

## **Rental Agreement**

for

**204 Capri Drive, Davenport, FL 33897, USA**

at

**Regal Palms Resort and Spa**

### **The Owner:**

Ian Collinge, 8 Gun Lane, Sherington, Newport Pagnell, Bucks, MK16 9PE, UK

email: [ian@rentregalpalms.com](mailto:ian@rentregalpalms.com)

### **The Property Manager:**

Save Property Management (David Roscoe), 442 Troon Circle, Davenport, Florida 33897, USA

(Tel: 863-557-4796)

### **The Guest:**

The renter who makes the booking on behalf of their party. The Guest must be aged 21 years old or greater.

1. The Guest takes responsibility for the actions of their entire party and for ensuring that they treat the property and its contents with due respect.
2. The earliest check-in time is 4pm, unless an earlier time was agreed by the Owner at the time the Guest placed the booking.
3. The latest check-out time is 10am, unless the Property Manager has explicitly agreed a later time in advance. The Owner/Property Manager reserves the right to charge an hourly fee for late departures which have not been agreed in advance and which delay access to the property by the cleaning and maintenance staff. The Guest can have complete flexibility for early arrivals/late departures by simply reserving an extra day at the start or end of the vacation.
4. The Owner has contracted the Property Manager to prepare the property to an acceptable standard prior to the Guest's arrival and maintain the property during their stay. The Guest should check the property on arrival to ensure that everything is in order and report any defects to the Property Manager immediately so they can be rectified. In the unlikely event of a problem during the stay, whether it is something major such as the air-conditioning unit breaking down or relatively minor such as a light bulb or remote control battery needing changing, this should be reported as soon as possible to the Property Manager. Outside normal office hours, there is a 24hr answering machine, which is monitored for urgent calls. The Property Manager will liaise with the Guest to rectify the issue as soon as is feasible. The Guest shall allow the Property Manager's maintenance staff access to the property at reasonable times to facilitate the necessary repair work. The rectification time will depend on the nature of the problem, and in some cases may be dependent on third parties (e.g. the utilities) who are outside of the Property Manager's or Owner's direct control. If the Property Manager has not made an initial response

to the report within 24 hrs, the Owner should be informed. Issues must be reported during the stay so that the Property Manager has the opportunity of taking remedial action. Complaints about issues that are raised for the first time after the Guest's departure will not be entertained. The Property Manager's telephone number and office hours are displayed on the fridge door in the kitchen.

5. This is a 'no smoking' property. No pets are permitted. If the Property Manager determines that either of these has been violated, a charge of \$150 will be made for additional cleaning.
6. The Guest may not use the property for the purpose of holding a Party.
7. Bed linen and towels are provided. There is a spare set of bed linen for each bed. Bleach must not be used when washing the towels or bed linen. Towels may not be taken out of the property. Towels for use at the pool are provided by Regal Palms Owners Association at the pool itself, in exchange for the pool towel card issued by the Front Desk at check-in.
8. The owner's closet (next to the stairs) and the password-protected owner's login on the PC are private and out-of-bounds to the Guest. Attempts to access either of these will be reported to the police.
9. The use of BBQ equipment is prohibited inside or near the property, and is a breach of fire regulations. Dedicated BBQ areas have been provided in various parts of the resort. Two of these are situated about 100 yards away alongside the retention pond. The metal utensils in the kitchen are for use only at the BBQ, not with the non-stick pans.
10. This property is let on a self-catering basis. The Guest is responsible for providing their own food, meals, toiletries, domestic consumables and for doing their own laundry. A small quantity of essential items (e.g. soap, tissues) is provided on arrival for the first night until the Guest can obtain their own supplies. There is a Publix supermarket next to the Resort which is open until 10pm daily, and a 24 hour Walmart only 3 miles north on the US27. The Property Manager cleans the property and washes the bed linen and towels before the Guest arrives and again on departure. However, there is no maid service as standard during the Guest's stay. Most Guests prefer this arrangement. However, the Property Manager is able to provide additional services on request. If the Guest requires, for example, a bottle of champagne on arrival or particular groceries or additional cleaning or laundry, then the Guest should discuss their requirements with the Property Manager prior to arrival. These additional services are tailored to the individual needs of the Guest, so there is no standard cost. The Property Manager will provide a quotation on request.
11. Waste is collected daily, except on Christmas Day. All waste must be placed in suitable tied trash bags (not supermarket carrier bags) inside the trash container. Do not place trash on the ground next to the container as it will attract insects and other pests. If the container is full before collection, inform the Property Manager.
12. Insects are endemic to Florida. They are attracted by light and by smells and can find their way through small cracks or gaps. The Guest can help minimise their entry to the property by keeping the insect screens on the patio doors and on the balcony closed whenever the doors are open, not opening the front door unnecessarily, by keeping kitchen surfaces clean and by keeping all trash containers firmly closed. There is a regular pest control service provided by a contractor both inside and outside the property, involving spraying. This does not prevent the insects coming in, but it kills those that have got in. If the Guest feels there is a problem in between these regular visits, please contact the Property Manager to arrange an extra visit.

13. The central air-conditioning system, together with the fans in the main rooms, will cool the entire house in summer and provide heat if necessary in winter. There is a thermostat (upstairs) which allows the Guest to set a comfortable temperature. Do not set the temperature below 72°F, as the unit will freeze up and the Guest will then have to pay a call-out fee to get it defrosted. The air-conditioning unit cannot do its job if air at a different temperature is coming in through open windows or doors. If the Guest wishes to open windows or doors, for fresh air, please turn off the air-conditioning to avoid wasting energy. It makes sense not to do this at the hottest times of day or when it is particularly humid, otherwise the quality of the air coming into the house will be worse than that already inside, not better. The Guest should use the five ceiling fans to circulate the cool air efficiently.
14. The PC and printer are provided on an 'as is' basis. If the paper in the desk drawer has run out, or the ink cartridges need replacing, the Guest will need to purchase replacements (e.g. from Best Buy or Walmart). Any issues should be reported to the Property Manager who will seek the Owner's advice. This equipment is of a specialist nature and, whilst the Owner will endeavour to resolve the issue as soon as possible, this may not be possible during the Guest's stay. McAfee Total Protection is installed on the PC to help prevent viruses and malicious software. The Guest shall not interfere with its operation.
15. The telephone in the property is an extension on a telephone exchange covering the entire resort. Therefore it may not offer the same service as would be expected from a more sophisticated system. Calls within the US and Canada are free of charge. Its operation is outside the control of the Property Manager or Owner. It is recommended that Guests should not rely on the system and should have cell phone back-up.
16. The free WIFI covers the entire property and login details will be provided prior to check-in. Free WIFI is also available in the clubhouse and BBQ areas. The WIFI and cable television service are provided by Spectrum (part of Charter Communications) and are therefore beyond the Property Manager's and Owner's direct control. The Property Manager and Owner will pass on fault reports promptly, but are not responsible for technical failures of the Spectrum service. Similar considerations apply to the UKTVEverywhere service.
17. The Guest should note that the WIFI can be accessed by others who know the access details. Similarly, the Guest account on the PC will be used by subsequent Guests. The Guest is responsible for taking appropriate care of their own personal data and its security when using these facilities.
18. When using the showers in the upstairs bathrooms, the shower curtain must be placed inside the bath to stop water draining onto the floor where it may seep through into the ceiling downstairs, causing damage which will be charged to the Guest.
19. There is free parking for two cars on the drive outside the property. Parking on the grass is not permitted. Guests may park on the road provided no obstruction is caused. Additional or larger vehicles (e.g. RVs) and trailers/boats must be parked in the car parks near the clubhouse.
20. The residential area is a gated community. The security system, called DwellingLive, is run by Regal Palms Owners Association. A gate pass will be issued in advance via email for each vehicle. This is a barcode that is scanned at the gate and operates the barriers at the two entrances: from the clubhouse car park and from Sand Mine Road. The barriers only permit the entry of one vehicle at a time. Do not attempt to tailgate and beat the system. If the Guest tries to do that, the barriers and the Guest's vehicle will both be damaged, and the Guest will face a hefty repair bill. There is CCTV to catch offenders. To maintain the safety and security of all residents,

do not give your gate pass to anyone outside of your own party. Anyone holding a gate pass without registering with the Front Desk, or being on site without registering is trespassing and will be reported to the police. There is a gatehouse at the Sand Mine Road entrance which is manned by a security guard 24/7, who will process any requests for a new gate pass and arrange access for taxi/Uber/pizza delivery vehicles etc.

21. Access to the house is via a PIN number which is entered into a keypad on the digital lock on the front door. The PIN will be communicated to the Guest by the Owner before arrival. To maintain security, do not communicate the PIN to anyone outside the Guest's party. No-one but the Guest's party has a valid reason to know the number. If anyone asks for the number, report it to the Property Manager, who can also re-set the number if required.
22. Whenever the property is left unattended, the Guest is responsible for ensuring it is secure by closing all windows, closing the patio doors on the balcony and setting the catch to 'locked' (i.e. up), closing the downstairs patio doors, setting the catch to 'locked' (up) and putting the security bar in place, ensuring the external door in the Queen bedroom is locked (done from the inside - there is no key) and ensuring the digital lock on the front door is set to 'locked'.
23. The maximum occupancy for this property is 8 persons, or 9 persons if one is a baby. The Guest shall not exceed this limit. Note that the sofa is not a sleeper and does not convert into an additional bed. The sleeping accommodation consists of 1 x King, 1 x Queen, 4 x Twin beds, plus a pack'n'play playard.
24. The Guest shall declare the number of adults (i.e. persons aged 18 years or greater) and the number of children (i.e. persons aged less than 18 years) when booking.
25. If the Guest and every member of the Guest's party is a student or single person aged 21 or less, then this fact must be disclosed to the Owner when booking. The Owner may require additional information about the members of the party and may require additional guarantees/deposits before accepting the booking.
26. The house shall not be used for any illegal activities. No firearms or other weapons shall be brought into the house.
27. The Owner reserves the right to charge a security deposit, payable two weeks before check in. The amount of this deposit will be specified in the personal quote to the Guest when booking. The Guest shall check the inventory is present and in good repair on arrival and report any discrepancies to the Property Manager without delay. The Property Manager will inspect the property on the Guest's departure and report any missing or damaged items to the Owner. The Owner has the right to deduct the appropriate cost of repairing the damage or for replacing broken or missing items from the deposit, before refunding the balance. Refunds will normally be paid within 7 days of check out by a payment method agreed with the Guest. Should the cost of repair or replacement exceed the security deposit, the Guest will be billed with the excess.
28. The central facilities at the clubhouse (i.e. pool, gym, bar, shop, arcade, reception etc) and in the residential area (i.e. gates, landscaping, roads, streetlights, BBQ facilities etc) are provided by Regal Palms Owners Association (RPOA) and are therefore not under the direct control of the Owner and Property Manager, who therefore can make no guarantee as to their availability. The RPOA currently makes a charge of \$15 plus tax per property per night (subject to change), and this is payable by the Guest to the Front Desk at check-in. This charge is independent of the number of persons in the Guest's party, or the extent to which the Guest intends to make use of those facilities. Any issues with the RPOA's facilities should be reported immediately to the Front Desk.

29. Pool wristbands and towel cards are issued by the Front Desk at check-in. Wristbands must be worn to gain pool access. Replacements for damaged wristbands are provided free of charge if the original is returned, but otherwise will be charged for. There is also a charge if the pool towel cards are not returned to the Front Desk when checking out. Use of the clubhouse/pool facilities are at the Guest's own risk. Children under 12 years old may not use the facilities unless supervised by an adult. RPOA does not permit the Guest to take coolers into the pool area. The Guest provides their own floats etc, if required.
30. In the unlikely event of the property being unavailable due to a reason which is within the control of the Owner or Property Manager, then the Guest will be transferred to another property of equivalent quality at Regal Palms, provided one is available, or will be given a full refund if none is available.
31. It is strongly recommended that the Guest should take out insurance to provide protection against cancellation or curtailment of the holiday for whatever reason (e.g. medical, weather, transport problems) and for protection against the liability for damage or loss to the property.
32. If the Guest wishes to cancel the reservation, or curtails it (by arriving late or leaving early), for whatever reason, the Owner will endeavour to obtain another booking for that period. If he is successful at obtaining another booking, then the Owner may make, at his discretion, a partial refund of monies paid by the Guest. It should be noted that any booking incurs processing costs (e.g. by banks or agents) and these costs will be deducted from any refund.
33. If the Guest wishes to change the dates of a reservation, and the new dates are available, then the Owner may agree to credit the monies already paid to the new dates.
34. If the Guest supplies false information, or breaches the conditions in this Rental Agreement, the Owner/Property Manager has the right to deny access to the property and the monies paid shall not be refunded.
35. The Property Manager provides a 50-page Welcome Book in the property with information about the house, the Resort, the local area, local attractions, things to do, restaurants etc. The Owner provides an Information Folder in the property with information about the house and its facilities.
36. The Owner will endeavour to answer all questions submitted by email both before and during the reservation within 24 hours. The Owner welcomes feedback from the Guest after the holiday and constructive suggestions as to how the facilities available in the house might be improved. The Owner appreciates loyalty and will therefore offer a discount to Guests on their next reservation.

Ian Collinge

10 January 2018