unit Owner may be responsible for paying all related costs of repair to neighbor's unit that are not common elements (or as determined by the Unit Owner's insurance company).

Note: Limited and General Common Elements are defined in the Declaration, Article I, Definitions.

This Absentee Owner Rule supersedes and replaces similar subject matter included in the Absentee Owner Policy adopted by the CT Condominium Board of Directors on March 22, 2016, and the Violation Policy adopted by the CT Condominium Board of Directors July 26, 2016. If any provision of this Rule shall be in conflict with the Bylaws or Declaration of CT Condominium, said Bylaws and Declaration shall control, but shall not supersede any pertinent city law or ordinance. The invalidity or un-enforceability of any provision of this Rule shall not affect the validity or enforceability of any other provision.

Adopted by the CT Condominium Board of Directors on August 9, 2023.

By: Mickey Smotherman
Mickey Smotherman, President, CT Condominium Board of Directors

Laura C. Nichols
Laura C. Nichols, Secretary, CT Condominium Board of Directors

CT CONDOMINIUM ABSENTEE OWNER CONTACTS FORM

CT Unit Owner Name: _____

Phone Number(s): _____

Email (s): _____

Secondary/Seasonal Address: _____

Caretaker Name: _____

Caretaker Phone Number(s): _____

Caretaker Email(s): _____

Property Management Company Name: _____

Property Management Phone Number(s): _____

Property Management Email(s): _____
