



Laguna Woods Village®

INFORMATION BULLETIN Community Services Division	BULLETIN DATE	December 4, 2023
	ISSUED BY	Pamela Bashline Community Services Manager
	MUTUAL	United Laguna Woods Mutual
	AUTHORITY	Resolution 01-23-59
	ADOPTED DATE	November 14, 2023
SUBJECT: United Laguna Woods Lodger Room Rental Policy and Application		

The United Mutual board of directors adopted Resolution 01-23-59, which establishes a lodger room rental policy and application that authorizes resident members to rent out a room in their unit to a “lodger,” defined as a person contracting with a resident member for a room or room and board within a unit personally occupied by the resident member.

A few of the significant points included in the new policy are summarized below:

1. The lodger room rental policy applies to only one lodger. Only one lodger per unit is permitted.
2. Member must reside in the unit with the lodger and retains the right to access all areas of the unit occupied by the lodger and has overall control of the unit.
3. Resident members applying to rent out a room in the resident member-occupied unit shall pay fees associated with the review, processing and approval of the lodger rental application. Additional monthly GRF and United Mutual fees apply for each person in excess of two.
4. A copy of a separate pending lodger room rental agreement between parties must be provided to United prior to the lodger’s move-in to the member’s unit.
5. The term of the board-approved lodger rental application shall not exceed 12 months. In the event that the term of the rental agreement between parties exceeds 12 months, the resident member must apply to renew the lodger rental application annually.
6. In order to remove a lodger from the unit, the resident member must give the lodger a written termination notice which is at least as long as the days between rent payments, not exceeding 30 days. Once the notice period expires, the resident member can treat the lodger as a “trespasser” and have the lodger removed pursuant to the provisions of Section 602.3 of the Penal Code.

7. It is required that members obtain/perform both background and credit checks on the new lodger as well as check references to protect such member's interests given that the member will be held responsible for the acts and/or omissions of their lodger who violate United's and GRF's governing documents. United shall have no liability with respect to any background check obtained/performed or failure to conduct a background check.
8. A lodger's personal property and loss of use is not insured by United and thus renter's insurance is strongly recommended.

No room rental will count toward the mutual's current 25% rental cap so long as the member continues to reside in the unit with the lodger.

Please find the approved resolution below for your review:

RESOLUTION 01-23-59

Lodger Room Rental Policy and Application

WHEREAS, Civil Code § 1946.5 defines a "lodger" as "a person contracting with the owner of a dwelling unit for a room or room and board within the dwelling unit personally occupied by the owner, where the owner retains a right of access to all areas of the dwelling unit occupied by the lodger and has overall control of the dwelling unit"; and

WHEREAS, in context here, in order to classify a guest/tenant as a "lodger," the Shareholder must retain access to all areas of the dwelling unit and have overall control of the dwelling unit. Also, under Civil Code Section 1946.5, in order to remove a lodger from the dwelling unit, the Shareholder must give the lodger a written termination notice which is at least as long as the days between rent payments, not exceeding 30 days. Once the notice period expires, the Shareholder can treat the lodger as a "trespasser" and have the lodger removed pursuant to the provisions of Section 602.3 of the Penal Code (i.e., guilty of an infraction and may, pursuant to Section 837, be arrested for the offense); and

WHEREAS, the United Mutual Board recognizes the need to adopt a Lodger Room Rental Policy and Application to ensure compliance with Civil Code § 4739 and United's and GRF's Governing Documents;

NOW THEREFORE BE IT RESOLVED, November 14, 2023, that the Board of Directors of this Corporation hereby approves and adopts the Lodger Room Rental Policy and Application, as attached to the official minutes of this meeting; and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

Find the complete United lodger room rental policy and application at lagunawoodsvillage.com > Documents > United Laguna Woods Mutual > Sales and Leasing and scroll to United Lodger Policy, which contains an application PDF document. This application is also available at the leasing/rental office in the Laguna Woods Village Community Center.

Please note: The website location for all mutual policies may change when the new website is completed.

Also, please always refer to the website for the most current documents.

Email realtorforums@vmsinc.org with questions. Thank you.