

# Letter challenges neighborhood restrictions on short-term rentals

**'Be careful what** you ask for, because we don't want to be bullied and we don't want our neighbors to be bullied and we don't want our council to be bullied.'

**John Johnston**

Lakewood Estates homeowner

**BY NORM CANNADA**  
THE JOURNAL

SENECA — A letter from an attorney to residents of a Seneca neighborhood this week suggests those who signed to change their covenants to restrict short-term rentals could face "potential liability" personally if legal action is taken against them.

The letter was sent to

Lakewood Estates residents from Greenville attorney James K. Price of Nexsen Pruet. Price said in the letter he was representing "homeowners in the Lakewood Estates community."

When reached by The Journal Friday afternoon, Price said he didn't want to be quoted and referred

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# LETTER: 'For a lot of people, this is really a frightening prospect'

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The Journal to the letter.

The letter suggests there could be "ambiguity" in the Lakewood covenant change restricting short-term rentals to homes where the owner is present. He said the language in the amended Easements & Protective Covenants does not say it replaces the previous document, "so both sets of covenants may apply." He added it is "unclear as to whether amendments can be made effective at any time or only at the end of each extension period" of the covenants.

Price also questioned the "majority vote" that community officials said they received to make the changes to the covenants, saying "it is unclear how to derive the number of votes necessary for a majority." He added the amendments are "new restrictions on property under the guise of an

amendment" and "not a change to an existing restriction; rather, it is an entirely new restriction."

Price said his clients want the community to "reconsider your position regarding the agreement," adding that every homeowner who signed the agreement to change the covenants "could be held jointly and severally liable for any and all damages."

## RESIDENTS RESPOND

Homeowners in Lakewood Estates and other Seneca neighborhoods that have prohibited or restricted short-term rentals through covenant amendments said they will continue to

support the changes their residents have approved and would also be pushing for the more restrictive of

**'Just say no to corporations, say no to non-resident short-term renters. It's just easier.'**

**Mike White**  
White Oak Point  
homeowner

the leaders of the change in covenants at Lakewood Estates. "This is not my first rodeo, but for a lot of people, this is really a frightening prospect. Be careful what you ask for, because we don't want to be bullied and we don't want our neighbors to be

two versions of the city's short-term rental ordinance that could come for a final vote later this month. That more restrictive version would only allow primary homeowners to rent their homes on a short-term basis, except in the downtown core commercial area.

"I feel like I'm being bullied," said John Johnston, who was one of

ing Friday with Lakewood residents and said he has had "second thoughts" and now supports the version that limits short-term rentals to primary homeowners.

"To watch this whole community (Lakewood) getting in an uproar as 50 letters can be sent out ... threatening them with legal action and personal liability, I'm tired. Just say no to corporations, say no to non-resident short-term renters. It's just easier," he said.

"This is silly now," he added. "One part of the letter even suggested the word majority could be interpreted differently. Well, not where I come from. I know exactly what majority means. I'm really annoyed, because I thought I was giving them a break."

White said he went to the meeting Friday to apologize to the Lakewood residents and also sent an email out apologizing to the residents.

nicated with at least one council member. I think most of city council will be hearing from people over the next few days."

Mike White, a resident at nearby White Oak Point, encouraged council at its meeting Tuesday to accept the less restrictive of the two versions to get the ordinance passed and compromise with Realtors who opposed secondary properties being excluded in the more restrictive version.

White attended a meet-

our council to be bullied."

Johnston said he has had a "series of meetings" with residents and expects more. He said those who attended Tuesday's council meeting and said they would support either of the two versions of the ordinance are now asking council to vote for the more restrictive one.

"I think that is important that we pass the stronger version of the ordinance," he said. "We've got people who apparently just want to run over whoever they can, and we're not going to be run over. I have already commu-



A group of Lakewood Estates residents met last month talk about Seneca's short-term rentals ordinance.