

801 restriction or prohibition before May 9, 2017, is not required to include the exemption  
802 described in Subsection (2)(a)(iv).

803 (7) Notwithstanding this section, an association of unit owners may restrict or prohibit  
804 rentals without an exception described in Subsection (2) if:

805 (a) the restriction or prohibition receives unanimous approval by all unit owners; and

806 (b) when the restriction or prohibition requires an amendment to the association of unit  
807 owners' declaration, the association of unit owners fulfills all other requirements for amending  
808 the declaration described in the association of unit owners' governing documents.

809 (8) Except as provided in Subsection (9), an association of unit owners may not require  
810 a unit owner who owns a rental unit to:

811 (a) obtain the association of unit owners' approval of a prospective renter;

812 (b) give the association of unit owners:

813 (i) a copy of a rental application;

814 (ii) a copy of a renter's or prospective renter's credit information or credit report;

815 (iii) a copy of a renter's or prospective renter's background check; or

816 (iv) documentation to verify the renter's age; or

817 (c) pay an additional assessment, fine, or fee because the unit is a rental unit.

818 (9) (a) A unit owner who owns a rental unit shall give an association of unit owners the  
819 documents described in Subsection (8)(b) if the unit owner is required to provide the  
820 documents by court order or as part of discovery under the Utah Rules of Civil Procedure.

821 (b) If an association of unit owners' declaration lawfully prohibits or restricts  
822 occupancy of the units by a certain class of individuals, the association of unit owners may  
823 require a unit owner who owns a rental unit to give the association of unit owners the  
824 information described in Subsection (8)(b), if:

825 (i) the information helps the association of unit owners determine whether the renter's  
826 occupancy of the unit complies with the association of unit owners' declaration; and

827 (ii) the association of unit owners uses the information to determine whether the  
828 renter's occupancy of the unit complies with the association of unit owners' declaration.

829 (c) An association that permits at least 35% of the units in the association to be rental

830 units may charge a unit owner who owns a rental unit an annual fee of up to ~~Ĥ~~→ [\$250] \$200 ←Ĥ  
830a to defray the

831 association's additional administrative expenses directly related to a unit that is a rental unit ~~Ĥ~~→ [:],

831a as detailed in an accounting provided to the unit owner. ←Ĥ

1111 (b) give the association:

1112 (i) a copy of a rental application;

1113 (ii) a copy of a renter's or prospective renter's credit information or credit report;

1114 (iii) a copy of a renter's or prospective renter's background check; or

1115 (iv) documentation to verify the renter's age; or

1116 (c) pay an additional assessment, fine, or fee because the lot is a rental lot.

1117 (9) (a) A lot owner who owns a rental lot shall give an association the documents  
1118 described in Subsection (8)(b) if the lot owner is required to provide the documents by court  
1119 order or as part of discovery under the Utah Rules of Civil Procedure.

1120 (b) If an association's declaration of covenants, conditions, and restrictions lawfully  
1121 prohibits or restricts occupancy of the lots by a certain class of individuals, the association may  
1122 require a lot owner who owns a rental lot to give the association the information described in  
1123 Subsection (8)(b), if:

1124 (i) the information helps the association determine whether the renter's occupancy of  
1125 the lot complies with the association's declaration of covenants, conditions, and restrictions;  
1126 and

1127 (ii) the association uses the information to determine whether the renter's occupancy of  
1128 the lot complies with the association's declaration of covenants, conditions, and restrictions.

1129 (c) An association that permits at least 35% of the lots in the association to be rental  
1130 lots may charge a lot owner who owns a rental lot an annual fee of up to ~~Ĥ~~→ [\$250] \$200 ←Ĥ to  
1130a defray the  
1131 association's additional administrative expenses directly related to a lot that is a rental lot ~~Ĥ~~→ [:] ,  
1131a as detailed in an accounting provided to the unit owner. ←Ĥ

1132 (10) Notwithstanding Subsection (1)(a), an association may not restrict or prohibit the  
1133 rental of an internal accessory dwelling unit, as defined in Section 10-9a-530, constructed  
1134 within a lot owner's residential lot, if the internal accessory dwelling unit complies with all  
1135 applicable:

1136 (a) land use ordinances;

1137 (b) building codes;

1138 (c) health codes; and

1139 (d) fire codes.

1140 (11) The provisions of Subsections (8) through (10) apply to an association regardless  
1141 of when the association is created.