

## **STATEMENT ON INSTALLING SOLAR PANELS IN THE MEADOWS AT SHAWNEE**

The State of Delaware has adopted several policies in the past few years to help encourage solar energy development in the state, and a law to improve solar access on residential properties. The Delaware Solar Rights Law (SS 1 for SB 49) was passed in 2009 limiting the use of covenants or other restrictions on roof-mounted solar projects. Title 25 (the State code that governs HOA operations), Section 318, "Restrictive Covenants," states that the use of solar energy systems cannot be prohibited in any deed after January 1, 2010. This law would not nullify any restriction contained in a deed concerning land owned in the Meadows At Shawnee Homeowner's Association, Inc. as HOA was established prior to January 1, 2010.

The Meadows At Shawnee Homeowners Association passed an amendment to its Declaration of Restrictions effective March 13, 2013 removing the restriction on solar panels. However, the requirement to submit an Architectural Request Form to the HOA for approval to install solar panels remains in effect under Section 21, Review of Plans, of the HOA's Declaration of Restrictions. The HOA Board of Directors will approve any homeowner's request to install solar panels and issue the homeowner an approval letter. The approval letter is required by the City of Milford in order to obtain a permit to install the solar panels. The approval letter will also serve as verification of the HOA's approval should any issue arise in the future concerning the solar panels, further protecting the homeowner's interest.