

# Burnaby Horsemen's Association Policy: Stall Sublease Policy

Approved: MARCH 28 2022

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## Applicability

This policy pertains to the implementation of the sublease agreement and is relevant to all of those who have signed a sublease or those on the waitlist for a stall. A Stall can only be used pursuant to a Sublease Agreement and in compliance with these Policies.

## Policy

- 1) Stall Sublease
  - a) Only Senior Members who are Members in good standing may rent a Stall
  - b) No Member shall rent more than one (1) Stall and no members constituting a Family Unit shall collectively rent more than two (2) Stalls at any given time.
  - c) Stall shall not be left vacant for more than a total of ninety-two (92) days in any one calendar year, without written permission of the Board of Directors.
  - d) No Member shall keep a horse in the barns except for recreational riding or the purposes specified in the Constitution and By-Laws of the Association.
  - e) No Member shall keep a stallion over two (2) years old in the barns.
  - f) Any Renter of a Stall shall, upon taking occupancy, provide to the Director of Stalls, proof of ownership or lease agreement relating to and suitable identification of the horse in that Stall.
  - g) A Stall shall be occupied by the Renter or, being a Family Unit, by a person making up part of the Family Unit (the "Occupant of a Stall").
  - h) The Occupant of a Stall shall personally attend to the care and maintenance of the horse occupying the Stall for a minimum of two (2) days per week, unless the Stall shall be vacant as allowed under Section 5.3 or the Board of Directors shall otherwise permit.
  - i) Horses shall be the only animals housed within the perimeter area with the exception of barn cats.
  - j) Stall subleasers will be given a key (with deposit) and the code to the barn alarm.
- 2) Stall Deposit: The stall deposit is required as insurance that damage and unusual wear-and-tear to the stall will be repaired, and any other debts incurred during the sub-lease of the stall (possibly including non-payment of monthly stall sub-lease fees), will be recovered by the BHA (Lessor) from the stall Lessee (Member), and not become a liability for the BHA. Stall deposit amounts are set at two months of lease payments as determined by the BHA Board of Directors. See **Stall Deposit Procedure**.
- 3) Stall Waitlist
  - a) Only Senior Members who are Members in good standing may hold a position on the waiting lists to rent a Stall;
  - b) Burnaby residents shall be given priority in the rental of Stalls. A Member is a resident of Burnaby if he or she shall reside in Burnaby for at least those ninety (90) days which shall occur immediately before such Stall shall be offered to such Member.
  - c) Members' names will automatically be removed from the waiting lists if they have not renewed their membership and paid their Membership fees for the current year by January 31st of that year.
  - d) Two (2) waiting lists will be maintained:
    - i) Burnaby Resident's List - consists of those Members who are residents of Burnaby and are otherwise eligible to rent a Stall in accordance with these By-Laws; and
    - ii) Non-Burnaby Resident's List - consists of those Members who are not residents of Burnaby and are otherwise eligible to rent a Stall in accordance with these By-Laws.

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- e) A Member on the Burnaby Resident's List who moves from Burnaby, but still resides within the Greater Vancouver Regional District will automatically be transferred to the Non- Burnaby Residents' List. His or her name will be added to the Non-Burnaby Resident's List according to the date such Member's name was last added to the Burnaby Resident's List. A Member on the Non-Burnaby Residents' List who moves to Burnaby will be transferred to the Burnaby Residents' List. His or her name will be added to the Burnaby Resident's List once the length of residency requirement is met in accordance with Section 3.2 and his or her position on such list shall be according to the date such Member's name was last added to the Non-Burnaby Residents' List.
  - f) Any application for a position on a waiting list must be submitted, in writing, to the Director of Stalls by a Senior Member. The Member's name, along with the date of acceptance of the application will then be placed on the appropriate list.
  - g) Any Member who declines an offer of a Sublease Agreement shall maintain his or her position on the waiting list, but will not be contacted again regarding available Sublease Agreements until he or she notifies B.H.A. in writing of his or her continued interest in the next offer that may be made of a Sublease Agreement.
- 4) Stall Transfer
- a) One stall sub-leaser within a "Family Unit" to apply to the Board of Directors to transfer a stall from one barn to another in order to sub-lease two stalls within the same barn. The purpose of the stall transfer is to accommodate supervision of an active junior member. The junior member shall personally attend to the care and maintenance of the horse occupying the stall for a minimum of two (2) days per week.

## Supporting Documents

- 1) Related BHA Procedure
  - a) Stall Rental Procedure
  - b) Stall Transfer Procedure
- 2) Related BHA Constitution & Bylaws
  - a) Bylaw 2.4.5 and 6.1.4
- 3) References
  - a) Stall Sublease Agreement
- 4) Related BHA Forms
  - a) Stall Sublease Application

## Review Schedule

<b>Policy Adopted:</b>	<b>MARCH 28 2022</b>
<b>Policy Owner:</b>	Director of Stalls
<b>Next Review Scheduled:</b>	APRIL 2023

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## Version History

Date	Version Number	Details
<b>MARCH 28 2022</b>	1.0	Initial version posted on BHA website