

# BEAUFAIT FARMS SUBDIVISION ASSOCIATION

## SOLAR ENERGY POLICY AND PROCEDURES

### (Homeowner's Energy Policy Act)

On March 20, 2026, the Beaufait Farms Subdivision Association ("Association") adopted this Solar Energy Policy and Procedures in accordance with Public Act 68 of 2024, known as the *Homeowner's Energy Policy Act* ("Act"), enacted by the State of Michigan and effective April 2, 2026. This policy applies to all Homeowners, tenants, occupants, successors, and assigns, and supersedes any conflicting provisions in the Association's Governing Documents or prior rules addressing the same subject matter. This policy is duly adopted by the Association's Board of Directors.

#### 1. **Effect of the Act**

The Act invalidates any provision in the Association's Governing Documents that prohibits or requires Association approval for the replacement, maintenance, installation, or operation of solar energy systems or other energy-saving improvements or modifications, except where such installations are located within Common Element areas or where the criteria outlined in this policy apply.

#### 2. **Common Elements**

Requests for energy-saving installations may be denied when proposed within Common Element areas. Common Elements include, but are not limited to, open spaces, hallways, stairways, elevators, lobbies, laundry and recreational rooms, garages, public green spaces and parks, community buildings, and fitness facilities.

#### 3. **Energy-Saving Installations Defined**

Energy-saving installations include, but are not limited to:

- Solar energy systems
- Energy-saving improvements or modifications
- Clotheslines
- Air-source and ground-source heat pumps
- Insulation
- Rain barrels
- Reflective roofing
- Energy-efficient appliances
- Solar water heaters
- Electric vehicle supply equipment
- Energy-efficient windows and insulation materials

#### **4. Application and Review Process**

Existing modification request procedures and agreements shall be used to process all energy-saving installation requests. The Board shall approve or deny a written application for installations within a Unit's Limited Common Elements within thirty (30) days of receipt. If the Board fails to act within this timeframe, the Co-owner may proceed with the installation. This provision does not apply to installations within Common Element areas.

#### **5. Roof-Mounted Solar Installations**

Applications for roof-mounted solar energy systems may be denied if any of the following conditions apply:

- System extends more than six (6) inches above or beyond the roof surface.
- System does not conform to the roof slope or has a top edge that is not parallel to the roofline.
- System includes frames, brackets, conduits, or wiring in colors other than silver, bronze, or black tones commonly available in the marketplace.
- Board determines that the system is proposed for installation in a fenced yard or patio and would extend above the fence line.

#### **6. Aesthetic Considerations**

While not required, the Board encourages Homeowners to minimize visibility of installations from adjacent roadways and neighboring properties where practicable. Compatibility of system and mounting colors with existing roof materials is also preferred.

#### **7. Compliance with Laws**

All installations must comply with applicable state and local building codes and permitting requirements.

#### **8. Grounds for Denial**

An application may be denied if a court has determined that the proposed installation violates applicable law, if the installation materially deviates from the approved application, or if it fails to meet established installation standards.

#### **9. Limitations on Association Authority**

Upon approval, the Association shall not:

- Inquire into a Homeowner's energy usage;
- Impose conditions that impair the operation or maintenance of the installation; or
- Impose requirements that negatively affect manufacturer or industry-standard warranties.

## **10. Fees and Reporting**

No post-installation reporting is required. Any application fees imposed shall not exceed those charged for other comparable property modifications.

## **11. Neighbor Approval**

Approval from adjacent home or homeowners is not required for the installation of solar energy systems or energy-saving improvements or modifications.

## **12. Adoption and Effectiveness**

This Solar Energy Policy was adopted by the Board of Directors on March 20, 2026, and is effective for Beaufait Farms Subdivision Association as of April 1, 2026.

This policy forms part of the Association's Governing Documents and shall be retained by the Homeowners for future reference. The Board of Directors has the right to amend or update policies and procedures for the Community in accordance with the Bylaws. Any amendments to this policy will be distributed to all Homeowners in writing.