

**VILLAGE SQUARE CONDOMINIUM ASSOCIATION
SOLAR ENERGY POLICY STATEMENT**

The Board of Directors of Village Square Condominium Association (the “Association”) adopts this Solar Energy Policy Statement (“Policy”) on the ___ day of _____, 2026.

BACKGROUND

A. The Association is responsible for governance, maintenance, and administration of Village Square Condominium (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 Condominium.

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 that is generally accessible to all Members including, without limitation: land; driveways; sidewalks; parking spaces; the electrical wiring and plumbing networks throughout the Condominium; foundations; main walls; roofs; ceilings; floors; and the equipment shed. Common Area also includes the common facility hallways, laundry room, basement areas, and storage room defined in Paragraph 5, Section B(1) and (2) of the Master Deed.

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 Association’s Master Deed, Bylaws, and rules and regulations, all as may be amended.

D. “Limited Common Element” refers to any area of the Condominium which is defined as a Limited Common Element under the Governing Documents, except those included in the definition of Common Area in Section A above.

E. “Member” means a Co-owner of a Unit within the Condominium.

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 to Common Element Electrical Systems, or within Common Areas or on a Shared Roof. Members are prohibited from modifying or altering the Common Element electrical system serving the Co-owner’s Unit or Limited Common Element areas without first obtaining the Board’s prior written approval. Members are also 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 Condominium contains 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 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. This Section 2 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 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.

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
Village Square Condominium Association