

IN THE SUPREME COURT OF THE STATE OF NEVADA

ELK POINT COUNTRY CLUB
HOMEOWNERS, ASSOCIATION,
INC., also known as ELK POINT
COUNTRY CLUB, INC., a Nevada
non- profit, non-stock Corporation,

Appellant,

v.

K.J. BROWN, L.L.C., a Nevada limited
liability company; TIMOTHY D.
GILBERT and NANCY AVANZINO
GILBERT, as trustees of the TIMOTHY
D. GILBERT AND NANCY
AVANZINO GILBERT REVOCABLE
FAMILY TRUST DATED DECEMBER
27, 2013,

Respondent.

Electronically Filed
Oct 18 2021 06:57 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Supreme Court Case No.: 82484

District Court Case Number:
2020-CV-0124

APPELLANT'S APPENDIX

VOLUME 5

RESNICK & LOUIS, P.C.
PRESCOTT JONES
Nevada Bar No. 11617
CARISSA YUHAS
Nevada Bar No. 14692
8925 W. Russell Road, Suite 220
Las Vegas, NV 89148
Telephone: (702) 997-3800
Facsimile: (702) 997-3800
pjones@rlattorneys.com
cyuhas@rlattorneys.com
Attorneys for Respondent

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1 **JOHN E. LEACH, ESQ.**

Nevada Bar No. 1225

2 **GAYLE A. KERN, ESQ.**

Nevada Bar No. 1620

3 **SOPHIE A. KARADANIS, ESQ.**

4 Nevada Bar No. 12006

LEACH KERN GRUCHOW ANDERSON SONG

5 5421 Kietzke Lane, Ste. 200

6 Reno, Nevada 89511

Tel: (775) 324-5930

7 Fax: (775) 324-6173

E-Mail: jleach@lkglawfirm.com

8 E-Mail: gkern@lkglawfirm.com

9 E-Mail: skaradanis@lkglawfirm.com

Attorneys for Plaintiffs

10 **IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

11 **IN AND FOR COUNTY OF DOUGLAS**

12
13 K. J. BROWN, L.L.C., a Nevada limited
14 liability company; and TIMOTHY D.
15 GILBERT and NANCY AVANZINO
16 GILBERT, as trustees of the TIMOTHY D.
17 GILBERT AND NANCY AVANZINO
18 GILBERT REVOCABLE FAMILY TRUST
19 DATED DECEMBER 27, 2013,

CASE NO.: 2020 CV 00124

DEPT. NO.: I

20 Plaintiffs,

21 v.

22 ELK POINT COUNTRY CLUB
23 HOMEOWNERS, ASSOCIATION, INC., also
24 known as ELK POINT COUNTRY CLUB,
25 INC., a Nevada non-profit, non-stock
26 corporation; and DOES 1-50, inclusive,

27 Defendant.

28 **PLAINTIFFS' REPLY IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION**

Plaintiffs, K. J. BROWN, L.L.C. and TIMOTHY D. GILBERT and NANCY
AVANZINO GILBERT, as trustees of the TIMOTHY D. GILBERT AND NANCY AVANZINO
GILBERT REVOCABLE FAMILY TRUST DATED DECEMBER 27, 2013 (collectively

1 referred to as "Plaintiffs"), by and through their counsel of record, Leach Kern Gruchow
2 Anderson Song, respectfully submit this Reply ("Reply") to Defendant's, ELK POINT
3 COUNTRY CLUB HOMEOWNERS, ASSOCIATION, INC. aka ELK POINT COUNTRY
4 CLUB, INC. ("EPCC") Opposition ("Opposition" filed August 3, 2020) to Plaintiffs' Motion for
5 Preliminary Injunction ("Motion" filed June 29, 2020). This Reply is made and based upon the
6 attached memorandum of points and authorities, all pleadings, papers, and documents on file
7 herein, and any oral arguments that the Court may entertain at the hearing of this matter.
8

9 I. INTRODUCTION

10 EPCC has been an Internal Revenue Code ("IRC") § 501(7)(c) tax-exempt, private,
11 members-only social club since its inception in 1925.¹ EPCC, originally named Reno Elks Club's
12 Tahoe Facilities, was established as a private membership-only social club and has maintained
13 that requirement since, as its front entrance sign represents². Defendant's Opposition fails to
14 address the concern that irrespective of whether or not the language of NRS 116.340(1) could be
15 interpreted as condoning short-term transient commercial use within EPCC, that determination
16 has absolutely no bearing on the undisputed fact that EPCC will suffer irreparable harm if it loses
17 its IRC § 501(c)(7) tax-exempt status. Both EPCC's social club bylaws and IRC § 501(c)(7)
18 mandate that no part of a social club's properties or facilities "shall operate . . . with the view of
19 providing profit to its members." *See* Exhibit I to the Motion.
20
21

22 Contrary to Defendant's inaccurate, self-serving, and flawed interpretation of IRC §
23 501(c)(7), EPCC's tax-exempt status is at risk as a direct result of EPCC board members
24

25
26
27 ¹ According to the Internal Revenue Service ("IRS") requirements, since 1925 the annual
28 tax returns for EPCC, Form 990, reflect the organization type as an IRC § 501(c)(7) tax-exempt
social club.

² To this day, the EPCC is identified as a private membership club. *See* Exhibit I, Front
Entrance Sign.

1 condoning and facilitating individual EPCC social club members who advertise and generate
2 income from selling to non-members access to EPCC's membership-only, pristine private beach
3 front and marina properties and facilities.

4
5 It does not matter that the EPCC social club, *itself*, is not overtly advertising, or deriving
6 any income or profit from the short-term transient commercial rental activity that its private social
7 club members are selling to the non-member public because EPCC is allowing, accommodating,
8 and encouraging private club members to engage in these activities in violation of federal tax
9 code and EPCC's Bylaws. Even more egregious is that EPCC board members are, or have,
10 themselves been deriving revenue and commercially benefitting from renting their (or their
11 family's) units for their own personal financial gain, all without regard to the overall impact upon
12 the remaining social club members, and without regard to the statutory fiduciary duties they owe
13 equally to all of the EPCC social club members, including Plaintiffs.

14 15 II. ARGUMENT

16
17 In order to qualify for an exemption from federal income tax as an IRC § 501(c)(7) social
18 club organization, the IRS mandates that the social club must only be organized for the pleasure
19 and recreation of its private members, and not for any profitable purpose for itself or its members.
20 The IRS also clearly states that *no portion* of the private, membership-only social club may
21 provide pleasure and recreation on a commercial basis or be open for the general public's use.
22 The IRS also mandates that "*substantially all of the activities of which are for such purposes*
23 *and no part of the net earnings of which may inure to the benefit of any private shareholder.*"
24 See Rev. Rul. 58-589. 1958-2 C.B. 266. (*Emphasis added*). See also Declaration of Michelle
25 Salazar attached as Exhibit 2 at ¶ 6. Here, in accordance with the requirements set forth in IRC §
26
27
28

1 501(c)(7), EPCC's bylaws³ clearly establish that the club is to be organized for pleasure and
2 recreation of its membership, and not for profitable purposes; and that this intent should not
3 operate to provide a profit to its members. See Exhibit 2 at ¶ 8.

4
5 The tax exemption for social clubs has the practical effect of allowing individual club
6 members to join together socially and to provide to themselves recreational and social facilities
7 on a mutual basis, without further tax consequences, where the source of the organization's
8 income is limited to membership fees, dues, and assessments. See 26 CFR § 1.501(c)(7)-1. Thus,
9 an individual club member is in substantially the same position as if he had spent his income on
10 pleasure or recreation without the intervening organization. See Exhibit 2 at ¶ 14.

11
12 Importantly, Federal tax code prohibits social clubs from providing any commercial
13 inurement or benefits to any one of its private social club members. Thus, to not jeopardize a
14 social club's IRC § 501(c)(7) tax-exempt status, a social club is prohibited from allowing private
15 social club members from offering to sell or rent the use of their private membership privileges
16 to the general public for their own personal gain and profit, which includes selling or renting
17 access and use to social club facilities.

18
19 Defendant urges the Court to believe that that the IRS is not at all concerned with the
20 individual acts of EPCC's private, social club members who are personally profiting from the use
21 of a social club's tax-exempt properties and facilities. Defendant argues that the IRS narrowly
22 views a social club's activities in a vacuum, looking solely at its own transactions completed and
23 profits earned, and not the commercial activities of its club members. That position is unsupported
24

25
26 [†] The Bylaws state: "Its primary purpose is hereby affirmed to be to provide its members
27 the pleasure of fellowship and recreation, and its corporate functioning shall be designed to
28 achieve in highest measure such purpose. *It shall not operate its properties or facilities with the
view of providing profit to its members but rather such properties and facilities shall be held,
operated, and made available for the use and enjoyment of its members ...*

1 and nonsensical, because, as explained below, the IRS prohibits *any* commercial profiteering
2 within a private social club in order for the social club to maintain its tax-exempt status.
3 Therefore, it does not matter who within the social club is obtaining the profits, gains, or
4 inurnments, because any benefit derived is improper if earned through the use the private social
5 club's facilities and properties.
6

7 EPCC and its Board are now actively facilitating a number of EPCC's social club
8 members⁴, including themselves, to engage in short-term transient commercial rental activities,
9 for their personal gain by offering unfettered use and access to EPCC's tax-exempt social club
10 properties and facilities, running directly afoul of IRC § 501(c)(7).
11

12 *A. Private social members engaging in short-term transient commercial use puts EPCC's*
13 *tax-exempt status at risk.*

14 The question is whether EPCC's current tax-exempt status is being directly challenged by
15 some of EPCC club members renting their homes and unfettered access to club facilities to non-
16 members of the public for transient commercial use. The answer is clearly "yes" because IRC §
17 501(c)(7) specifically prohibits the following: (1) providing pleasure and recreation to non-
18 members of the public on a commercial basis; (2) inurement of private benefits to its individual
19 social club members; and (3) allowing an inequality among individual social club members. *See*
20 *Exhibit 2 at ¶ 6.*
21

22 *I. EPCC is providing social club members the ability to operate their units for*
23 *pleasure and recreation on a commercial basis.*

24 26 CFR § 1.501(c)(7)-1(b) provides, in part, that "a social club which engages in business,
25 such as by making its social and recreational facilities available to the general public . . . is not
26 organized and operated exclusively for pleasure, recreation, and other nonprofitable purpose, and
27

28 ⁴ A few of EPCC's social club members have elected to cease their short-term rental businesses during this litigation, while they still actively maintain their Douglas County rental permits.

1 is not exempt.” Evidence that a social club may be operating on a commercial basis occur if
2 certain factors exist, including but not limited to, in the case of EPCC, making its club properties
3 and facilities open to the public for profit, or condoning public use of its properties and facilities,
4 each impermissible IRC § 501(c)(7) activities which establish the presumption that the social club
5 is engaging in business solicited for public use. *See* Exhibit 2 at ¶ 18.

7 Here, EPCC’s Board is encouraging, facilitating, condoning, and assisting its private
8 social club members, including themselves, in offering to the general public the use of EPCC’s
9 social club membership benefits, including its facilities and properties, for a profit. As a result,
10 EPCC, through its Board, is immediately jeopardizing the social club’s tax-exempt status. Their
11 activities constitute the impermissible “promotion of pleasure and recreation on a commercial
12 basis” thereby placing EPCC’s IRC § 501(c)(7) social club, tax exempt status at risk, constituting
13 irreparable harm which warrants injunctive relief at this time.

15 **2. *Private benefits to EPCC social club members constitutes impermissible***
16 ***inurement under IRC § 501(c)(7).***

17 Federal tax code prohibits any portion of the net earnings from the use of EPCC’s social
18 club to inure to the benefit of any social club member having a personal and private interest in
19 the organization’s activities. Inurement is not limited to overt distributions; even distributed
20 earnings may benefit individual social club members by decreasing their membership dues or
21 increasing the services the social club makes available to them without a corresponding increase
22 in dues or other fees paid for social club support, each of which may be inurnment to individual
23 social club members. A social club that encourages, or engages in recurring, nonincidental, profit-
24 driven activities that results in the inurement of a private benefit to any one of its social club
25 members is engaging in nonexempt activities. *See* Exhibit 2 at ¶ 7. *See also* Rev. Proc. 71-17,
26 1971-1 C.B. 683 which sets forth guidelines in determining whether an IRC § 501(C)(7) social
27
28

1 club is organized and operated exclusively for pleasure, recreation, and other nonprofitable
2 purposes; and under what circumstances and to what extent a club makes its facilities available
3 to the general public. Rev. Proc. 71-17, provides that the use of a social club's properties and
4 facilities by the general public is a significant fact, because it indicates the existence of a
5 nonexempt purpose or may make the social club liable for unrelated business income taxes. Where
6 a social club makes its facilities available to the general public to a substantial degree, the social
7 club is not operated exclusively for pleasure, recreation or other nonprofitable purposes of its
8 members, and therefore loses its tax-exempt status. The IRS looks at the following factors in
9 revoking a social club's tax-exempt status: the actual percentage of nonmember gross receipts,
10 the frequency of use of club facilities or services by non-members, the net income from such use,
11 the purpose for which a club's facilities are made available to non-members, and whether the non-
12 traditional income generated is more than de minimus. *Id.*

15 Here, because EPCC is condoning and encouraging the substantial and consistent use of
16 its social club facilities by the general public through its private social club members' transient
17 commercial rental use of their homes and through access to club properties and facilities,
18 individual EPCC members' "rental businesses" are arguably competing with other taxable
19 enterprises (i.e. hotels and motels in the area) which *are burdened* by taxation. In fact, EPCC
20 social club members who rent, including a number of EPCC Board Members and their families,
21 are estimated to have collectively earned between \$600,000 to \$1,200,000 in short-term transient
22 commercial rental income in 2019 alone. *See* Declaration of Timothy Gilbert attached as Exhibit
23 3 at ¶ 5. Their conduct will undoubtedly result in the loss of EPCC's tax-exempt social club
24 status.

27 Advertising media circulated widely to the general public offering to rent social member's
28 short-term vacation properties prominently display access to EPCC private beach properties and

1 facilities. *See* Exhibit 4. Clearly, these advertisements are specifically targeted at enticing the non-
2 member public to rent private club members' properties at a rental rate that far exceeds rates that
3 could be charged without unfettered access to EPCC's private beachfront property and facilities,
4 not otherwise made available.

5
6 As explained in the Motion, when prospective purchasers of real property seek to buy a
7 unit within EPCC's private social club, they are advised that they are required to apply for social
8 club membership. Their social club membership must be approved by the Board, at a Board
9 Meeting before the members. They also must pay a \$20,000 initial social club membership fee
10 through escrow, and thereafter annually pay social club membership dues. In exchange for
11 exclusive membership dues, the social club members receive the private social club benefits of a
12 gated community, a private Lake Tahoe beachfront, beach deck, and a private marina for each
13 members' own personal use and pleasure. Similarly, just like EPCC, a privately gated
14 membership only-social golf club prohibits its members from offering to rent or lease member's
15 private use of the golf course to the general public.
16
17

18 The foregoing demonstrates that the EPCC social club members engaging in transient
19 commercial rental activity are directly profiting from EPCC's private social club membership
20 benefits, and the EPCC Board has done nothing to stop their for-profit transient commercial
21 business activities. EPCC and its Board are not just an innocent bystander, as Defendant claims.
22 Rather, they are actively encouraging and facilitating social club members to engage in
23 "recurring, nonincidental, profit-driven activities that inure to the benefit of some of its private
24 social club members." This alone, singularly constitutes a clear violation of IRC § 501(c)(7) and
25 EPCC's bylaws, because the federal tax code prohibits inurement to the benefit of any one of the
26 private social club members. *See* Exhibit 2 at ¶ 7. As such, EPCC's tax exempt status is now at
27 risk as a result of the EPCC board's blind eye to those social club members' personal rental
28

1 profiteering.

- 2 3. *IRC § 501(c)(7) requires that all club members be treated equally and transient*
3 *commercial use at some EPCC club members' units creates inequality among*
4 *members.*

5 The IRS justifies tax-exempt status for private social clubs when individual social club
6 members are all treated equally. By facilitating and supporting the actions of some EPCC
7 members who are engaged in short-term transient commercial use of their properties and social
8 club properties and facilities, the EPCC Board is condoning the generation of certain social club
9 members' personal profit by allowing them to rent unfettered use of EPCC's social club's
10 properties and facilities to the general public. That runs directly afoul with IRC § 501(c)(7)
11 because those social club members who engage in transient commercial use rent activities are in
12 an unequal financial position to the other non-renting social club members. The EPCC club
13 members engaged in transient commercial use are, in fact, in a much better financial position
14 because they are able to derive substantial rental profits by providing access to EPCC's private,
15 members only, club properties and facilities. That creates an impermissible inequality among club
16 members in direct violation of IRC § 501(c)(7). See Exhibit 2 ¶ 15.

- 17
18
19 4. *EPCC is an active participant in the short-term transient commercial use of*
20 *member units.*

21 EPCC's tax exempt status under IRS § 501(c)(7) is at risk even if the social club, itself,
22 does not derive income or profit from the transient commercial rental activities engaged in by its
23 private social club members. EPCC's tax-exempt status is also at risk even if EPCC, itself, is not
24 actively advertising transient commercial rental activity in its organizational capacity. EPCC
25 cannot hide behind its argument that its lack of "direct" involvement is a shield from federal tax
26 liability exposure. The IRS holds that a Section 501(c)(7) social club cannot claim an exemption
27 from federal income tax if it is deriving income from activities that are neither related to nor in
28

1 furtherance of a social club's exempt purpose. *See* Rev. Rul. 44, C.B. 1953-1, 109. *See also* Rev.
2 Rul. 68-535, 1968-2 C.B. 219. Here, EPCC's tax-exempt purpose, as set forth in its bylaws, is to
3 provide pleasure and recreation to its club members. Income derived from other unrelated
4 commercial business enterprises within EPCC constitutes "unrelated business income" also
5 known as "non-traditional business activities" all of which does not further the underlying social
6 club's tax exempt purpose, leaving the club open to non-exempt tax status. *See* under 26 U.S.
7 Code § 512. Income generated by business conduct "not traditionally carried on" by a social club
8 precludes tax-exempt status, including such business characteristics as: (1) solicitation of the
9 general public; (2) recurring activity; and (3) conduct which is unrelated to the underlying tax-
10 exempt purpose of the social club. *See also West Side Tennis Club v. Commissioner*, 111 F.2d 6
11 (1940); *Nat'l Mah Jongg League, Inc., v. Unites States*, 75 Fed. Supp. 769 (1947) (If income
12 producing activities are other than incidental, trivial or nonrecurrent, it will be considered that
13 they are designed to produce income and will defeat exemption. The fact that EPCC board
14 members are condoning, facilitating, and participating with those renting social club members
15 who are profiting financially from selling access to EPCC's private social club properties and
16 facilities to non-members means they are actively assisting the rental social club members in
17 deriving income from activities that are neither related to nor in furtherance of a social club's
18 underlying tax exempt purpose. That conduct will cause EPCC to lose its IRC § 501(c)(7) tax
19 exempt status and cause Plaintiffs irreparable harm. *See* Exhibit 2 at ¶¶ 17 and 18.

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21
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23
24 Defendant's interpretation of the holdings in *Augusta Golf Ass'n v. United States*, 338 F.
25 Supp. 272 (S.D. Ga. 1971) and *Pittsburgh Press Club v. United States*, 615 F.2d 600 (3rd Cir.
26 1980) is misguided and overbroad. Those cases do *not* stand for the proposition that federal tax
27 code is only concerned with the business and economic activity that the tax-exempt organization
28 itself is engaged in. Those cases did not analyze nor even address private social club member's

1 conduct using private club facilities for profit. Rather, those cases simply confirm that a social
2 club has the burden of proving that it was organized for and, operates exclusively for pleasure,
3 recreation and other nonprofitable purposes, and that no part of its net earnings inures to benefit
4 any member. *Augusta Golf Ass'n, Inc.*, 338 F. Supp. 272 at 275 (S.D. Ga. 1971).

5
6 Specifically, *Augusta* addressed whether a golf Association's "calcutta" events, which
7 were open to the public and were a source of Association funds, allowed the Association to be
8 exempt from federal income tax as a social club. The court found that the calcuttas were an
9 essential part of the Association's social and recreational activities and that none of the
10 membership, individually and collectively, had benefitted in any way from the calcuttas, other
11 than in a way of the "companionship of fellow golf devotees and the satisfaction of contributing
12 to the promotion of golf through its share of the calcuttas." *Id.* at 278.

13
14 The *Augusta* court did not address private social club members' activities that would allow
15 those members to derive profits by selling use of their private membership to access and use club
16 facilities and properties, which is at issue here and violates IRC § 501(c)(7). *See* Rev. Rul. 69-
17 527, 1969-2C.B. 125 (A social club formed to assist its members in their business endeavors does
18 not qualify for exemption under IRC § 501(c)(7)); Rev. Rul. 70-32, 1970-1C.B. 132 (A flying
19 club which provides economical flying facilities for its members, does not qualify for exemption
20 as a social club, under IRC § 501(c)(7)).

21
22 In other words, if a social club personally benefits the private club's members, the IRS
23 has found that constitutes grounds for the club to lose its tax- exempt status. *See* Rev. Rule 65-
24 219, 1965-2, C.B. 168, Rev. Rule 67-302, 1967-2, C.B. 203, Rev. Rul. 66-225, 1966-2 C.B. 227,
25 Rev. Rul. 66-360, 1966-2C.B. 228. The organization and operation of a club in a manner which
26 constitutes a subterfuge for doing business with the public is inconsistent with the term "club" as
27 used in IRC § 501(c)(7) and disqualifies it from exemption.
28

1 Regardless, there is one an important confirming takeaway from *Augusta* being that the
2 court confirmed that to maintain its social club tax-exempt status, a social club's activities must
3 be directly related to the underlying purposes for which the club was formed, and its activities
4 cannot amount to any business for profit. *Id.* at 275, citing Rev. Rule 69-68, 1969-1 C.B. 153.
5

6 Here, the conduct of the some EPCC social club members who are engaged in commercial
7 transient rental use within EPCC are inextricably linked with the conduct of EPCC and its Board.
8 Those EPCC social club members and Board Members repeatedly offering for rent and use to the
9 public their access to EPCC's social club properties and facilities throughout the year, are
10 inextricably linked with the conduct of EPCC. This is because under no stretch of the imagination
11 could transient commercial rental use within EPCC's social club fall within the purview of
12 EPCC's primary social club purpose to provide "its Unit Owners the pleasure of fellowship and
13 recreation, and its corporate functioning shall be designed to civilly achieve in highest measure
14 such purpose."
15

16 Similarly, *Pittsburgh Press Club* addressed whether a private club's trade with
17 nonmembers justified the revocation of its tax exemption as a nonprofit social club. The court
18 found that the club's trade with nonmembers constituted an impermissible business for profit.
19 *Pittsburg Press Club*, 615 F.2d at 601. Entirely absent from the court's decision in *Pittsburg Press*
20 is any finding that supports defendant's position that a social club is immune from tax liability
21 when its social club members are utilizing the social club properties and facilities for their own
22 profit.
23

24 The bottom line is that since 1925, EPCC, in accordance with the stated purpose set forth
25 in its bylaws, was organized for the purpose of promoting the pleasure of fellowship and
26 recreation of its members who own property within the social club, and to prohibit social members
27 from using the social club's property and facilities for profit. Abiding by those Bylaws has
28

1 afforded EPCC the benefit of remaining exempt from federal income taxes for almost 100 years.
2 By seeking to require EPCC to abide by its Bylaws now, Plaintiffs seek to maintain that tax-
3 exempt status for another 100 years. EPCC is jeopardizing Plaintiffs' right to this long-standing
4 protected benefit, without the threat of tax exposure, which constitutes irreparable harm.
5

6 *B. The loss of EPCC's tax-exempt status constitutes irreparable harm.*

7 EPCC is currently at risk of losing its federal tax-exempt status, which will result in
8 irreparable harm to Plaintiffs. A number of EPCC social club members are actively engaged in
9 short-term transient commercial rental use, EPCC social club members engaged in transient
10 commercial rental activities are doing so with the EPCC board's blessing and approval, EPCC
11 social club members are deriving substantial revenue from use of EPCC's social club properties
12 and facilities, and the EPCC board is doing nothing to stop or prohibit these commercial activities.
13 The foregoing undisputed facts clearly violate IRC § 501(c)(7), which will enable the IRS to
14 immediately take steps to revoke EPCC's tax-exempt status. The devastating consequences will
15 be exposing each of the social club members, including Plaintiffs, to be responsible to pay federal
16 income taxes, federal and state property taxes, and potential excise taxes. Further, if the IRS
17 determines that EPCC has committed tax fraud by inappropriately claiming an IRC § 501(c)(7)
18 tax-exempt status, while encouraging commercial rental activities by its club members within its
19 properties and facilities, the statute of limitations may not apply. If that happens, EPCC risks tax
20 penalty exposure from its inception in 1925 to present, which is nearly 100 years of tax exposure.
21
22
23 See Exhibit 2 at ¶ 18.
24

25 The foregoing threat is sufficient to establish irreparable harm warranting injunctive relief.
26 Plaintiffs, as social club members, have relied upon and benefit from EPCC's long-standing tax-
27 exempt status. If revoked, the consequences are far reaching. Not only would Plaintiffs be
28 individually exposed to pay unimaginable tax liabilities, but also such exposure would cause

1 Plaintiffs to be unable to afford their properties and would likely negatively affect their property
2 values. As well, revocation of EPCC's social club tax exempt status would forever destroy its
3 quaint character as a members only private social club, and evolve into a publicly operated
4 hotel/motel/time-share rental facility, something Plaintiffs never bargained for when they
5 purchased their properties within EPCC.
6

7 Because real property and its attributes are considered unique and loss of
8 real property rights generally results in irreparable harm, injunctive relief is
9 warranted. *See Leonard v. Stoebling*, 102 Nev. 543, 728 P.2d 1358 (1986). There is no logical
10 justification to allow Defendant to continue to condone and encourage short-term transient
11 commercial use in EPCC's social club when a very real risk looms, which could completely
12 jeopardize EPCC's social club tax exempt status, destroy Plaintiffs' ability to live at EPCC,
13 destroy their property values, and destroy the very purpose upon which the club has existed for
14 almost 100 years. Clearly, compensatory damages do not provide an adequate remedy in this
15 situation. *See Dixon v. Thatcher*, 103 Nev. 414, 742 P.2d 1029 (1987).
16
17

18 Further, the EPCC board "comes to the table" with unclean hands. The EPCC Board is
19 flagrantly and selfishly engaged in promoting the disregard of EPCC's Bylaws, despite knowing
20 they have a duty to the social club members to preserve the community, protect the social club's
21 tax-exempt status, and maintain the underlying character and purpose of the club. Reference is
22 made to Exhibit 5 which is a true and correct copy of a the EPCC Board Member Survey
23 evidencing the EPCC board member's endorsing and supporting unfettered rental activities and
24 profiteering within EPCC. The Nevada Supreme Court in *Gladstone v. Gregory*, 95 Nev. 474,
25 596 P.2d 491 (1979), and *Coury v. Robinson*, 115 Nev. 84, 976 P.2d 518 (1999), recognized that
26 equitable principles are available only to innocent parties who proceed without knowledge or
27 warning that they are acting contrary to their vested property rights. The *Gladstone* court rejected
28

Gregory's arguments that injunctive relief should be denied because the injury they would incur if relief were granted was greatly disproportionate to the benefits that would inure to the *Gladstones*. In rejecting this argument, the Court stated:

The equitable principle of relative hardship is available only to innocent parties who proceed without knowledge or warning that they are acting contrary to others vested property rights. *Foster v. Nehls*, supra. [Gregorys'] clearly assumed the risk of increased damages when they continued construction after notice of Gladstones' objections. *Id.* Moreover, respondents had constructive notice of the building limitation. Where one take land with notice of restrictions, equity and good conscience will not permit that person to act in violation thereof, and one seeking to enjoin such a violation is entitled to relief regardless of relative damage. [Citations omitted.]

Here, because some EPCC Board members and their families directly profit from short-term transient commercial use of their properties within the social club, they have a clear conflict of interest and the appearance of impropriety. *See* NRS 116.3103 and NAC 116.405. Equity and good conscience favor injunctive relief. Plaintiffs are entitled to uphold the underlying purpose and character of EPCC's Section 501 (c)(7) tax exempt social club.

III. CONCLUSION

Should EPCC lose its IRC § 501(c)(7) status, that harm cannot be undone when, among other things, the overwhelming tax liability exposure will prohibit Plaintiffs from being able to afford to continue to live at EPCC and they will have lost what they had bargained for when they purchased their properties, being living and socializing within a private gated social club. Plaintiffs are left with no other recourse. Therefore, injunctive relief from this Court is necessary to enjoin Defendant from promoting, condoning, and facilitating the rampant growth of short-term transient commercial use of EPCC's social club until such time as there is a final determination on whether Defendant should be prohibiting EPCC social club members from engaging in such commercial uses, without running afoul of the strict prohibitions imposed by

1 the IRS upon IRC § 501(c)(7) organizations.

2 WHEREFORE, Plaintiffs pray for the issuance of injunctive relief prohibiting transient
3 commercial use of any portion of EPCC's social club properties, including its units within the
4 community during the pendency of this case, the appointment of a third party administrator to
5 oversee and supervise the enforcement of the Court's Order during the pendency of this litigation;
6 and thereafter permanently enjoin and prohibit transient commercial use within EPCC; and that
7 Defendant take nothing by way of its Opposition; for an award of damages, fees and costs; and
8 for such other, further and additional relief as seems just to the Court in the premises.
9

10 **AFFIRMATION**

11 Pursuant to NRS 239B.030, the undersigned does hereby affirm that *Plaintiffs' Reply in*
12 *Support of Motion for Preliminary Injunction* filed in the above-entitled case (2020 CV 00124)
13 does not contain the social security number of any person.
14

15 DATED this 24th day of August, 2020.

16 **LEACH KERN GRUCHOW ANDERSON SONG**

17
18
19 By: 

20 **SOPHIE A. KARADANIS, ESQ.**
21 Nevada Bar No. 12006
22 5421 Kietzke Lane, Ste. 200
23 Reno, Nevada 89511
24 Tel: (775) 324-5930
25 E-Mail: skaradanis@lkglawfirm.com
26 *Attorneys for Plaintiffs*
27
28

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of the law offices of Leach Kern
3 Gruchow Anderson Song, and that on this date I served the foregoing document described as
4 follows:
5

6 ***PLAINTIFFS' REPLY IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION***

7 On the party(s) set forth below by:

- 8 ☒ Placing an original or true copy thereof in a sealed envelope placed for collection
9 and mailing in the United States Mail, at Reno, Nevada, postage prepaid, following
10 ordinary business practices.

11 Joshua Ang, Esq.
12 Prescott Jones, Esq.
13 c/o Resnick & Louis, P.C.
8925 W. Russell Road, Ste. 220
Las Vegas, V 89148

- 14 ☐ Electronically filing the foregoing with the Clerk of the Court by using the
15 electronic filing system, which will send a notice of electronic filing to the
16 following:

- 17 ☐ Personal delivery.

- 18 ☐ FedEx, UPS, or other overnight delivery.

19 DATED this 24th day of August 2020.

20 
21 TERESA A. GEARHART
22
23
24
25
26
27
28

ELK POINT
COUNTRY CLUB

PRIVATE
MEMBERS & GUESTS ONLY

EXHIBIT “2”

EXHIBIT “2”

1 **JOHN E. LEACH, ESQ.**

Nevada Bar No. 1225

2 **GAYLE A. KERN, ESQ.**

3 Nevada Bar No. 1620

4 **SOPHIE A. KARADANIS, ESQ.**

Nevada Bar No. 12006

5 **LEACH KERN GRUCHOW ANDERSON SONG**

5421 Kietzke Lane, Ste. 200

6 Reno, Nevada 89511

7 Tel: (775) 324-5930

8 Fax: (775) 324-6173

E-Mail: jleach@lkglawfirm.com

9 E-Mail: gkern@lkglawfirm.com

E-Mail: skaradanis@lkglawfirm.com

Attorneys for Plaintiffs

10 **IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

11 **IN AND FOR COUNTY OF DOUGLAS**

12
13 K. J. BROWN, L.L.C., a Nevada limited
liability company; and TIMOTHY D.
14 GILBERT and NANCY AVANZINO
15 GILBERT, as trustees of the TIMOTHY D.
16 GILBERT AND NANCY AVANZINO
GILBERT REVOCABLE FAMILY TRUST
17 DATED DECEMBER 27, 2013,

CASE NO.: 2020 CV 00124

DEPT. NO.: I

18 Plaintiffs,

19 v.

20 ELK POINT COUNTRY CLUB, INC., a
Nevada non-profit, non-stock corporation; and
21 DOES 1-50, inclusive,

22 Defendant.

23 _____ /
24 **DECLARATION OF MICHELLE L. SALAZAR**

25 MICHELLE L. SALAZAR, being first duly sworn, depose and avers:

26 I. I am licensed by the State of Nevada as a Certified Public Accountant, the
27 President of Litigation and Valuation Consultants, Inc. ("LVC"), a Nevada corporation
28 specializing in forensic accounting, and am over 18 years of age. This declaration is based on my

1 personal knowledge, except for those matters stated on information and belief, and as to those
2 items, I believe them to be true. This declaration is made in support of the reply to opposition to
3 motion for preliminary injunction filed herewith by plaintiffs, K. J. BROWN, L.L.C., and
4 TIMOTHY D. GILBERT and NANCY AVANZINO GILBERT, as trustees of the TIMOTHY
5 D. GILBERT AND NANCY AVANZINO GILBERT REVOCABLE FAMILY TRUST DATED
6 DECEMBER 27, 2013 (collectively referred to as "Plaintiffs"), and represents my testimony if
7 called upon to present same in court.
8

9 2. LVC was retained to provide an opinion regarding relevant issues pertaining to
10 Defendant ELK POINT COUNTRY CLUB INC.'s ("EPCC") designation as an Internal Revenue
11 Code (IRC) Section 501 (c)(7) organization.
12

13 3. I have reviewed the following documents in support of my opinion:

- 14 • EPCC Notes to Financial Statements dated December 31, 2019;
- 15 • EPCC Internal Revenue Service Forms 990 for 2004, 2006, 2007, 2009, 2011,
16 2013, 2014, 2016 and 2017;
- 17 • EPCC Rules, Regulations and Guidelines adopted September 14, 2019;
- 18 • Amended Bylaws of EPCC dated July 7, 2018;
- 19 • Organization documents of Nevada Elks Tahoe Association;
- 20 • Correspondence between Nancy Gilbert and Board Members of the EPCC;
- 21 • Internal Revenue Service tax court cases;
- 22 • Guidance and Bulletins published by the Internal Revenue Service relating to 501
23 (C) (7) organizations;
- 24 • State of Nevada Division of Water Resources information regarding water rights;
- 25 • Responses to requests for information provided by Nancy Gilbert;
- 26
- 27
- 28

- Vacation rental advertisements made by EPCC members.

4. I am informed and believe the activities of EPCC are under the control of an executive board, which is elected to serve the members of the social club within the Elk Point subdivision located in Zephyr Cove, Nevada, as well as enforce the Bylaws and protect the EPCC from losing its tax exempt status. I am further informed and believe that the Elk Point subdivision is a private gated community, and that EPCC owns, manages and maintains a private beach, marina, beach deck and barbeque area on Lake Tahoe. From my inspection of the Douglas County Assessor's Office, the beach and marina properties have been and continue to be held in the name of "Elk Point Country Club Inc.," which is the name of the social club.

5. The annual tax returns for EPCC, Form 990, reflect the organization type as an IRC Section 501(c)(7) tax-exempt social club.

6. IRC Section 501(c)(7) provides an exemption from federal income tax for social and recreational clubs. In general, the Internal Revenue Service looks at the following factors when making a determination as to whether a club qualifies for tax exempt status under IRC Section 501(c)(7): (1) A club must have an established membership of individuals, commingling, and fellowship (Rev. Rule 58-589, 1258-2 C.B. 266); (2) clubs must be organized for pleasure, recreation and other not profitable purposes, meaning it does not provide pleasure and recreation on a commercial basis; and (3) substantially all of the activities of which are for such purposes and no part of the net earnings of which inures to the benefit of any private shareholder (Rev. Rul. 58-589, 1958-2 C.B. 266).

7. In regard to "inurement," to not run afoul of federal tax code, thereby subjecting a social club to federal tax liability, if any part of the organization's net earnings "inures" to the benefit of any person having a personal and private interest in the organization's activities, exemption is not permitted. Inurement is not limited to overt distributions; even distributed

1 earnings may benefit members by decreasing membership dues or increasing the services the club
2 makes available to its members without a corresponding increase in dues or other fees paid for
3 club support may be inurement to members. A club that engages in recurring, nonincidental,
4 profit-driven activities that result in the inurement of a private benefit to its members is considered
5 to be engaging in nonexempt activities. According to the Internal Revenue Service, the regulations
6 are silent concerning the meaning of "inures" because neither the courts nor the Internal Revenue
7 Service have found it necessary to place any special meaning on the term. The Internal Revenue
8 Service states, "Whether an impermissible benefit has been conferred on someone is treated
9 essentially as a question of fact. Rather, the Internal Revenue Service and the courts have focused
10 on the meaning of the term "private." The word "private" has been held to mean the antonym of
11 "public"--used to distinguish a private individual from the general public--and is intended to limit
12 the scope of those persons who personally profit from an organization to the intended beneficiaries
13 of the allowable activities".

14
15
16 8. I have reviewed EPCC's Bylaws. They clearly establish that the club was
17 organized for pleasure, recreation and other nonprofit purposes, and that the intention was not to
18 operate to provide a profit to its unit owners. Thus, the club was organized in accordance with
19 the requirements set forth in IRC Section 501(c)(7). The Bylaws state:

20
21 Its primary purpose is hereby affirmed to be to provide its members
22 the pleasure of fellowship and recreation, and its corporate
23 functioning shall be designed to achieve in highest measure such
24 purpose. *It shall not operate its properties or facilities with the view*
25 *of providing profit to its members but rather such properties and*
26 *facilities shall be held, operated, and made available for the use*
and enjoyment of its members ...

27 9. I am informed and believe when prospective buyers purchase real property within
28 the Elk Point subdivision, they must apply to be members of the social club, be approved by the

1 EPCC board, pay a \$20,000 initial membership fee, and then pay annual membership assessments
2 thereafter. As part of their exclusive membership, members are entitled to benefits which include,
3 among other things, private beach access to Lake Tahoe, a private marina, private beach deck,
4 and private barbeque area. It is my opinion these facilities would be considered assets of
5 EPCC.
6

7 10. I am informed and believe that EPCC members are renting their homes for
8 transient commercial use as short-term vacation rentals to non-members. I am further informed
9 and believe that many of the directors on the EPCC Board are the very same members that are
10 using their units for transient commercial use and have a vested monetary interest in continuing
11 to collect revenue from the short-term commercial use of their units.
12

13 11. I am informed and believe that the social club members who are engaged in
14 commercial transient use, advertise for rent not only the use of their properties within the social
15 club, but also the use of EPCC social club's privately held properties (i.e. private gates, beach,
16 marina, beach deck and water supply system). It is likely that the social club rental members
17 commercial rental activities to non-member general public likely imposes increased costs of
18 services to maintain EPCC's social club facilities, without requiring the social club rental
19 members to pay a corresponding increase in dues.
20

21 12. I am informed and believe that the vacation rental advertisements offer to rent not
22 only the member's unit, but also offer access to the EPCC's gated community, private marina,
23 private beach deck, and private beach access. That means members are enticing non-members to
24 rent their units, resulting in increased services required by EPCC to maintain its club facilities
25 without requiring those members to pay any corresponding increase in dues.
26

27 13. Based on my review of documentation evidencing transient commercial rental use
28 within EPCC's social club, social club rental owners are directly profiting from their private

1 EPCC membership benefits. As a result, it is my opinion that the rental of member units to non-
2 members would likely fall under the definition of inurement which is in violation of IRC Section
3 501(c)(7). Because federal tax code prohibits inurement to members, the activities of EPCC
4 members renting their units as short-term vacation rentals puts EPCC's tax exempt status at risk.
5 Further, if a member is renting their unit to a non-member for a profit, a logical conclusion is that
6 the rent and revenue received is in large part due to the benefits the member has available through
7 use of the EPCC exclusive and private facilities, which also puts EPCC's tax exempt status at
8 risk.
9

10
11 14. According to the IRS, the central purpose of a social club is to provide benefits to
12 members, including access to social and recreational facilities, such as EPCC's private beach and
13 marina. When such benefits are funded by the members, exemption from taxes has been justified
14 on the theory that the members will be in the same position as if they have paid for the benefits
15 directly.
16

17 15. Some EPCC members are generating a substantial increase in income by
18 advertising and offering access to EPCC facilities as part of the vacation rental package of their
19 individual units. It is very likely that those EPCC members are able to charge a premium for their
20 unit based on the use of EPCC's private beach, marina, etc., and that without those added "perks,"
21 the members would not be able to realize the same level of transient commercial rental income.
22 As a result, the members who are renting their units to non-members for transient commercial use
23 are not in the same financial position as one who would be renting a similar unit without the
24 facilities provided by EPCC. That creates an inequality among members. The members using
25 their units for transient commercial use are, in fact, in a much better financial position because
26 they are able to realize an increased level of rental income based on access to EPCC's private
27 facilities. That runs afoul of IRC Section 501(c)(7).
28

1 16. It is my opinion that the activities or private members of EPCC are relevant for
2 IRC Section 501(c)(7) purposes and that those activities would likely be considered by the IRS
3 in determining whether a social club is in compliance with IRC Section 501(c)(7). Federal tax
4 laws are not solely concerned with the business and economic activities of the tax-exempt club
5 itself. In other words, a private member's activities can negatively impact an organization's status
6 if it is determined that the members are generating personal income and profits by utilizing tax-
7 exempt club facilities for their own private benefit and profit.

9 17. Social club members can jeopardize EPCC's tax-exempt status if they are enticing
10 non-members to rent their units for transient commercial use and generating revenue. Despite the
11 fact that EPCC, itself, may not be openly advertising or transacting in transient commercial rental
12 activity, that distinction would not function as a shield against violating IRC Section 501(c)(7).
13 That is because EPCC is allowing and accommodating members to engage in commercial rental
14 activities including making its club facilities available to the public. That allows members to
15 receive increased rent revenue and derive a profit, which runs afoul of IRC Section 501(c)(7).

17 18. EPCC's tax exempt status under IRS Section 501(c)(7) could be at risk even if the
18 organization, itself, does not derive any income or profit from vacation rentals in the community.
19 EPCC's lack of direct involvement in the short-term rental activities of its members is not the
20 determinative factor in an analysis of whether a social club is tax-exempt. Rather, EPCC's tax
21 exempt status could very well be jeopardized by the conduct of its members because it could be
22 determined that EPCC is providing pleasure and recreation on a commercial basis. Reg.
23 1.501(c)(7)-1(b) provides, in part, that "a club which engages in business, such as by making its
24 social and recreational facilities available to the general public . . . is not organized and operated
25 exclusively for pleasure, recreation, and other non-profitable purpose, and is not exempt." The
26 "other non-profitable purposes" must be similar to providing pleasure and recreation. Evidence
27
28

1 that a club may be operating on a commercial basis exists if certain factors exist, including but
2 not limited to, making club facilities available to the public for a fee. Making club facilities
3 available to the public for a fee is not a permissible IRC 501(c)(7) activity and establishes the
4 presumption that the club is engaging in business if the club solicits public use of its facilities.
5 Because EPCC is encouraging, facilitating and assisting unit owners in renting their units on a
6 transient short-term basis, it is my opinion it is promoting pleasure and recreation on a commercial
7 basis which puts EPCC's tax exempt status at risk.
8

9 19. If EPCC is found to be out of compliance with the tax exempt requirements under
10 IRC Section 501(c)(7), the IRS could revoke its tax exempt status. That means EPCC would be
11 required to file federal income tax returns, and pay all applicable income taxes, including interest,
12 penalties and potentially an excise tax. If the IRS determines that EPCC committed tax fraud by
13 inappropriately claiming 501(c)(7) tax exempt status, the statute of limitations may not apply and
14 EPCC risks tax exposure from inception through today. Since EPCC was established in 1924,
15 that is potentially nearly 100 years of tax exposure.
16

17 20. I declare under penalty of perjury under the laws of the State of Nevada that the
18 foregoing is true and correct.
19

20 AFFIRMATION

21
22 Pursuant to NRS 239B.030, the undersigned does hereby affirm that the preceding
23 document filed in the above-entitled case (2020 CV 00124) does not contain the social security
24 number of any person.
25

26 DATED this 24th day of August, 2020.

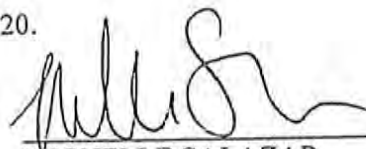
27 
28 MICHELLE SALAZAR

EXHIBIT “3”

EXHIBIT “3”

1 **JOHN E. LEACH, ESQ.**

Nevada Bar No. 1225

2 **GAYLE A. KERN, ESQ.**

Nevada Bar No. 1620

3 **SOPHIE A. KARADANIS, ESQ.**

4 Nevada Bar No. 12006

LEACH KERN GRUCHOW ANDERSON SONG

5 5421 Kietzke Lane, Ste. 200

Reno, Nevada 89511

6 Tel: (775) 324-5930

7 Fax: (775) 324-6173

E-Mail: jleach@lkglawfirm.com

8 E-Mail: gkern@lkglawfirm.com

E-Mail: skaradanis@lkglawfirm.com

9 *Attorneys for Plaintiffs*

10 **IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

11 **IN AND FOR COUNTY OF DOUGLAS**

12
13 K. J. BROWN, L.L.C., a Nevada limited
liability company; and TIMOTHY D.
14 GILBERT and NANCY AVANZINO
GILBERT, as trustees of the TIMOTHY D.
15 GILBERT AND NANCY AVANZINO
GILBERT REVOCABLE FAMILY TRUST
16 DATED DECEMBER 27, 2013,

CASE NO.: 2020 CV 00124

DEPT. NO.: I

17 Plaintiffs,

18 v.

19 ELK POINT COUNTRY CLUB, INC., a
20 Nevada non-profit, non-stock corporation; and
DOES 1-50, inclusive,

21 Defendant.

22 _____ /
23 **DECLARATION OF TIMOTHY D. GILBERT**

24 TIMOTHY D. GILBERT, being first duly sworn, depose and avers:

25 I. I am a resident of the City of Reno, County of Washoe County, State of Nevada,
26 and am over 18 years of age. This declaration is based on my personal knowledge, except for
27 those matters stated on information and belief, and as to those items, I believe them to be true.
28

1 This declaration is made in support of the reply to opposition to motion for preliminary
2 injunction, filed herewith, and represents my testimony if called upon to present same in Court.

3 2. I am the co-trustee of the Timothy D. Gilbert and Nancy Avanzino Gilbert
4 Revocable Family Trust dated December 27, 2013 ("Gilbert Family Trust"), and a plaintiff in
5 above-captioned lawsuit. The Gilbert Family Trust is the owner of real property located at 464
6 Elks Avenue, Zephyr Cove, Nevada within the Elk Point subdivision. As a result of my
7 ownership of the referenced property, I am a Unit Owners/Members of the Elk Point Country
8 Club Homeowners Association ("Association").
9

10 3 I have personally investigated VRBO advertisements and the Elk Point Country
11 Club ("EPCC") rental calendars for the years 2018 to 2019. EPCC members self-report the dates
12 occupied by the transient commercial use of their units within the community. From the various
13 rental websites that advertise EPCC rentals, I estimated the income generated from the dates
14 shown occupied.
15

16 4. Based upon my investigations, I estimate that in 2018, the transient commercial
17 rental income of EPCC members totaled approximately \$500,000 to \$850,000. Attached as
18 Exhibit 1 is a spreadsheet I prepared documenting the EPCC member rental income in 2018.

19 5. Based upon my investigations, I estimate that in 2019, the rental income derived
20 from EPCC members engaged in transient commercial use approximately totaled between
21 \$600,000.00 to \$1,020,000.00. Attached as Exhibit 2 is a spreadsheet I prepared documenting the
22 EPCC member rental income in 2019.
23

24 6. Attached as Exhibit 4 to the Opposition are true and correct copies of rental
25 advertisements for homes within EPCC.

26 ///

27 ///

7. Attached as Exhibit 5 to the Opposition are true and correct copies of EPCC Board Member Survey evidencing the EPCC board member's endorsing and supporting rental activities within EPCC.

8. I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

DATED this 24th day of August, 2020.

Timothy Gilbert
TIMOTHY D. GILBERT

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INDEX OF EXHIBITS

Exhibit	Description	Pages
1.	Spreadsheet documenting the EPCC member rental income in 2018.	1
2.	Spreadsheet documenting the EPCC member rental income in 2019.	1

EXHIBIT “1”

EXHIBIT “1”

2018 EPCC RENTALS

ADDRESS	DAYS RENTED - LOW SEASON *	REVENUE - LOW SEASON	DAYS RENTED - HIGH SEASON #	REVENUE - HIGH SEASON	TOTAL REVENUE
402 Elks Ave (Morosky)	3.00	\$ 1,500.00	28.00	\$ 28,000.00	\$ 29,500.00
408 Lakeview Ave (Peck)	16.00	\$ 8,000.00	58.00	\$ 58,000.00	\$ 66,000.00
412 Lakeview Ave (Zeller)	81.00	\$ 40,500.00	44.00	\$ 44,000.00	\$ 84,500.00
415 Lakeview Ave (Lagomarsino)	58.00	\$ 29,000.00	49.00	\$ 49,000.00	\$ 78,000.00
421 Lakeview Ave (Hoffman)	17.00	\$ 8,500.00	16.00	\$ 16,000.00	\$ 24,500.00
428 Lakeview Ave (Howell)	56.00	\$ 28,000.00	42.00	\$ 42,000.00	\$ 70,000.00
429 Lakeview Ave (Munson)	1.00	\$ 500.00	41.00	\$ 41,000.00	\$ 41,500.00
430 Lakeview Ave (LiCon)	0.00	\$ -	46.00	\$ 46,000.00	\$ 46,000.00
431 Lakeview Ave (Cash)	0.00	\$ -	43.00	\$ 43,000.00	\$ 43,000.00
432 Elks Point Ave (Tanner)	14.00	\$ 7,000.00	53.00	\$ 53,000.00	\$ 60,000.00
439 Lakeview Ave (Schulze)	12.00	\$ 6,000.00	67.00	\$ 67,000.00	\$ 73,000.00
441 Lakeview Ave (Hart) Roianne	0.00	\$ -	0.00	\$ -	\$ -
446 Lakeview Ave (Pott) Roianne	3.00	\$ 1,500.00	67.00	\$ 67,000.00	\$ 68,500.00
450 Elks Ave (Ahern)	0.00	\$ -	15.00	\$ 15,000.00	\$ 15,000.00
452 Reno Ave (Gerkin)	0.00	\$ -	0.00	\$ -	\$ -
453 Lakeview Ave (Herron)	43.00	\$ 21,500.00	9.00	\$ 9,000.00	\$ 30,500.00
454 Center St (Nelson)	0.00	\$ -	0.00	\$ -	\$ -
462 Reno Ave (Jacobsen Adams)	21.00	\$ 10,500.00	8.00	\$ 8,000.00	\$ 18,500.00
463 Elks Ave (Wallis)	5	\$ 2,500.00	25.00	\$ 25,000.00	\$ 27,500.00
467 Elks Ave (Dante)	3	\$ 1,500.00	17.00	\$ 17,000.00	\$ 18,500.00
467 Lakeview Ave (Rowe)	0	\$ -	34.00	\$ 34,000.00	\$ 34,000.00
469 Elks Ave (Greenhalgh)	6	\$ 3,000.00	19.00	\$ 19,000.00	\$ 22,000.00
LOW SEASON - \$/NIGHT	\$	500.00			
HIGH SEASON - \$/NIGHT	\$	1,000.00			
SEASONAL REVENUE		\$ 169,500.00		\$ 681,000.00	
YEARLY REVENUE					\$ 850,500.00
	* JAN. - MAY, SEP. - DEC.		# JUNE - AUG.		

EXHIBIT “2”

EXHIBIT “2”

EPCC VRBO Renters' "Reported" Days Renting Analysis for 2019

ADDRESS	DAYS RENTED - LOW SEASON *	REVENUE - LOW SEASON	DAYS RENTED - HIGH SEASON #	REVENUE - HIGH SEASON	TOTAL REVENUE
402 Elks Ave (Morosky)	2.00	\$ 1,000.00	30.00	\$ 30,000.00	\$ 31,000.00
408 Lakeview Ave (Peck)	12.00	\$ 6,000.00	48.00	\$ 48,000.00	\$ 54,000.00
412 Lakeview Ave (Zeller)	58.00	\$ 29,000.00	44.00	\$ 44,000.00	\$ 73,000.00
415 Lakeview Ave (Lagomarsino)	49.00	\$ 24,500.00	41.00	\$ 41,000.00	\$ 65,500.00
421 Lakeview Ave (Hoffman)	9.00	\$ 4,500.00	28.00	\$ 28,000.00	\$ 32,500.00
428 Lakeview Ave (Howell)	90.00	\$ 45,000.00	23.00	\$ 23,000.00	\$ 68,000.00
429 Lakeview Ave (Munson)	7.00	\$ 3,500.00	57.00	\$ 57,000.00	\$ 60,500.00
430 Lakeview Ave (LiCon)	9.00	\$ 4,500.00	59.00	\$ 59,000.00	\$ 63,500.00
431 Lakeview Ave (Cash)	11.00	\$ 5,500.00	33.00	\$ 33,000.00	\$ 38,500.00
432 Elks Point Ave (Tanner)	14.00	\$ 7,000.00	47.00	\$ 47,000.00	\$ 54,000.00
439 Lakeview Ave (Schulze)	10.00	\$ 5,000.00	40.00	\$ 40,000.00	\$ 45,000.00
446 Lakeview Ave (Pott) Roianne	7.00	\$ 3,500.00	60.00	\$ 60,000.00	\$ 63,500.00
453 Lakeview Ave (Herron)	62.00	\$ 31,000.00	75.00	\$ 75,000.00	\$ 106,000.00
454 Center St (Nelson)	51.00	\$ 25,500.00	53.00	\$ 53,000.00	\$ 78,500.00
462 Reno Ave (Adams)	20.00	\$ 10,000.00	17.00	\$ 17,000.00	\$ 27,000.00
467 Elks (Dante)	4.00	\$ 2,000.00	12.00	\$ 12,000.00	\$ 14,000.00
467 Lakeview Ave (Rowe)	0.00	\$ -	45.00	\$ 45,000.00	\$ 45,000.00
469 Elks Ave (Greenhalgh)	87.00	\$ 43,500.00	57.00	\$ 57,000.00	\$ 100,500.00
440 Center (K Gerken) daily rm rentals ??	??	??	??	??	??
454 Lakeview (Butler) rents w-o permit ??	??	??	??	??	??
LOW SEASON - \$/NIGHT	\$	500.00			
HIGH SEASON - \$/NIGHT	\$	1,000.00			
SEASONAL REVENUE		\$ 251,000.00		\$ 769,000.00	
YEARLY REVENUE					\$ 1,020,000.00
	* JAN. - MAY, SEP.- DEC.		# JUNE - AUGUST		

Add'l VRBO Owners Who Temporarily Have Long Term Rentals But Maintain Active VRBO Permits

450 Center Street (Ahern)
 452 Reno (Anne/Tim Gerkens)
 463 Elks Ave (Wallis)
 441 & 444 Lakeview (Hart/Pott)
 411 Lakeview (Jennings)

EXHIBIT “4”

EXHIBIT “4”

*** / Country Club Cabin by RedAwning, Lake Tahoe

← See all properties

Entire cabin

Country Club Cabin by RedAwning

☆☆☆

Save

OverviewPricesLocationAmenitiesPoliciesReviews



Popular amenities

- Kitchen
- Washer
- Dryer
- Barbecue Grill

All amenities >

411 Lakeview Ave. Unit RH09, Zephyr Cove, NV

View in a map >

Explore the area

- Zephyr Cove Beach

10 min drive
- Edgewood Tahoe Golf Course

11 min drive
- Lakeside Beach

11 min drive
- Lake Tahoe, CA (TVL)

28 min drive

Choose dates to view prices

About this area

Zephyr Cove

Country Club Cabin by RedAwning is located in Zephyr Cove. While the natural beauty of Lakeside Beach and Zephyr Cove Beach can be enjoyed by anyone, those looking for an activity can check out Heavenly Ski Resort. Magic Carpet Golf and Lake Tahoe Balloons are also worth visiting.



What's nearby

- Hard Rock Hotel & Casino Lake Tahoe - 9 min drive
- Casino at MontBleu Lake Tahoe - 9 min drive
- Zephyr Cove Beach - 10 min drive
- Edgewood Tahoe Golf Course - 11 min drive
- Lakeside Beach - 11 min drive



Getting around

- Reno-Tahoe Intl. Airport (RNO) - 69 min drive

About this property

Entire place

You'll have the entire cabin to yourself and will only share it with other guests in your party.

Country Club Cabin by RedAwning

3-star cabin in Zephyr Cove

This cabin features barbecue grills. Cabins feature washers/dryers and cable TV, plus kitchens with ovens and dishwashers. Other amenities that guests will find include DVD players and coffee makers.

Guest accommodations at Country Club Cabin by RedAwning offer washers/dryers and DVD players. Televisions come with cable channels. Accommodations at this 3-star cabin have kitchens with dishwashers and coffee/tea makers.

Property amenities

Kitchen

Oven
Dishwasher
Coffee/tea maker



Outdoor areas

Barbecue grill



Laundry

Washer/dryer

Policies

Check-in

Check-in from 4 PM - 8 PM

Check-out

Check-out before 11 AM

Special check-in instructions

To make arrangements for check-in please contact the property at least 72 hours before arrival using the information on the booking confirmation

Children and extra beds

Children are welcome

Property payment types



Important information

Fees

You'll be asked to pay the following charges at the property:

- Cleaning fees vary based on unit and length of stay

We have included all charges provided to us by the property. However, charges can vary, for example, based on length of stay or the room you book.

You need to know

Extra-person charges may apply and vary depending on property policy

Government-issued photo identification and a credit card, debit card, or cash deposit may be required at check-in for incidental charges

Special requests are subject to availability upon check-in and may incur additional charges; special requests cannot be guaranteed

Property is also known as

Country Club Cabin RedAwning Zephyr Cove
Country Club Cabin RedAwning
Country Club RedAwning Zephyr Cove
Country Club RedAwning
Country Club By Zephyr Cove
Country Club Cabin by RedAwning Cabin
Country Club Cabin by RedAwning Zephyr Cove
Country Club Cabin by RedAwning Cabin Zephyr Cove

Frequently asked questions

- ✓ What time is check-in at this property?
- ✓ What time is check-out at this property?
- ✓ Where is this property located?

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Where
round hill village zephyr cove nev...

Check In
Aug 20

Check Out
Aug 27



[View all 26 photos](#)

\$452.25 per night

[Save](#)

[34 Reviews](#)

Excellent! 4.6/5

[Share](#)

Please enter number of guests.

Check In
Nov 5

Check Out
Nov 13

Guests

Total
Includes taxes and fees

\$5,362.41
[View details](#)

[Book Now](#)

Property Manager
[Ask Manager a Question](#)

Property # 156785

[Overview](#) [Amenities](#) [Policies](#) [Reviews](#) [Map](#) [Manager](#) [Av](#)

Gated Community, walk to Private Beach, Hot Tub, BBQ (EP439)

House · 3000 sq. ft.

Sleeps: 11

Bedrooms: 4

Bathrooms: 3

Half Baths: 1

Min Stay: 2-4 nights

Round Hill Village, Zephyr Cove, Nevada, United States of America

Premier Partner

Instant Confirmation

Hot Tub

Internet

TV

Satellite or Cable

137

4 Bedrooms, 3.5 Baths, Sleeps 11

Cozy Tahoe style home in gated Elk Point Country Club. Across the street from beautiful Lake Tahoe. This home features 4 bedrooms, 3.5 bathrooms, a recreation room with ping pong table and 32 TV, DVD and VHS. Entry level has the living room, kitchen, dining room, a 1/2 bathroom and the master bedroom with a King bed and a full bathroom. Upstairs had bedroom 2 with a queen and full bath, bedroom 3 with a queen, bedroom 4 with two fulls and a full bathroom. Relax in the back yard, 6-8 person hot tub and a BBQ, perfect all year round for your enjoyment. A 2-3 min walk to private beach, where you can see the fireworks for 4th of July and New Years.

You will feel very cozy and right at home in this amazing vacation rental. This gated community is very close to town and Heavenly Ski resort.

This home is in Zephyr Cove Nevada just 5 minutes to casinos, 7 minutes to Heavenly Valley Ski Resort, and 30 seconds to the Lake.

Occupancy:

1. Per county rules: Weddings are NOT allowed of any kind or size, on the property or at the house. You will be shut down immediately and will lose the security deposit and will be subject to more fines.
2. You are only allowed 11 persons at any time at the house. This includes any diners or gatherings you may have.
3. 3 cars allowed at house at any time. There is no street parking per county and fire safety rules. Failure to comply will result in loss of security deposit.
4. Please help us to keep our home a vacation rental. NOISE ORDINANCE 10:00pm TO 7:00am DAILY and is very strict in this neighborhood.

VHRP#15-861

[View less](#)

Bedrooms

 Bedrooms: 4  Sleeps: 11

1 King bed, 2 Queen beds, 2 Full beds

Amenities

Featured

-  Washer & Dryer
-  cable TV
-  Fireplace
-  Satellite or Dish
-  Internet
-  Hot Tub

Bathrooms

Bathrooms: 3, Half Baths: 1

Location Type

Beach View

General

- Linens Provided
- Clothes Dryer
- Internet
- Washing Machine
- Fireplace

Kitchen

- Refrigerator
- Toaster
- Kitchen
- Microwave
- Ice Maker
- Coffee Maker
- Dishes & Utensils

Entertainment

- Satellite / Cable
- DVD Player

Outside

Deck / Patio

Pool / Spa

Hot Tub

Policies

Cancellation Policy

Please ask the owner or check their rental agreement when booking the property.

 *If you have upcoming trips, you can manage or cancel your booking in your traveler account.*

[View upcoming trip \(/traveler/th/bookings\)](#)

Damage and Incidentals

You will be responsible for any damage to the rental property caused by you or your party during your stay.

House Rules

 Check in after: 4:00 PM  Check out before: 10:00 AM

- Children allowed
- No pets
- No parties/events
- No smoking
- Max guests: 11
- Minimum age of primary renter: 25

Map

Round Hill Village, Zephyr Cove,
Nevada, United States of
America
Detailed location provided after
booking

What's nearby

1. Carson Tahoe Regional ... 17.6 mi
2. Heavenly Ski Resort 3.6 mi
3. Heavenly Gondola 2.1 mi
4. Casino at Harveys Lake Ta... 2 mi
5. The Shops at Heavenly Vi... 2.2 mi
6. Hard Rock Hotel & Casin... 1.8 mi

< 1 - 6 of 31 >

Property Manager

Property Manager
Member Since 2004

[Ask Manager a Question](#)

Languages: English

Premier Partner

The owner or manager of this property consistently
provides great experiences for their guests.

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More vacation ideas

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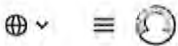
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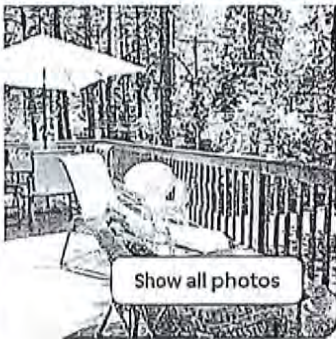
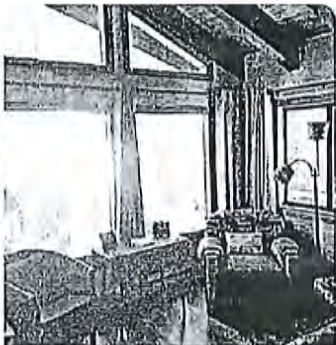
🔍 Add a location



Home by the lake with 3 bedroom suites

★ 4.86 (80) · Superhost · Zephyr Cove-Round Hill Village, Nevada, United States

🔗 Share ❤️ Save



Show all photos

Entire house hosted by Rick

9 guests · 3 bedrooms · 7 beds · 3 baths



\$311 / night

★ 4.86 (80)



Entire home

You'll have the house to yourself.



Enhanced Clean

This host committed to a rigorous cleaning protocol developed with leading health and hospitality experts. [Learn more](#)



Self check-in

Check yourself in with the keypad.



Cancellation policy

Free cancellation may be available for this stay. Add your trip dates to get the details.

CHECK-IN
Add date

CHECKOUT
Add date

GUESTS
1 guest



Check availability

🚩 [Report this listing](#)

Our home is located in the quiet Elk Point Country Club gated community across from Roundhill which is 1 mile away from Safeway (5 minutes) , 5 miles (15 minutes) away from Heavenly Ski Resort and 2.7 miles (8 minutes) away

from the Casinos. Hiking trails and bike trails are right outside the gates and the beautiful community private beach is five minute walk away.

The space

The kitchen was remodeled in 2019. All three bedroom suites have california king beds.

The large lower bedroom suite includes a sofabed (sofabeds are uncomfortable, but it is an extra bed if needed). The large upstairs bedroom includes two eurolounges (These are comfortable). Both of these large rooms have attached bathrooms with a tub and shower. The main floor bedroom is normal size (has a roll away bed in closet) with an attached bathroom with shower only (but is unique with a rock shower). All the California King beds are comfortable and come with soft sheets. Our towels are soft and fluffy as well.

Guest access

The whole home is available

Other things to note

This is not a good place for a toddler as it is not child proof due to lots of stairs (tri-floor plan) and stone hearth on the main floor as well as a low stone platform in the downstairs room.

There are stairs up to the front door which can be icy and slippery in the winter, so holding on the rails important. The front door code also works with the new outside garage keypad, so you can avoid the outside stairs if you wish. The driveway has a medium upgrade and can be icy in the winter so chains can be necessary.

Though the home is close to the lake, we do not have a clear view of the lake. The beach is a walk to the end of our street and then to a path on the left leading to stairs down to the beach.

The home doesn't have air conditioning, and can warm up in the late afternoon. However, it always cools down at night. Fans fans are available in the two upper bedrooms and a whole house fan is on the main floor. The lower bedroom suite is the coolest. We have an extra heater for the cold winter days in the downstairs closet.

Power outages are not frequent, but this is a mountain home, thus power, internet and heating interruptions do happen.

Contact host

Sleeping arrangements



Bedroom 1



Bedroom 2

1 king bed, 1 single bed

1 king bed, 2 single beds

Amenities

-  Kitchen
-  Wifi
-  Free parking on premises
-  Iron
-  Laptop-friendly workspace

Show all 41 amenities

Select check-in date

Add your travel dates for exact pricing

August 2020							>
Su	Mo	Tu	We	Th	Fr	Sa	
						1	
2	3	4	5	6	7	8	
9	10	11	12	13	14	15	
16	17	18	19	20	21	22	
23	24	25	26	27	28	29	
30	31						

[Clear dates](#)

★ 4.86 (80 reviews)

Cleanliness	4.9	Accuracy	4.9
Communication	4.9	Location	5.0
Check-in	4.9	Value	4.9



Matt
July 2020

Amazing location, amazing property, stocked with lake toys and household amenities, super clean. Great hosts, super responsive. Highly recommended!! A++



Greg
April 2020

Rick is a phenomenal host, and his house is in a lovelocks community right on the lake. The community's beach is second to none, and the general location is perfect for easy access to all of south lake and the east shore.



Grant
March 2020

Great comfortable home. The nice neighbors plowed the driveway for us unprompted. Rick is an excellent host.



Sarah
February 2020

This is a very spacious home with a great renovated kitchen, and beautiful partial views of the lake and mountains. The house is a quick walk to the lake and to other nature trails. Rick was very responsive to questions and requests, going above and beyond to assist us.



Raquel
February 2020

A great spot, would visit again.



Brian
February 2020

This is a wonderful, private, quiet, beautiful place in a great location. I hope to stay here again

Show all 80 reviews

Location

Zephyr Cove-Round Hill Village, Nevada, United States

This is a quiet gated community which gets you out of the noise of the city, although it is only a mile away from Safeway. It is very restful here, and noise carries, so no voices on the deck and from the cars when coming back after being out on the town after 10 pm. I will be sending you a document for you to review and sign agreeing to follow the community rules.

Our association doesn't allow pets by renters. However, we can allow service animals if we receive a request for reasonable accommodation along with documentation from a professional, stating you have a disability resulting in one or more functional limitations. (We are not to know the nature or extent of your disability, just that a professional states you have a disability that requires a service animal.) There will be no additional security deposit or fees upfront, but any additional cleaning or damage due to the service animal will be charged to you. Without this documentation, we will face penalties from the association which we will have to pass on to you.

More about the location

Hosted by Rick



Joined in August 2015

★ 80 Reviews ✓ Identity verified
👑 Superhost

Linda and I enjoy spending time with our family (especially our grand boys), volunteering in our church, kayaking and traveling, . Through our Airbnb community, we learn more of nuances of the places we visit. We also enjoy being hosts. While our guests bask in the astounding beauty of Tahoe, we want them to experience a slice of the comforts of home away from home - in the same place our family has

Language: English

Response rate: 100%

Response time: within an hour

Contact host



To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

149

been enjoying since 1991.

During your stay

I am available by the Airbnb messaging and by phone.

Rick is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Things to know

House rules

- 🕒 Checkout: 10:00 AM
- 🔑 Self check-in with keypad
- 🚭 No smoking
- 🐾 No pets
- 🎉 No parties or events

Show all >

Health & safety

- ✳️ Committed to enhanced cleaning protocol. [Learn more](#)
- 📹 Security camera/recording device [Learn more](#)
- ☑️ Carbon monoxide alarm
- ☑️ Smoke alarm

Show all >

Cancellation policy

Free cancellation may be available for this stay. Add your trip dates to get the details.

Add dates >

Explore other options in and around Zephyr Cove-Round Hill Village

More places to stay in Zephyr Cove-Round Hill Village:

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Napa

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Help Center

Cancellation options

 [English \(US\)](#)  [USD](#)   

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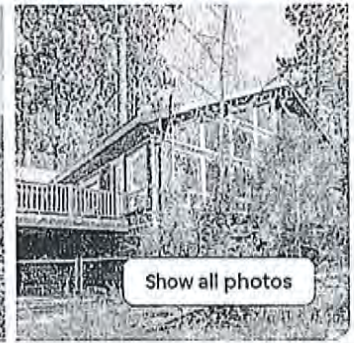
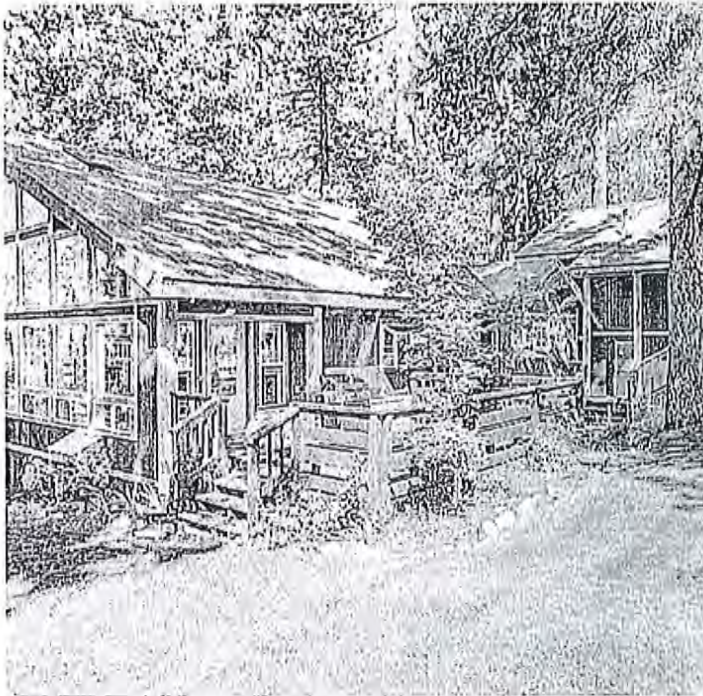
🔍 Add a location



Elks Point Nevada Beach Gated Gem!!!!

1 review · Superhost · Glenbrook, Nevada, United States

🔗 Share ❤ Save



Show all photos

Entire house hosted by Cherie

8 guests · 3 bedrooms · 6 beds · 2 baths



\$671 / night

1 review



Entire home

You'll have the house to yourself.



Enhanced Clean

This host committed to a rigorous cleaning protocol developed with leading health and hospitality experts. [Learn more](#)



Cherie is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.



Cancellation policy

Free cancellation may be available for this stay. Add your trip dates to get the details.

CHECK-IN
Add date

CHECKOUT
Add date

GUESTS
1 guest



Check availability

🚩 [Report this listing](#)

Perfect family home for 8 Elks point is a private neighborhood that is located at the beach. This house is 200ft from the beach a great place for a family

152

vacation or a honey moon second honeymoon or just a great getaway. Come and enjoy what Tahoe has to offer. Sunny and bright tons of windows that overlook the lake and a breath taking view of Mt Tallac VHRP16-927 PLEASE NOTE - a separate 14% occupancy tax will be collected upon booking confirmation

The space

More than 2 days is required over a weekend and during our peak summer and winter months. Please take the time to explore our listing and read our reviews! People LOVE our house!

Enjoy a beautiful setting in a exclusive Elks Point Lake view home this beautiful 3 bedroom 2 bath home is perfect for you family vacation. Newly furnished with comfy beds and a open kitchen living area to enjoy family time together.

The secluded but close to town location is perfect for a quiet getaway or family gathering year around. You can walk to the private beach enjoy a swim or rent a paddle board or kayak that is only 200 feet from the house. You may choose just to relax in a beach chair with a good book. There is always the option of relaxing on the deck that overlooks the beach and the famous Mt. Tallac. Within walking distance is Round Hill Pines beach where you can enjoy the beach and have a cocktail and some beach from dining, and they will give you a ride up the hill

Located walking distance on the beach to world class golfing, minutes from the casinos and Heavenly ski area. You are within walking distance to dining shopping, biking and running trails. Come to Tahoe and enjoy the great Tahoe life style. One of the best locations in Lake Tahoe to watch the fireworks you just walk down to the beach. If golf is your thing the Edgewood celebrity golf classic is a stone's throw away down the beach no traffic to fight with.

HOUSE DETAILS

This 3 bedroom 2 bath feature a Cal king size bed in the master bedroom that overlooks the lake and Mt Tallac with a 32" flat screen TV and access to the back patio area. The en suite bath has a dual sink vanity and a luxurious jetted tub, and beautiful tile work in and around the walk in shower. The 2nd bedroom also has a cal king size bed and the 3rd bedroom is a rustic double bunkroom a perfect place for the kids. An en suite guest bath connects to the 2nd bedroom and the hallway and has a shower/tub combo. The kitchen flows right into the living room making family gathers great. Super comfy sofa and love seat to set every comfortable with a gas fireplace and a 55" flat screen tv and of course Wifi and cable tv. The kitchen is also stocks with most things that you'll need as well as the bathrooms stocked with shampoo conditioner body wash and hair dryer.

Contact host

Sleeping arrangements



Bedroom 1
1 king bed



Bedroom 2
1 king bed

Amenities

- Dryer
- TV
- Hair dryer
- Washer
- Wifi

Show all 21 amenities

Select check-in date

Add your travel dates for exact pricing

August 2020 >

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	2	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

[Clear dates](#)

★ 1 review

Adam
June 2020

Great home in a fantastic location. Close drive to grocery/ restaurants, yet it feels very away from it all next to the lake. Great views of the lake from the patio. It's great to have access to the private beach on summer weekends when the public beaches are packed!

Show all review details

Location

Glenbrook, Nevada, United States

This house is sunny and bright tons of windows that overlook the lake and a breath taking view of Mt Tallac. There is nothing better then sitting on the deck and enjoying a drink and a sunset or breakfast and the sun coming up. With a open living room kitchen area it's perfect for entertaining. A awesome yard to hangout in.

More about the location

Hosted by Cherie

 Joined in April 2017

☆ 115 Reviews  Identity verified
🏆 Superhost

Response rate: 100%
Response time: within an hour

During your stay
I live in town and can be reached for anything that comes up
Cherie

Contact host

Cherie is a Superhost
Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

 To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

Things to know

House rules

- 🕒 Check-in: After 3:00 PM
- 🕒 Checkout: 10:00 AM
- 🚭 No smoking
- 🐾 No pets
- 🎉 No parties or events

Show all >

Health & safety

- ✚ Committed to enhanced cleaning protocol. [Learn more](#)
- ✔ Carbon monoxide alarm
- ✔ Smoke alarm
- 💰 Security Deposit - if you damage the home, you may be charged up to \$500

Show all >

Cancellation policy

Free cancellation may be available for this stay. Add your trip dates to get the details.

Add dates >

Explore other options in and around Glenbrook

More places to stay in Glenbrook:
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Community Center			
SUPPORT			
Updates for COVID-19	Help Center	Cancellation options	
Neighborhood Support			

Property # 3007402ha

- House · 2200 sq. ft.
- Sleeps: 8
- Bedrooms: 3
- Bathrooms: 3
- Half Baths: 1
- Min Stay: 2-7 nights



- Premier Partner
- Instant Confirmation
- Hot Tub
- No Smoking
- Internet
- TV

3 bedrooms, 3 full bathrooms, 1 half bathroom, sleeps 8

Elks Point is a very special classic Lake Tahoe community with a mix of vacation homes and full time residents. Elks Point is very close to all the best South Lake Tahoe has to offer, swimming, skiing and casinos. At the same time it is a quiet and safe environment for families.

The house has three large bedroom suites that all include private bathrooms and kingsized beds. The beds in the two upstairs bedrooms can be reconfigured as twin beds if you wish. There is also a fold-out bed in the living room. The lower rear deck has views to the southwest across Lake Tahoe and the mountains beyond. This deck is great for outdoor dining and watching the sunset. There is also a hot tub on this deck which is great in the summer or winter.

Our family has owned property at Elks Point for generations and we have strong ties to the community.

VHRP # is 12-646

[View less](#)

Bedrooms

- Bedrooms: 3
- Sleeps: 8

Bedroom 3



king - double (2)

Can be setup with either 1 king or 2 doubles.

Bedroom 2



king - double (2)

Can be setup with either 1 king or 2 doubles.

Bedroom 1



king

Each bedroom has a king size bed. The two upstairs kings can be configured as doubles on request. There is a queen size sofa bed in the livingroom.

Amenities

Featured

No Smoking

Washer & Dryer

Satellite or cable

TV

Children Welcome

Heater

Internet

Fireplace

Parking

Hot Tub

Bathrooms

Bathrooms: 3, Half Baths: 1

Bathroom 4

toilet

Bathroom 2

toilet, shower

Bathroom 1

toilet, shower

Bathroom 3

toilet, shower

Each bedroom has a private full bathroom.

Safety features

Smoke detector

Exterior lighting

Carbon-monoxide detector

Deadbolt lock

Fire extinguisher

Under Kitchen Sink, Top of stairs, next to fireplace a one in the garage.

Location Type

Beach The house is a 5 minute walk to a private beach for the Elk Point community. The beach is also accessible by car but parking is limited.	Beachfront The house is a 5 minute walk to a private beach for the Elk Point community. The beach is also accessible by car but parking is limited.
Mountain We're talking Lake Tahoe, mountains all around.	Lake View Filtered through some trees, western exposure, great sunsets
Resort The house is a 10 minute drive to South Lake Tahoe casinos and restaurants.	Mountain View Filtered through some trees, western exposure, great sunsets
Lake Lake Tahoe	Water View Filtered through some trees, western exposure, great sunsets
Beach View Filtered through some trees, western exposure, great sunsets	

General

Telephone	Internet
Heating	Towels Provided
Linens Provided Full linens provided	Wireless Internet
Washing Machine	Iron & Board
Clothes Dryer	Hair Dryer
Fireplace Wood	Paper Towels
Parking	Basic Soaps
Garage Attached two car garage with door opener.	Toilet Paper
	Living Room 55" color tv

Kitchen

Dishwasher	Drip style
Refrigerator Large side by side	Toaster Toaster Oven
Stove Gas cook top	Blender
Oven Electric	Coffee Grinder
Microwave	Ice Maker
Grill	Dishes & Utensils Fully equipped for 8
Coffee Maker	

Kitchen
Fully equipped gourmet kitchen

Dining

Seating for 6 people

Dining Area

Indoor dining seats 6
Outdoor dining seats 8

Dining

Entertainment

Television
55" LCD TV

Satellite / Cable
Premium Cable

Stereo
iHome players in living room and all bedrooms.

DVD Player
Blu Ray player

Books

Games

Games for Kids

Outside

Balcony

Beach Chairs

Beach Towels

Porch / Veranda

Deck / Patio
Two decks, Lower deck 7' by 40, upper deck 7' by 20

Outdoor Furniture

Water Sports Gear

Suitability

wheelchair inaccessible

Long-term Renters Welcome

Pool / Spa

Hot Tub
Private hot tub on the deck that is cleaned and serviced after each guest.

Spa Whirlpool

Policies

Cancellation Policy

100% refund if you cancel by Sep 3, 2020.

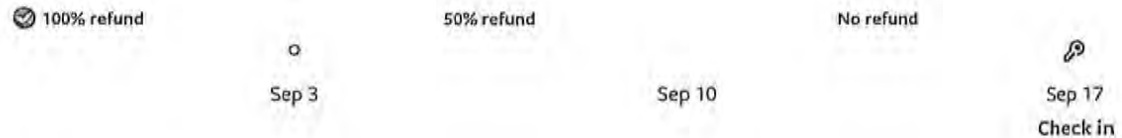
50% refund (minus the service fee) if you cancel by Sep 10, 2020.

No refund if you cancel after Sep 10, 2020.

Learn more about our [cancellation policies](https://help.vrbo.com/articles/What-is-the-cancellation-policy).
(<https://help.vrbo.com/articles/What-is-the-cancellation-policy>)

 If you have upcoming trips, you can manage or cancel your booking in your traveler account.

[View upcoming trip \(/traveler/th/bookings\)](#)



Damage and Incidentals

You will be responsible for any damage to the rental property caused by you or your party during your stay.

House Rules

 Check in after: 4:00 PM  Check out before: 11:00 AM

- Children allowed
- No pets
We are very firm on this.
- No parties/events
- No smoking
We are very firm on this.
- Max guests: 8
- Minimum age of primary renter: 35

Cleaning practices

- Check in and check out with no person-to-person contact
- Enhanced cleaning practices
- All towels and bedding washed in hot water that's at least 60°C/140°F
- High-touch surfaces cleaned with disinfectant (like countertops, light switches, handles, and faucets)
- Minimum 1-day vacancy between guest stays
- Cleaned with disinfectant

Map

Round Hill Village, Zephyr Cove, Nevada, United States of America
Detailed location provided after booking

What's nearby

- | | |
|---|---------|
| 1. Carson Tahoe Regional Medical Center | 17.6 mi |
| 2. Heavenly Ski Resort | 3.5 mi |
| 3. Heavenly Gondola | 2 mi |
| 4. Casino at Harveys Lake Tahoe | 1.9 mi |
| 5. The Shops at Heavenly Village | 2.1 mi |
| 6. Hard Rock Hotel & Casino Lake Tahoe | 1.7 mi |

Owner

William Zeller
Member Since 2011

[Ask owner a question](#)

Languages: English

Premier Partner

The owner or manager of this property consistently provides great experiences for their guests.

[View more about William Zeller](#)

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More vacation ideas

Rental Ideas

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[Yacht \(https://www.vrbo.com/search/keywords:united-states/filter:84\)](https://www.vrbo.com/search/keywords:united-states/filter:84) |
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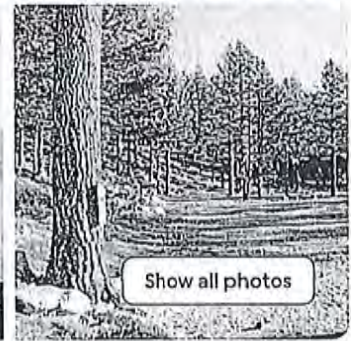
Q Add a location



Charming Tahoe Cabin W/hot tub & walking distance to the beach.

☆ 4.80 (10) · Superhost · Zephyr Cove, Nevada, United States

Share Save



Show all photos

Entire cabin hosted by Brandon

10 guests · 4 bedrooms · 5 beds · 2 baths



\$433 / night

☆ 4.80 (10)



Entire home

You'll have the cabin to yourself.



Brandon is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.



Great location

100% of recent guests gave the location a 5-star rating.



Cancellation policy

Free cancellation may be available for this stay. Add your trip dates to get the details.

CHECK-IN
Add date

CHECKOUT
Add date

GUESTS
1 guest



Check availability

Report this listing

Charming Tahoe cabin home with four bedrooms, two baths, sleeps ten people, in gated community, walking distance to the beach, and short drive to Heavenly Ski Resort.

[Photos](#) [Amenities](#) [Reviews](#) [Location](#)

\$433 / night

★ 4.80 (10)

[Check availability](#)

Please note:

We love our renters and take very seriously our role as a responsible vacation rental management company. We wanted to share with you the precautions we are taking in response to the coronavirus.

Our thoughts are with all who have been impacted by the coronavirus. While we take pride in our practices to maintain a clean and sanitary environment, at present, we have implemented additional measures that reflect the recommended standards of the Centers for Disease Control and Prevention (CDC) in response to the coronavirus.

In our rentals, all homes are being cleaned with an approved disinfectant between reservations, especially on frequently touched surfaces before your check-in. We are actively communicating with our cleaners about the role each of us can play to help prevent the spread of any germs. We have installed hand sanitizer dispensers at front doors, placed informational packets inside the homes, provided cleaning supplies and soaps for you to use during your stay, and made complimentary kits to help you stay healthy and safe during your visit to Lake Tahoe.

Due to the additional time needed to clean between reservations, we are not allowing early check-ins and late check-outs at this time. We also ask that you open windows when checking-in to the property and ensuring they are closed before your departure.

THIS IS A FAMILY HOME AND NEIGHBORHOOD. WE WILL NOT ALLOW ANY BACHELOR OR BACHELORETTE PARTIES OR ANY PARTY AT OUR HOME. OUR HOME IS LOCATED IN A NICE QUIET COMMUNITY AND 10 PM QUIET HOURS ARE STRICTLY ENFORCED. THERE WILL BE FINES FOR ANY NOISE DISTURBANCE REPORTED BY THE POLICE OR Elk Point Country Club HOA.

We also do not allow rentals to groups under the age of 25 years old!!

The space

We love our renters and take very seriously our role as a responsible vacation rental management company. We wanted to share with you the precautions we are taking in response to the coronavirus.

Our thoughts are with all who have been impacted by the coronavirus. While we take pride in our practices to maintain a clean and sanitary environment, at present, we have implemented additional measures that reflect the recommended standards of the Centers for Disease Control and Prevention (CDC) in response to the coronavirus.

In our rentals, all homes are being cleaned with an approved disinfectant between reservations, especially on frequently touched surfaces before your check-in. We are actively communicating with our cleaners about the

Photos Amenities Reviews Location

\$433 / night
★ 4.80 (10)

Check availability

use during your stay, and made complimentary kits to help you stay healthy and safe during your visit to Lake Tahoe.

Due to the additional time needed to clean between reservations, we are not allowing early check-ins and late check-outs at this time. We also ask that you open windows when checking-in to the property and ensuring they are closed before your departure.

Our home is located in Elk Point Country Club, a gated community on the Nevada side of South Lake Tahoe, approximately 1/2 mile off Highway 50, 1 1/2 miles from Stateline casinos, shopping centers, and the Edgewood golf course. World-renowned Heavenly Valley Ski Resort is just 4 miles away. There is direct walking or driving access to a private beach. Access to the lake is unobstructed by other homes, with stunning views through pine trees of the lake and surrounding mountains.

• Size: The house is two stories, approximately 2000 square feet, and accommodates up to 10 people, with 4 bedrooms and 2 baths. A redwood deck, including lakeside deck space, surrounds more than 60% of the house.

• Full Kitchen & Pantry Area: includes dishes, glasses, utensils, stove, microwave, dishwasher, refrigerator/freezer, washer, dryer, coffee maker, toaster oven, pots & pans, cooking utensils.

• Living & Dining Areas: This is the center of the house, with picture windows overlooking the lake. Huge old-fashioned wood fireplace made of local stone.. **(Unfortunately the fireplace is non functional at this point in time)** large TV and VCR. Lots of room to lounge enjoy the scenery. The attached dining room seats 10 and opens onto the back deck, which accommodates outdoor dining.

• Bedrooms: Queen bedroom downstairs, and 3 bedrooms upstairs. Two upstairs bedrooms each include 1 double bed and 2 single beds. The third bedroom upstairs has one single bed. TVs are located in the queen bedroom and the two large upstairs bedrooms. All bedding included with your rental.

• Bathrooms: Two full bathrooms, one upstairs and one downstairs. Bath tub in downstairs bathroom. Bath towels provided.

Exclusive Access / Amenities:

• Private Beach & Swimming Area: Easy access to the beach, common area beach bar-b-q (reservations available through the Elk Point Country Club caretaker), and roped-off swimming area.

• Private Hot Tub: All year round! Enjoy a quiet soak, as you contemplate lake and mountain views from the privacy of the back deck.

• Private Deck and Bar-B-Q area: Admire the lake and mountain scenery as you bar-b-q on the charcoal grill, sip a cocktail, and enjoy summer dining

Photos

Amenities

Reviews

Location

\$433 / night

★ 4.80 (10)

Check availability

restaurants, bike and kayak rentals, coffee shop, Safeway and other retail stores.

• Walking & Biking Trails: Nearby Nevada State Beach and park areas offer beautiful walking and biking trails through a protected meadow and up into the hills above Highway 50.

Please note:

THIS IS A FAMILY HOME AND NEIGHBORHOOD. WE WILL NOT ALLOW ANY BACHELOR OR BACHELORETTE PARTIES OR ANY PARTY AT OUR HOME. OUR HOME IS LOCATED IN A NICE QUIET COMMUNITY AND 10 PM QUIET HOURS ARE STRICTLY ENFORCED. THERE WILL BE FINES FOR ANY NOISE DISTURBANCE REPORTED BY THE POLICE OR Elk Point Country Club HOA.

We also do not allow rentals to groups under the age of 25 years old!!

Vacation home rental permit #05-243

Contact host

Amenities

-  Kitchen
-  Wifi
-  Free parking on premises
-  Hot tub
-  Iron

Show all 35 amenities

Select check-in date

Add your travel dates for exact pricing

August 2020

>

Su	Mo	Tu	We	Th	Fr	Sa
----	----	----	----	----	----	----

Clear dates

Photos Amenities Reviews Location

\$433 / night
★ 4.80 (10)

Check availability

☆ 4.80 (10 reviews)

Cleanliness	4.7	Accuracy	4.9
Communication	4.8	Location	5.0
Check-in	4.9	Value	4.8

 **Cindy Joy**
July 2020
Well supplied home. Beautiful location.

 **Nick**
July 2020
Location is great.

 **Magali**
June 2020
Had an amazing time at this place. We wish we could of stayed longer. Short walk to the beach. Beach is not crowed and you have enough space to social distance. will definitely book again .

 **Eduardo**
June 2020
Great place and location- a small walk to the beach but was awesome!!

 **Edward**
June 2020

Photos Amenities Reviews Location

\$433 / night
★ 4.80 (10)

Check availability



Adam
March 2020

We had a great stay. The cabin is lovely and the location is very convenient.

Show all 10 reviews

Location

Zephyr Cove, Nevada, United States



Hosted by Brandon



Joined in June 2014

★ 407 Reviews Identity verified
Superhost

Response rate: 100%
Response time: within a few hours

I am an active Tahoe outdoor enthusiast who enjoys snowboarding, mountain biking, hiking, climbing, and days on Lake Tahoe. Come enjoy Tahoe with Tahoe

Contact host

173

Photos Amenities Reviews Location

\$433 / night
★ 4.80 (10)

Check availability

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Things to know

House rules

- ⌚ Check-in: After 4:00 PM
- ⌚ Checkout: 11:00 AM
- 🚭 No smoking
- 🐾 No pets
- 🎉 No parties or events

Show all >

Safety & Property

- ✔ Carbon monoxide alarm
- ✔ Smoke alarm

Show all >

Cancellation policy

Free cancellation may be available for this stay. Add your trip dates to get the details.

Add dates >

Explore other options in and around Zephyr Cove

More places to stay in Zephyr Cove:
Apartments · Houses · Bed and breakfasts · Lofts · Villas

- South Lake Tahoe
- Reno
- Mammoth Lakes
- Napa Valley
- San Jose
- Santa Cruz

- Lake Tahoe
- Sacramento
- Napa
- Oakland
- San Francisco
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Photos Amenities Reviews Location

\$433 / night
★ 4.80 (10)

Check availability

Invite friends

Gift cards

Careers

HOST

Host your home

Host an Online Experience

Message from CEO Brian Chesky

Responsible hosting

Open Homes

Resource Center

Community Center

SUPPORT

Updates for COVID-19

Help Center

Cancellation options

Neighborhood Support

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HomeAway

[\(https://www.homeaway.ca/\)](https://www.homeaway.ca/)

C\$1,198 avg/night



Where

Round Hill Village, NV, USA

[9 Reviews](#)

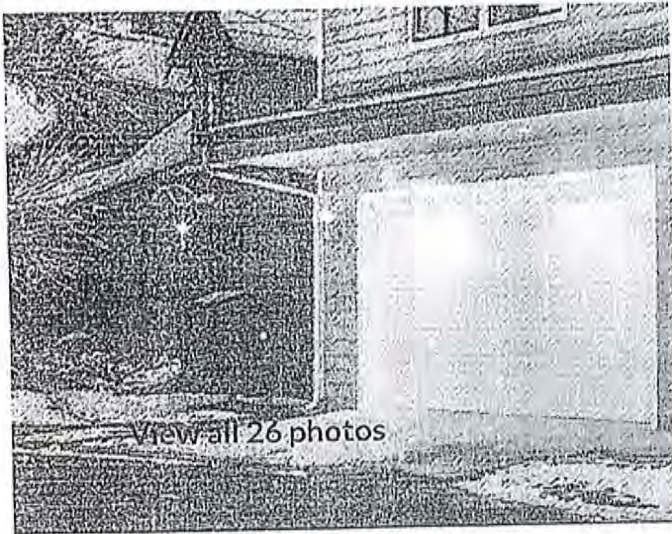
Exceptional 5/5

Check In

Check Out

Enter dates for accurate pricing

Search

[View all 26 photos](#)

Check In

Check Out

Guests

Request to Book

Suzanne Dante

[Ask Owner a Question](#)

Property # 1505940vb

Viewed 8 times in the last 48 hours

**LUXURY! Exclusive Gated
Community, Lake Views,
Private Beach, Hot Tub**

[https://maps.google.com/maps?](https://maps.google.com/maps?ll=38.986435,-119.954973&z=15&t=m&hl=en)[ll=38.986435,-119.954973&z=15&t=m&hl=en](https://maps.google.com/maps?ll=38.986435,-119.954973&z=15&t=m&hl=en)[/data=!6m2!1m1!1sRoundHillVillage&hl=en&gl=ca&oeq=](https://maps.google.com/maps?ll=38.986435,-119.954973&z=15&t=m&hl=en)

Round Hill Village, NV, USA

16.5 km to Lake Tahoe

House · 236 m²

176

6/14/2019

LUXURY! Exclusive Gated Community, Lake Views, Private Beach, Hot Tub - Round Hill Village

 Sleeps: 10

 Bedrooms: 3

 Bathrooms: 3

 Half Baths: 1

 Min Stay: 2 - 5 nights

Hot Tub

No Smoking

Internet

C\$1,198 avg/night

9 Reviews

Exceptional 5/5

Enter dates for accurate pricing

Check In

Check Out

Guests

3 BDRM/3.5 BA LUXURY HOME, GATED ELK PT CC, PRIVATE BEACH, LAKE VIEWS, HOT TUB

Upscale luxury vacation living in this 2550 sq ft, 2 story home, located in the gated NV lakeside community of Elk Point Country Club! Home is on a quiet cul-de-sac and is perfect for your family & many of world famous Tahoe outdoor activities!

[View more](#)

[Request to Book](#)

Suzanne Dante

[Ask Owner a Question](#)

Property # 1505940vb

Bedrooms



Bedrooms:
3



Sleeps:
10

[Upstairs Master Suite](#)

177



queen · twin/ single (2)

C\$1,198 avg/night



9 Reviews

Exceptional 5/5

Downstairs Master Suite



king

Filtered Views of Lake Tahoe

Enter dates for accurate pricing

Check In	Check Out
Guests	

Downstairs Guest Bedroom



queen · twin/ single · bunk bed

Filtered views of Lake Tahoe

Request to Book

Luxury linens on all beds

Suzanne Dante

Ask Owner a Question

Owner

Property # 1505940vb

Suzanne
Dante
Member
Since 2018

Ask
Owner a
Question

Languages: English

Amenities

Featured



W
as

h
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&
D

178

TV

Children Welcome

Heater

Internet

Fireplace

Parking

Hot Tub

C\$1,198

avg/night

9 Reviews

Exceptional 5/5

Enter dates for accurate pricing

Check In

Check Out

Guests

Request to Book

Bathrooms

3 Bathrooms, 1 Half Bath

- Upstairs

Master Suite toilet, combination tub/shower
- Downstairs

Guest Bath toilet, combination tub/shower
- Downstairs

Master Bath toilet, shower, jetted tub
- Upstairs

Powder Room toilet

Suzanne Dante
Ask Owner a Question

Property # 1505940vb



HomeAway Family
<https://www.vrbo.com/>

VRBO

(5)

Trip Boards

<https://www.vrbo.com/tripboards/>

Log in

Help

Feed back List your property (<https://www.vrbo.com/submit-property>)



Elk Point, Zephyr Cove-Round Hill Village, NV, USA

Check In

Check Out

Search



\$1,100 /night

★★★★ (8 Reviews)

Exceptional 4.5

Enter dates for accurate pricing

Check In



Check Out



Guests



Request to Book

Suzanne Dante

Ask Owner a Question

Overview Amenities Reviews Map Rates & Availability

For booking assistance, call VRBO at 800-640-7927
 Property # 1505940

NEW LISTING! Exclusive Gated Community, Lake Views, Private Beach, Hot Tub

House • 2550 sq. ft.

Sleeps: 10

Bedrooms: 3

Bathrooms: 3

Half Bathrooms: 1

Min Stay: 7 nights



VRBO VRBO VRBO

3 BDRM/3.5 BA LUXURY HOME, GATED ELK PT CG, PRIVATE BEACH, LAKE VIEWS, HOT TUB

Open the luxury vacation

Living at this 2550 sq. ft., 2 story home, located in the gated NV lakeside community of Elk Point Country Club home is on a quiet cul-de-sac and is perfect for your family & many of your friends. Large outdoor heated

pool & hot tub, a private beach, swimming area, volleyball net, and a view of the lake. Close to golf, hiking, snowshoeing, snow skiing, fishing,

Bedrooms

1 - 11 x 11 ft.

2 - 11 x 11 ft.



Sprint

Special Offers



SEARCH

1-800-VRBO



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1-800-VRBO



Special Offers

Special Offers

Special Offers

Special Offers

Special Offers

Special Offers

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Luxury from HomeAway

<https://luxury.homeaway.com/>

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Meet The HomeAway Family

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<https://www.parkside.com/>

<https://www.stayz.com/>

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Read the website content for an explanation of the Terms and Conditions.

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Read the website content for an explanation of the Terms and Conditions.

Read the website content for an explanation of the Terms and Conditions.

Read the website content for an explanation of the Terms and Conditions.

Read the website content for an explanation of the Terms and Conditions.

Read the website content for an explanation of the Terms and Conditions.

General

• Telephone

• Heating

Baseboard Heaters

• Linens Provided

Washing Machine

• Clothes Dryer

• Fireplace

Gas Log

Parking

Uncovered in designated guest parking areas

• Internet

Free Wi-Fi

• Towels Provided

• Wireless Internet

Free Wi-Fi

• Iron & Board

• Hair Dryer

• Paper Towels

Sponges

• Bath Soap

• Dish Towel

• Dish Cloth

• Dish Mat

EXHIBIT “5”

EXHIBIT “5”

June 7, 2020

The following is a brief survey of EPCC board candidate positions in regards to the major issues at hand. All candidates have been given an opportunity to review and contribute to this survey.

Candidate name: Charles Jennings

1. Budget – Board should present the EPCC financials in the following format:
DETAILED _____ or SUMMARY X
2. Community – The rising division over these and other issues is continuing to wreak havoc on EPCC, as a community. What are your suggestions for working towards reconciliation of our Association?

A collaborative approach is necessary to discuss issues among the homeowners that will lead to compromise. To use a legal approach is in my opinion confrontational and takes the decision away from the homeowners

3. Encroachments - Over the last 90 plus years a significant number of unit owners have wittingly or unwittingly encroached upon EPCC common property. Do you believe that the Board, at this point, should take any action to require unit owners to correct past encroachments?
YES _____ NO X

4. Parking – What solution do you suggest for the parking challenge at EPCC?

Develop a method of identifying vehicles by user type such as homeowner, homeowner guest, homeowner service provider and homeowner contractor.

5. Rules and Enforcement – Do you feel that EPCC has:
X To many rules _____ Not enough rules _____ Proper balance?
6. Vacation Rentals - Should the Board take any action to **eliminate** short term rentals?
YES _____ NO X
7. Vacation Rentals - Should the Board take any action to **restrict** short term rentals?
YES X _____ NO _____

8. Comments in regards to answers above:

There are many homeowners at Elk Point that have rented their residence over the years and some continue to do so. There are also some homeowners including candidates for the EPCC Board that have stated on record that rentals of less than 30 days be banned at Elk Point. Since Elk Point has allowed rentals, to resolve this divergence with a ban by the EPCC Board will in my opinion not be in the best interest of the entire community. A collaborative approach is necessary to discuss solutions among the homeowners that will require compromise.

June 15, 2020

The following is a brief survey of EPCC board candidate positions in regards to the major issues at hand. All candidates have been given an opportunity to review and contribute to this survey.

Candidate name: Mark Morosky

1. Budget – Board should present the EPCC financials in the following format:
DETAILED _____ or SUMMARY X
2. Community – The rising division over these and other issues is continuing to wreak havoc on EPCC, as a community. What are your suggestions for working towards reconciliation of our Association? The golden rule. Do unto others as you would have others do unto you.
3. Encroachments - Over the last 90 plus years a significant number of unit owners have wittingly or unwittingly encroached upon EPCC common property. Do you believe that the Board, at this point, should take any action to require unit owners to correct past encroachments?
YES _____ NO X but, closely enforce any new encroachments.
4. Parking – What solution do you suggest for the parking challenge at EPCC?
Allocate more overflow parking @ the beach / Marina area.
5. Rules and Enforcement – Do you feel that EPCC has:
X Too many rules _____ Not enough rules _____ Proper balance?
6. Vacation Rentals - Should the Board take any action to **eliminate** short term rentals?
YES _____ NO X
7. Vacation Rentals - Should the Board take any action to **restrict** short term rentals?
YES _____ NO X
8. Comments in regards to answers above:
follow the current rules & there should be no problems.

Mark

June 15, 2020

The following is a brief survey of EPCC board candidate positions in regards to the major issues at hand. All candidates have been given an opportunity to review and contribute to this survey.

Candidate name: Brenda Doyle

Report - Board should present the EPCC financials in the following format:

DETAILED or SUMMARY ✓

Community - The rising division over these and other issues is continuing to wreak havoc on EPCC as a community. What are your suggestions for working towards reconciliation of our Association?

*Listen to what the majority wants
and base decision on that*

Encroachments - Over the last 20 plus years a significant number of unit owners have willingly or unwittingly encroached upon EPCC common property. Do you believe that the Board at this point should take any action to require unit owners to correct past encroachments?

YES NO ✓

Parking - What solution do you suggest for the parking challenge at EPCC?

*CREATE MORE PARKING DOWN AT THE
BEACH WHEN WE EXPAND THE MARINA*

Rules and Enforcement - Do you feel that EPCC has:

✓ Too many rules Not enough rules Proper balance?

Vacation Rentals - Should the Board take any action to eliminate short term rentals?

YES NO ✓

Vacation Rentals - Should the Board take any action to restrict short term rentals?

YES NO ✓

Comments in regards to answers above:

June 15, 2020

The following is a brief survey of EPCC board candidate positions in regards to the major issues at hand. All candidates have been given an opportunity to review and contribute to this survey.

Candidate name: __ROBERT FELTON__

1. Budget – Board should present the EPCC financials in the following format:
DETAILED ☐ or SUMMARY ☒
2. Community – The rising division over these and other issues is continuing to wreak havoc on EPCC, as a community. What are your suggestions for working towards reconciliation of our Association?

It is my intent to be available to provide the knowledge and background needed to help the new management firm to transition smoothly in their service to EPCC.

3. Encroachments - Over the last 90 plus years a significant number of unit owners have wittingly or unwittingly encroached upon EPCC common property. Do you believe that the Board, at this point, should take any action to require unit owners to correct past encroachments?
YES ☐ NO ☒
4. Parking – What solution do you suggest for the parking challenge at EPCC?

As a start, implement a EPCC Unit's owner decal for the front bumper of their cars.

5. Rules and Enforcement – Do you feel that EPCC has:
☐ Too many rules ☐ Not enough rules ☒ Proper balance?
6. Vacation Rentals - Should the Board take any action to **eliminate** short term rentals?
YES ☐ NO ☒
7. Vacation Rentals - Should the Board take any action to **restrict** short term rentals?
YES ☐ NO ☒ ONLY if a majority of the units' owners request that the Board take on this issue.
8. Comments in regards to answers above: