

Island Court Venice Condominium Association, Inc.
A Resolution of the Board of Directors
Establishing Lease and Rental Application Approval Criteria and
National Background Check Policy
Dated: March 18, 2026

WHEREAS, the Association's governing documents and applicable Florida Law authorize the Association's Board of Directors to approve or deny prospective tenants and to establish reasonable rules and procedures governing the leasing of units;

WHEREAS, the Association's governing documents expressly authorize the Board to approve or disapprove proposed leases and to conduct criminal background and financial screenings;

WHEREAS, the Board of Directors is responsible for ensuring that all leasing activity complies with Chapter 718, Florida Statutes, the Association's governing documents, and applicable Fair Housing laws;

WHEREAS, the Board finds it necessary to adopt uniform, objective, and nondiscriminatory criteria for evaluating national criminal background checks and financial suitability;

WHEREAS, the Board desires to clearly identify the specific factors and conditions that may result in the disapproval of a rental or lease application;

NOW, THEREFORE, BE IT RESOLVED THAT: the Board of Directors of Island Court Venice Condominium Association, Inc. hereby adopts the following policy:

1. NATIONAL BACKGROUND CHECKS & FINANCIAL SCREENING REQUIRED

All prospective tenants must submit to a national criminal background check and credit screening conducted by the Association, its management company, or its designated service. No application will be processed without the applicant's signed authorization.

2. IDENTITY VERIFICATION

Applicants must provide a valid government-issued photo ID. Applications may be denied if identity cannot be verified or if material inconsistencies are found.

3. OBJECTIVE DISAPPROVAL CRITERIA

A rental or lease application shall be reviewed on an individualized basis. The Board shall consider the nature, severity, and recency of any offense, any mitigating circumstances or evidence of rehabilitation provided by the applicant, and whether the applicant otherwise poses a direct threat to the health, safety, or property of residents. An application may be denied if the screening reveals any of the following:



- a. **Violent or Threat-Related Offenses:** Convictions for violent felonies, assault, battery, domestic violence, armed robbery, or weapons offenses within the past 10 years because such status presents a demonstrable risk to the safety of residents.
- b. **Sexual Offenses:** Any conviction requiring registration as a sex offender/predator or involving crimes against minors, regardless of date.
- c. **Property & Fraud-Related Offenses:** Convictions for burglary, robbery, theft, fraud, forgery, identity theft, or financial crimes within the past 10 years.
- d. **Drug-Related Offenses:** Convictions for drug trafficking, manufacturing, or distribution within the past 10 years.
- e. **Financial Suitability:** An application may be denied if the screening reveals a history of two or more court-ordered evictions within the last five (5) years or a verified material misrepresentation of the applicant's financial ability to meet the obligations of the lease. The Association's review of credit is intended solely to verify the applicant's identity and fiscal reliability and shall not be based on a minimum credit score threshold alone. All background reports shall be obtained and used in compliance with the Fair Credit Reporting Act, including any required adverse action notices.
- f. **Pending Charges:** Any pending felony charges involving violence, sexual misconduct, or the manufacture/distribution of controlled substances. However, the Board may, at its discretion, table the application until a final legal disposition is reached or allow the applicant to provide a written explanation or evidence of mitigating circumstances.
- g. **Application Accuracy:** Material misrepresentation or failure to disclose prior criminal history.

4. EXISTING CONDOMINIUM DOCUMENT RESTRICTIONS

In accordance with the Association's governing documents and Florida law, applications shall also be disapproved if they violate the following:

- a. **Term Limits:** Any lease for less than a minimum of 30 days.
- b. **Frequency Limits:** More than four (4) leases per year (excluding annual leases).
- c. **Prior Compliance History:** The Association reserves the right to terminate or deny a lease if the prospective tenant has a history of non-compliance with Association's governing documents. For the purposes of this policy, a "history" is defined as two (2) or more formal, written notices of violation issued by the Association (or a prior residential association, if documented in the screening process) within the twelve (12) months



preceding the application date.

- d. Unpaid Fees: Failure to pay the required transfer fee (\$150) with the application. For the purposes of this fee, a husband and wife or a parent and dependent child shall be considered a single applicant.
- e. Delinquent Assessments: The unit owner is delinquent in the payment of assessments at the time approval is sought, as authorized by Fla. Stat. § 718.116(4). If the owner becomes delinquent after lease approval, the Association may require that all rental payments be made directly to the Association pursuant to Fla. Stat. § 718.116(11).
- f. Occupancy and Use Restrictions: The number of occupants would exceed the occupancy limits set forth in the Association's governing documents, or the unit would be used for any business or commercial purpose in violation of the Declaration.

5. PROHIBITED CONSIDERATIONS

The Association shall not consider arrests without conviction, expunged/sealed records, juvenile records, or any information related to protected characteristics under Fair Housing laws.

6. UNIFORMITY & NON-DISCRIMINATION

All applicants shall be screened using the same criteria and shall not be treated differently based on race, color, religion, sex, national origin, familial status, disability, age, or any other protected characteristic.

Nothing in this policy shall limit the Association's obligation to provide reasonable accommodations or modifications as required by the Fair Housing Act or other applicable law.

7. NOTICE OF DECISION

The Board or its designated committee shall issue a written decision within fifteen (15) days of receipt of a completed application. A completed application means all forms, fees, identification, and screening authorizations have been received.

- a. Statutory Exception: In accordance with Fla. Stat. § 83.683, the Association shall provide a written notice of approval or denial to any applicant who is a service member (as defined by F.S. § 250.01) within seven (7) days of receipt of a completed application.
- b. Denial Requirements: All denial letters shall cite the specific, objective criteria from this Resolution that were not met.

8. MOTION AND ADOPTION



Motion Made By: Edward Ashway

Seconded By: Joseph Terranova

Vote:

Approved Denied Tabled

Effective Date: March 18, 2026

CERTIFICATION

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of Island Court Venice Condominium Association, Inc. at a duly noticed meeting held on the date set forth above.

Secretary: EAshway

Date: 3-18-26