TALNUCK OWNERS ASSOCIATION
SOLAR ENERGY POLICY STATEMENT

The Board of Directors of Talnuck Owners Association (the "Association") adopts this Solar Energy Policy Statement ("Policy") on the 11th day of March, 2025, effective April 2, 2025.

BACKGROUND

A. The Association is responsible for governance, maintenance, and administration of the Talnuck Neighborhood the "Talnuck Neighborhood" within Oakhurst (the "Condominium").

B. The Association's Board of Directors ("Board") desires to adopt rules governing the installation, maintenance, and use of Solar Energy Systems (defined below) within the Talnuck Neighborhood.

C. This Policy establishes guidelines for the replacement, maintenance, installation, or operation of Solar Energy Systems by Association Members (defined below), in compliance with the Homeowners' Energy Policy Act (Public Act 68 of 2024) (the "Act").

The Association's Board adopts this Policy, which is binding upon all Co-owners and their tenants, occupants, successors, and assigns, and which supersede any Governing Document (defined below) provisions and previously adopted rules on the same subject matter:

I. DEFINITIONS

A. "Common Area" means a portion of a building, land, or amenities owned or managed by the Association, or the Oakhurst Owners' Association, that is generally accessible to all Members including, without limitation, roads, open space areas, wetland and natural resource setback areas, and sidewalks.

B. "Energy Saving Improvement or Modification" means and includes, but is not limited to, clotheslines, air source heat pumps, ground source heat pumps, insulation, rain barrels, reflective roofing, energy efficient appliances, solar water heaters, electric vehicle supply equipment, energy-efficient windows, and energy-efficient insulation materials.

C. "Governing Documents" means the Oakhurst Master Deed, Bylaws, the Talnuck Declaration of Covenants, Conditions, and Restrictions, and rules and regulations, all as may be amended.

D. "Limited Common Element" refers to any area of the Talnuck Neighborhood which is defined as a Limited Common Element under the Governing Documents.

E. "Member" means a Co-owner of a Unit within the Talnuck Neighborhood.

F. "Shared Roof" means a roof that serves more than one Unit, including, but not limited to, a contiguous roof that serves adjacent Units.

G. "Solar Energy System" means a complete assembly, structure, or design of a solar collector or solar storage mechanism that uses solar energy for generating electricity or heating or cooling materials.

II. ENERGY SAVING IMPROVEMENTS OR MODIFICATIONS

A. Energy Savings Improvements or Modifications within a Unit or within a Unit's Limited Common Elements. Any provision in the Association's Governing Documents that prohibits or requires approval for the replacement, maintenance, installation, or operation of Energy Saving Improvements or Modifications within their Unit or the Unit's Limited Common Elements is invalid and unenforceable. Members are not required to request or obtain approval from the Association to install an Energy Saving Improvement or Modification within their Unit or Limited Common Element areas.

B. Auxiliary Changes. Members are not required to obtain Association approval for auxiliary changes needed for the installation of Energy Saving Improvements or Modifications located within their Unit or Limited Common Element areas.

C. Prohibition of Modification or Alteration within Common Areas or on a Shared Roof. Members are prohibited from installing Energy Saving Improvements or Modifications within any Common Area or on any Shared Roof without first obtaining the Board's prior written approval. The Board has the right to refuse to approve any proposed Energy Savings Improvement or Modification installed in any of these areas that is not suitable or desirable in its opinion for aesthetic or any other reason.

III. SOLAR ENERGY SYSTEMS

A. Application Process for Solar Energy Systems.

1. Application Required. The Talnuck Neighborhood and the Condominium contain Common Areas and Shared Roofs. A Member desiring to install a Solar Energy System requiring modification of a Limited Common Element, Common Area, or Shared Roof shall submit a written application to the Association prior to installation. The written application must include all of the following information:

a. The Member's name.

b. The street address of the location where the Solar Energy System will be installed.

c. The name and contact information of the person that will install the Solar Energy System.

d. An image that shows the layout of the Solar Energy System on the

Member's residence or Unit.

e. A description of the Solar Energy System to be installed.

2. Time Frame for Approval or Denial. The Board must approve or deny the Member's request to install a Solar Energy System within the Unit's Limited Common Elements, in the Member's residence, or on their Unit within 30 days after receipt of the written application. The criteria for denial are described in Section III(B) below. If the Board fails to approve or deny the Member's application within 30 days of receipt, the Member may proceed with the installation of the Solar Energy System within the Unit's Limited Common Elements, in the Member's residence, or on their Unit, as applicable. This provision does not apply to Common Areas or Shared Roofs.

3. Application Resubmittal. A Member may resubmit a written application to install a Solar Energy System within the Unit's Limited Common Elements, in the Member's residence, or on their Unit, which was submitted to and denied by the Board before the effective date of the Act. On receipt of the resubmitted written application, the Board shall reevaluate the application under the Act. This provision does not apply to Common Areas or Shared Roofs.

4. Approval of Individual Members not Required. The approval of any individual Member including any Member owning a Unit adjacent to the applying Member is not required to approve a Member's application to install a Solar Energy System within the Member's residence or Unit.

5. Compliance with Policy and Act. The Board will review applications based on compliance with this Policy and the Act.

6. Application Fee. The Association may charge a reasonable fee for reviewing written application requests for the installation of a Solar Energy System, which fee shall not exceed that amount established for review of any other request for modification/alteration of the residence or Unit.

7. Prohibitions on Association. In reviewing an application for installation of a Solar Energy System, the Association will not do any of the following:

a. Inquire into a Member's energy usage.

b. Impose conditions that impair the operation of a Solar Energy System.

c. Impose conditions that negatively impact any component industry standard warranty.

d. Require post-installation reporting.

e. Require a fee for submitting an application to install a Solar Energy

System above that which it assesses for other applications related to a change to the property.

f. Prohibit a Member from resubmitting a written application to install a Solar Energy System after a written application submitted after the effective date of this Act was denied by the Association.

g. Deny a Member's application to install a Solar Energy System because of the identity of the entity that owns the Solar Energy System or the financing method chosen by the Member.

B. Installation of Solar Energy Systems in General

1. Common Areas or Shared Roofs. This Section B does not apply to Common Areas or Shared Roofs.

2. Criteria for Denial or Removal. The Board may deny an application to install a Solar Energy System or require the removal of a Solar Energy System if one or more of the following apply:

a. A court has found that the installation of the Solar Energy System violates a law.

b. The installed Solar Energy System does not substantially conform with the Member's application to install the Solar Energy System as approved by the Board.

c. The Board has determined that the Solar Energy System will be installed on the roof of a residence of the Member requesting installation and one or more of the following apply: (a) the Solar Energy System will extend above or beyond the roof of that home by more than six (6) inches; (b) the Solar Energy System does not conform to the slope of the roof and has a top edge that is not parallel to the roof line; (c) the Solar Energy System has a frame, support bracket, or visible conduit or wiring that is not silver, bronze, or black tone that are commonly available in the marketplace.

d. The Board has determined that both of the following apply: (i) the Solar Energy System will be installed in a fenced yard or patio rather than on the roof of a home; and (ii) the Solar Energy System will be taller than the fence line.

3. Location Preferences. Although not required, the Board prefers that Members minimize the visibility of Solar Energy Systems from the roadway that fronts the Member's Unit and from outside the Unit to the extent possible.

4. Color Preferences. Although not required, the Board prefers that the Solar Energy System and mounting system be compatible in color to the established roof materials.

5. Requirements. A Member shall comply with state and local building codes and permit requirements in the replacement, maintenance, installation, or operation of an energy-saving improvement or modification or the installation of a Solar Energy System.

6. Maintenance, Repair, and Replacement. Members are responsible for maintaining, repairing, and replacing their Solar Energy System and Members shall ensure their Solar Energy System remain in good condition and repair and in compliance with all applicable State and local building codes and permit requirements. Any replacement Solar Energy Systems or components must comply with this Policy.

7. Conform to Policy Statement. Any proposed Solar Energy System installation must conform to the terms of this Policy Statement.

C. Installation of Solar Energy Systems in Common Areas or on Shared Roofs. Notwithstanding any other provision contained in this Policy including, without limitation, the provisions contained in Section B above, no Member may install a Solar Energy System in a Common Area or on a Shared Roof without first obtaining the Board's prior written approval. The Board has the right to refuse to approve any proposed Solar Energy System installed in any of these areas that is not suitable or desirable in its opinion for aesthetic or any other reasons.

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Respectfully submitted,
Board of Directors
Talnuck Owners Association