

1.1.B Multifamily Rental Housing

A combination of one, two, and three bedroom rental apartments will be developed within the multifamily rental portion of the Project. Lindsey Hill's multifamily rental apartments shall be subject to the following restrictions and requirements:

1. Lindsey Hill's multifamily landlord shall not be permitted to lease apartments on a "rent by the bedroom" basis.
2. Subject to the requirements of applicable state and federal law, as the same may change from time to time, Lindsey Hill's multifamily landlord shall not be permitted to lease any single one-bedroom or two-bedroom apartment to more than two (2) unrelated individuals between the ages of eighteen (18) and twenty-two (22), and for three (3) bedroom apartments, Lindsey Hill's multifamily landlord shall not be permitted to lease any single apartment to more than three (3) unrelated individuals between the ages of eighteen (18) and twenty-two (22). As used in this section, "unrelated" means individuals not related by blood, legal adoption, marriage, or conservatorship.
3. All multifamily leases shall require:
 - a. all occupants to be named within the tenant lease; and
 - b. at least one occupant to have:
 - i. a minimum five (5) year credit, property rental, or property ownership history; or
 - ii. a minimum three (3) year credit, property rental, or property ownership history and a full-time job with income sufficient to satisfy the multifamily landlord's income threshold.
4. Lindsey Hill's multifamily landlord shall not permit subleasing.
5. Tenant leases shall include a statement informing tenants that Landlord shall not be responsible for tenant violations of any City of San Marcos codes, including for tenant violations of the requirements of this section. Tenant leases shall further state that in the event of any such violations, the City of San Marcos may issue directly to tenant notices of violations, which may include monetary penalties that tenant alone shall be responsible to pay.
6. Upon reasonable notice, the City of San Marcos shall be permitted to review tenant leases (limited to those sections of the leases pertaining to these lease requirements) at any time during normal business hours at Lindsey Hill's leasing office.

No renting by the bedroom

All occupants must be named in the lease.

Stringent credit-history and employment requirement.

No subleasing.

Notification within lease about the potential for fines.

In the event that there is a possible breach of the requirements of this section, the City of San Marcos shall notify: (i) the tenant; and (ii) Lindsey Hill's multifamily landlord. So long as the tenant lease provides for the requirements of this section, no action shall be taken against Lindsey Hill's multifamily landlord while the landlord is using its best efforts to cure any such breach pursuant to legal and other remedies that may be available to the landlord.