

Rent is the agreement whereby the lessor undertakes the obligation to provide the tenant with a business or part thereof in use, and the tenant / user / occupant (hereinafter referred to as the user) commits himself to a compensation (art. 7:201 BW).

Below you will find a general explanation regarding rental within an Association of Owners (Vereniging van Eigenaars - VvE). The relevant provisions in the Deed of Demerger and Model Regulations applicable to your VvE remain the guiding principle. The deed of demerger states which model regulations apply to your VvE.

1. Which steps should I take before I rent out?

- A. Report the rental to the manager of the VvE, Velzel VVE Diensten;
- B. Hand the user a copy of the Deed of Demerger, the Model Regulations, the Rules of Procedure (if any) and any other relevant house rules;
- C. Have the user sign the attached "user declaration";
- D. Send a copy of the user declaration to the administrator;
- E. The administrator forwards the user declaration to the board for signature.

2. Do I need permission from the meeting of owners or the board of the association?

The law (Article 5: 120 BW) stipulates that an apartment owner is authorized to use the part that is intended to be used as a separate unit by him or to give it to another person, including the common areas. If necessary, a provision may be included in the Deed of Demerger to limit this right. Rentals cannot be prohibited in their entirety.

The law also stipulates that the provisions of the Model Regulations regarding use, management and maintenance also apply to the person who obtains the use.

However, renting out a property is subject to government regulations. Both the Housing Act and the Regional Housing Regulation are applicable here. Renting a house between 7 nights and 6 months is called "Short Stay". "Short Stay" requires a permit from the municipality. If a home is rented for less than 7 nights, then we speak of illegal hotel accommodation / holiday rental. It is not permitted to give in use an apartment with a destination "home" (see Act of Demerger) for a short period to third parties in return for payment. This is considered "professional (commercial) exploitation" and not used as a "home", which is contrary to the Deed of Demerger and its regulations. In accordance with the Model Regulations, this may only be deviated from provided that the meeting gives permission for this.

3. How do I report the intended rental?

You must report the rental by means of the user declaration (see appendix) and provide this completed to the administrator, Velzel VVE Diensten, by e-mail (info@velzelvvediensten.nl).

4. Where can I find copies of the relevant documents?

The Deed of Demerger, the Model Regulations, the Rules of Procedure and any other relevant house rules can be found on the VvE portal of your association.

5. How do I let the user state that he will comply with the regulations?

As owner / lessor you can add the deed of demerger and the applicable regulations to the rental contract. The Model Rules stipulates that an owner can have the rights of use associated with his apartment exercised by another, provided that he ensures that such other person obtains the use only after signing and delivery to the administrator, a declaration drawn up in triplicate and dated that he will comply with the provisions in all relevant documents, as well as any rules as referred to in Section 5:128 first paragraph of the Dutch Civil Code, insofar as they relate to a user.

An owner is deemed to have met the stipulations in this paragraph if it is included in the (rental) agreement in the previous sentence of this paragraph, whereby the private part, including the joint use of the common parts and / or businesses are rented to another person. In addition, it is mandatory that a completed user declaration is provided to the administrator.

6. What happens in the event of non-compliance with the agreements?

As stipulated in the Model Regulations, the administrator will, on behalf of the board, in the event of non-compliance with the aforementioned provisions, first send the owner a written warning. In the event of failure to comply with this warning, the board will take follow-up measures in accordance with the deed of demerger and / or the applicable model regulations. These measures can be: the user can be removed from the apartment by the board and the joint use of the common parts and / or businesses can be denied. The board can also impose a fine on the owner. For more information about this, we refer to the deed of demerger / the model regulations.

7. The owner of the apartment right is a member of the VvE and therefore always remains responsible / liable for compliance with the regulations, the behaviour of the user and the payment of the member contributions and any additional costs!