CTCA Owner Access to Inn at Bay Harbor Facilities

March 8, 2024

Issue: The Inn at Bay Harbor property owners’ association board identified an issue with the use of the Inn at Bay Harbor facilities which include the pool and fitness center. They have had overcrowding of the facilities and were determining how to improve the situation. They met on March 7, 2024, to vote on whether to continue to allow CTCA owners to use the facilities.

Decision:

* CTCA owners that **are not** in the Boyne USA rental program will no longer be able to use the facilities.
* CTCA owners that **are in** the Boyne USA rental program will continue to be allowed to use the facilities at no charges since an owner is a “guest” when using their cottage.
* Guests that rent a Crooked Tree cottage that is in the Boyne rental program are granted access to the facilities. This is due to Boyne paying for that access through the rental income split with the owner.

Background:

The Inn at Bay Harbor opened in 1998 and is a separate entity from Boyne. The suites at the Inn are owned by individuals. They originally were an independent hotel that also had an agreement to use Boyne as a rental agency. The Inn association owners pay dues to maintain their property and therefore the facilities. When CTCA originated in 1999 we had an agreement to use Boyne as our rental agency. There were 14 of 15 units in the Boyne rental program at that time. Boyne also managed the CTCA. Part of the quarterly dues went to the Inn at Bay Harbor to pay for the use of the facilities. This was $500 per cottage. In 2016 the Inn became part of the Marriott Autograph Collection of Hotels. Marriott promotes and rents the Inn suites along with Boyne. Marriott does not promote CTC. More CTCA owners have pulled out of the rental agreement with Boyne over the past several years. We now have 8 owners in the rental program and 7 that are non-rental. In 2022 Boyne stopped managing property owner associations and CTCA hired Rest Assured to manage our property at the direction of the CTCA board. The CTCA quarterly dues no longer pay for use of the Inn at Bay Harbor facilities. Boyne (and/or the Inn at Bay Harbor – this is unclear) continued to offer annual passes to CTCA owners, not in the rental program, use of the Inn facilities for $500 / year. This was accepted by some of the CTCA non-rental owners in 2022 and 2023. In February 2024 a non-rental CTC owner was informed that the passes may no longer be available. The CTCA president was notified which began this review by your board.

CTCA Board Input:

The CTCA Master Deed and Bylaws do not contain anything regarding the use of the Inn at Bay Harbor facilities. Also, the Boyne USA rental agreement does not say anything about use of the Inn facility.

Kevin Greig (CTCA President) spoke with the Inn at Bay Harbor property owners’ association president. Kevin also spoke with Taylor Martin, Director of owner services for the Inn at Bay Harbor / Lakeside Cottages / CTCA owners (who are in the Boyne rental program). I first explained our position to Taylor Martin (who is a Boyne employee). Taylor was the manager of CTCA when Boyne was managing property owner associations. He is fully aware of our history. After our discussion, Taylor said that in the end it is a decision by the Inn at Bay Harbor property owners’ association that will determine the outcome.

The CTCA had a board meeting, and we discussed this topic. Your board is made up of two owners in the rental program and two not in the rental program. We discussed our position and identified points to review with Boyne and the Inn board. Kevin then spoke with the president of the Inn’s association. The Inn’s association president owns several suites in the Inn and has units in the Boyne rental program and outside the rental program. He’s familiar with looking at issues both from a rental and non-rental perspective. I explained our history and asked that they honor past arrangement even though Boyne is no longer managing our association. I learned that Boyne has been buying up some of the suites as they came on the market the past few years. Boyne now owns enough units at the Inn to have a seat on the board. I asked both Taylor and the Inn association president if there are any other non-rental associations allowed to purchase passes to the facilities. There was some uncertainty as to how many, if any, other association owners (Orchards and Crooked Tree Home owners) have access to the facilities. Those associations have never been in the rental program and have also been denied facility access in the future. I had a couple more discussions with Taylor and asked that he talk with the Boyne board member about our position and asked that Boyne vote in favor of all CTCA owners continued use of the facilities. I offered alternatives if annual access is not acceptable. Alternatives included options that avoided high traffic periods via passes that have blackout dates or times. A daily fee pass was also offered as an option.

After the Inn board meeting, Taylor contacted me with their decision that CTCA owners in the Boyne rental program will continue to have access, but owners not in the rental program will no longer have access. If a cottage switches from non-rental to rental and signs the Boyne USA rental agreement, then access is permitted.