



GVR DEED-RESTRICTED PROPERTY & MEMBERSHIP FREQUENTLY ASKED QUESTIONS (FAQs)

Green Valley Recreation, Inc. (GVR)

GVR is an Arizona nonprofit corporation that operates 13 recreational centers in Green Valley and offers recreational and sports activities, leisure education and performing arts. For more information, please visit: www.gvrec.org.

I. Membership in GVR

A. What is GVR Membership?

GVR Membership requires a deed restriction in perpetuity on residential property (GVR Property) within the established Corporate Boundary of Green Valley Recreation, Inc. A GVR Property may be developed or undeveloped.

There are two types of deed restrictions:

- 1) Mandatory Deed Restriction requiring GVR Membership for all properties within a Homeowners association (HOA) or a subdivision's Covenants, Conditions & Restrictions (**CC&Rs**); and
- 2) Voluntary Deed Restriction requiring GVR Membership that has been recorded against a property or lot by its owner.

B. How do I become a GVR Member?

There are two ways to become a GVR Member:

- 1) Purchase an existing GVR deed restricted property (Mandatory Deed Restriction);
- 2) Purchase a property located within GVR's established Corporate Boundary and sign a Voluntary Deed Restriction requiring GVR Membership in perpetuity.

A property located outside GVR's boundaries cannot become a GVR Property.

C. Is GVR age-restricted?

No. Some GVR Member Properties are within age-restricted communities and some are not. GVR is a nonprofit corporation that operates recreational facilities. It is not a real estate development, housing provider, or HOA.

D. Can I opt out or cancel my GVR Membership?

No. A deed restriction on a property which requires GVR Membership runs with the land in perpetuity and cannot be released or terminated by the property owner.

E. Who is eligible to receive a GVR member ID card?

Every person named as a *title owner* on the property's deed is a GVR Member and is eligible to receive a GVR member ID card, as well as any spouse of a title owner **except under the following circumstances:**

- 1) If the spouse has executed a disclaimer deed;
- 2) If the property was owned by the GVR Member on title prior to the marriage; or
- 3) If the property was gifted to or inherited by the GVR Member on title.

F. What if a GVR Property is owned by a LLC or corporation?

Up to two managing members of a GVR Property owned by an LLC or corporation are GVR Members.

G. What if a GVR Property is owned by an IRA?

The individual who owns the IRA is the GVR Member. Since an IRA cannot be held jointly by more than one individual, the spouse of the account holder is not considered a GVR Member.

H. What if GVR Property is owned by a trust?

The active trustees are the GVR Members, unless the trust names other individuals to act as GVR Members in their place.

I. Is GVR membership transferred when there is a change in ownership of GVR Property?

When title to a GVR Property changes, the GVR Membership for that property is transferred to the new owner(s).

Note the following:

- 1) If the change in title is handled through a title company, GVR will be notified by the title company.
- 2) If a change in title occurs via a quitclaim deed, beneficiary deed, trust, etc., the new owner must notify GVR of the change in ownership.
- 3) Upon the transfer of title to any existing GVR membership property, the new owner(s) of such property shall pay a new member capital and transfer fees in an amount to be determined by the Board of Directors. In the case that the new owners are current GVR property owners or have been GVR property owners within one year of the closing date the New Member Capital Fee may not apply.

J. Do owners of GVR deed restricted properties have a right to vote on GVR matters and serve on the Board of Directors?

Only GVR Members in good standing have the right to vote in any GVR matter put to a vote of the membership [each GVR Property is entitled to one (1) vote] and to serve on the Board of Directors.

II. Use of GVR Facilities by Non-Members

A. What if someone other than the owner occupies a GVR Member Property?

- 1) Tenants: If a GVR Property is leased to a tenant, the tenant or owner may purchase a tenant card to use GVR's facilities, provided that the owner assigns his/her right to the tenants to access GVR facilities during the period of tenancy.
- 2) Additional Cardholders: An individual who shares a common household with a GVR Member in a GVR Member Property may use GVR's facilities by becoming an Additional Cardholder. In order to become an Additional Cardholder, the individual must show proof of residency in the GVR Property and pay an annual fee to receive an Additional Cardholder Card.

B. Can individuals other than GVR members use GVR's facilities?

- 1) Life Care Members: A former GVR Member who resides in a residential care facility outside of GVR's Corporate Boundary in the greater Green Valley area may use GVR's facilities upon payment of an annual fee.
- 2) Guests: Only GVR Members, Assigned Members, CRCF Residents and Tenants may purchase guest passes for temporary visitors who live more than 20 miles from GVR's Corporate Boundary. Daily guest passes may be purchased. Annual Guest Cards are also available for a fee (tenants are ineligible for Annual Guest Cards).

III. GVR Clubs

A. What is a GVR Club?

A GVR Club is a group of GVR members, sharing a common field of interest or hobby that have been granted "Club Status" by GVR's Board of Directors.

B. Who can participate in a GVR Club?

GVR Club membership is limited to GVR Members only and all clubs are open to all GVR Members. Clubs may grant guest privileges at their discretion to guests of GVR Members, and to other non-GVR Members upon payment of a fee to GVR (unless waived by the Board of Directors).

IV. GVR Dues and Fees

A. Does every individual GVR Member pay annual dues?

No. Each GVR Property pays only one annual fee (dues) regardless of the number of title owners. Annual dues are payable by January 1 of each year; dues are prorated for any new GVR Property in a deed-restricted HOA subdivision or property made subject to a voluntary deed restriction.

B. What is the New Member Capital Fee (NMCF)?

A NMCF applies to any new owner of a GVR Member Property if such owner was not a GVR Member within the prior 12-months.

'50/50 Rule': if there is more than one title owner, and at least half of title ownership is held by individuals who were GVR Members within the prior year, the NMCF does not apply (e.g., a property held in joint ownership by four people, half of whom were GVR Members within the prior year).

C. Does the NMCF apply if another individual is added to the deed?

The NMCF fee will apply if the individual was not a GVR Member within the prior year, unless the 50/50 Rule applies.

D. Does the NMCF apply if a spouse is added to the deed?

The NMCF fee will apply if the spouse was not a GVR Member within the prior year, unless the 50/50 Rule applies.

E. Does the NMCF apply if a GVR Property owned by a trust adds an individual to the deed?

Yes, unless the '50/50' Rule applies.

F. Does the NMCF apply when an individual takes title to a GVR Property through a beneficiary of a beneficiary deed?

Yes, unless the individual was a GVR Member within the prior 12-months.

G. What is an Initial Fee?

An Initial Fee is charged when any new home is built within a GVR-restricted subdivision, or when an owner signs a voluntary deed restriction for an existing home within GVR's Corporate Boundary, regardless of whether the owner is/was a GVR Member.

H. What is a Transfer Fee?

Anytime there is a change in title ownership of a GVR Property, a Transfer Fee applies.

I. Who pays the NMCF and/or Transfer Fee at closing?

The NMCF and/or Transfer Fee are considered buyer fees, however, the seller and buyer may negotiate who pays applicable GVR fees at closing as part of the purchase contract.

J. Other Fees

- 1) Program Fees: for entertainment, trips, and instructional programs.
- 2) Facility Fees: for rental of facility space and equipment.
- 3) Administrative Fees: for miscellaneous services including copying, computer use, keys, card replacement and publications.
- 4) Processing Fees: for dues payments, programs, instructional courses and rentals.
- 5) Club Fees: for participation in GVR Clubs.

FOR ALL OTHER MEMBERSHIP QUESTIONS, PLEASE CONTACT GVR's MEMBERSHIP OFFICE AT (520) 625-3440 or TOLL-FREE TOLL (844) 693-2116. YOU MAY ALSO EMAIL QUESTIONS TO: hotline@gvrec.org