

DARTMOUTH ARBORS
HOMEOWNERS ASSOCIATION

RULES AND REGULATIONS

Revised June 3, 2005

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Dartmouth Arbors Homeowners Association
Rules and Regulations

Introduction

The social success of a condominium community depends in large part on the rules, regulations, and restrictions that govern how residents are expected to conduct themselves. Typically, the Covenants, Conditions and Restrictions (CC&Rs) subject all unit owners to general covenants, while the Bylaws and Rules and Regulations provide specific guides for day-to-day living. Without these restrictions and a means to enforce them, the community living experience could become chaotic indeed. Your Board of Directors has adopted the following rules and regulations to assure the enjoyment and tranquility of all persons living in the community.

These Rules and Regulations do not supersede or change the CC&Rs or Bylaws in any manner. But they are equally enforceable under the law.

Wherever the words "owner" or "homeowner" appear in this document, all tenants and/or occupants are to be included. All Rules and Regulations herein will apply to all owners, tenants, and/or occupants.

Owners shall be responsible for their tenants and occupants actions or misconduct and adherence to the Rules and Regulations of the Association. Each owner shall be responsible for providing their tenants with a current copy of the Association Rules and Regulations.

The monthly maintenance assessments by the Homeowners Association on common property will depend, in large measure, on the care and consideration exercised by each and every owner and their guests. If the maintenance costs are high and the current budget is not sufficient to meet these costs, association assessments will have to be increased accordingly.

Make inquiries or report violations to the property management company. Do NOT take your complaints directly to the Board members.

The Rules and Regulations herein may be changed or added to at any time by the Board of Directors. The Board may revoke any consent granted hereunder.

RECEIPT OF THIS DOCUMENT SHALL CONSTITUTE FORMAL NOTICE.

Board of Directors
June 3, 2005

RULES AND REGULATIONS

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Enforcement of Rules and Regulations

In order to enforce the CC&Rs, Bylaws, Articles of Incorporation and Rules & Regulations, the Board of Directors may levy, assess, and collect reasonable fines and costs as established by the Board of Directors. The owner will assess the fines against the homeowner for violations, members of his or her family, invitees, licensee, tenants or lessees of such homeowners. (Whenever the word "owner" is used in this document, the word "tenant" shall also apply.)

1. THE STANDARD FINES TO BE LEVIED IN THE CASE OF VIOLATIONS ARE AS FOLLOWS:

- A. First Offense: Warning letter to homeowner
- B. Second Offense: A fine with the option to appear before the Board of Directors
- C. Recurring Offenses: Enforcement in accordance with the determination of the Board

2. SCHEDULE OF FINES

- A. Replacement of Pool area or Mailroom Keys: \$35.00
- B. Architectural: \$50.00 and up, depending on violation
- C. Landscape: \$50.00 and up, depending on violation
- D. Pool Rules Violations: \$50 to \$400 per occurrence
- E. Pet Rules Violations: \$50 to \$400 per occurrence
- F. Parking Violations: \$50 to \$400 per occurrence
- G. Other Various Infractions: \$50 and up, depending on violation
- H. Prohibited Dogs: \$100 plus \$10 per day after notice given

Note: This list is not intended to be all-inclusive. Additions may be made as required. Fines, etc., may vary and may increase depending on the circumstances. Fines, etc., may be at the discretion of the Board of Directors; the amounts of fines shall be predicated upon the severity of the violation and may include legal action. A clerical fee may also be assessed in addition to the fine for processing the violation notice.

Failure to pay fines, etc., within thirty (30) days from the date of a levy may result in the filing of appropriate legal action. All legal fees or costs incurred by the Association to enforce violations or collect fines will be the responsibility of the homeowner.

It is each owner's sole responsibility to inform tenants of all Rules and Regulations. The owner is also responsible for any and all damage caused by his or her tenants and/or guests.

Anyone wishing to report a violation of the Rules and Regulations or the CC&Rs may do so by contacting the managing agent. Violations should be reported in writing. The identity of the person reporting the violation will not be disclosed to the homeowner involved. Reports may be mailed to: So Cal Property Enterprises, Inc., 1855 Sampson Avenue, Corona, CA 92879.

Title 6 of the California Civil Code, also known as the *Davis-Stirling Common Interests Development Act*, and all sections therein are deemed incorporated into these Rules and Regulations and made a part hereof.

RULES AND REGULATIONS

GENERAL COMMUNITY

I. AREA DEFINITIONS

- A. Common Areas
- B. Common areas are those outside your front door, patio, gate, and patio fence. They include the recreation area, walkways, lawns, landscaping, exterior surfaces of buildings, patio walls and fences, etc.
- C. Owner Areas
- D. Owner areas are all interior surfaces of perimeter walls, ceilings, floors, windows, and doors of each unit.
- E. Exclusive Use Areas
- F. As defined by Title 6 of the California Civil Code.

II. COMMON AREA

- A. Loitering is strictly prohibited at all times.
- B. Any common sidewalks, driveways, or passageways shall not be obstructed or used by any owner for any purpose other than entrance to and exit from the units.
- C. Any damage to buildings, recreational area, or equipment, or any other common area property caused by an owner, his family or guests, or employee contractors shall be repaired at the expense of the applicable owner.

III. PROTECTION OF COMMON AREA

- A. Homeowners are responsible for any common area damage caused by them or a member their household, their tenants, their guests, or pets.
- B. Tree climbing is prohibited. The responsible owner will be billed for the cost to replace any tree that is broken, damaged, or killed by climbers.

- C. Articles of clothing, linens, towels, or bathing suits are not to be hung where they can be seen from any common area.
- D. Climbing to and walking on roofs is prohibited except for emergencies or to effect repairs.
- E. Skateboards, scooters, bicycles, skates and roller blades should be operated in a safe manner while in the common areas.
- F. Driveways to the garages shall be kept free of oil and grease.
- G. Garage doors should be closed at all times unless occupant is present therein, to discourage theft and to improve the general appearance of the property.
- H. Patio and backyard areas must be maintained to preserve and protect the attractive appearance of the complex. Plants/trees must be suitable for the space and must not grow over walls into the common area or into other patios. The plants/trees must not detract from the surroundings. Plants/trees for patios and backyards should be selected to prevent problems. Homeowners will be billed for any damage to buildings, structures, or walkways caused by branches or roots from patio trees/plants.
- I. All homeowners must promptly repair and maintain units in a satisfactory condition; especially to the extent any other unit is affected. All internal installations such as doors, windows, water, power, sewer, and gas are to be maintained at the owner's expense.
- J. It is prohibited to discard any item onto the common area. This regulation shall include all discards from the front door, gate, over patio fences, or out any window. All trash shall be properly discarded into the designated trash areas. All trash bags should be securely tied and trash container lids kept closed.
- K. Except as authorized in writing by the Board of Directors, no owner is permitted to paint, repair, maintain, alter, or modify any exterior wall, railing, exterior door surface, roof, patio fence, or any installation of the common area.
- L. Business usage of any unit is strictly limited to telephone activity only.
- M. Garage sales are prohibited unless authorized in writing by the Board of Directors, except in the case of an activity of the entire Association.
- N. Driving vehicles of any kind on lawns or in landscaping is strictly prohibited.
- O. All personal property, including but not limited to, trash, toys, and barbeques are to remain out of sight, with the exception of outdoor patio chairs that are in good condition.
- P. No carpeting is permitted in the common area, including on front porches. Welcome Mats must be manufactured for the outdoor use only.

- Q. No structures that can be viewed above the fence line, including but not limited to, gazebos, awnings, sheds, umbrellas, and play equipment, are allowed without prior written approval from the Board of Directors.
- R. No mops, brooms, towels, or any other items may be hung on the fences or left in view from any common area.

IV. NOISE

- A. All noise must be kept to a minimum throughout the complex.
- B. Owners, tenants and occupants shall avoid making or permitting to be made, loud, disturbing or objectionable noises, and avoid using, playing or permitting to be used or played, musical instruments, radios, phonographs, televisions, amplifiers and any other instruments or devices in such manner as may unreasonably disturb owners, tenants or occupants of other units. *Persons in other units should NOT be able to hear sounds emanating from your unit or patio.*
- C. Homeowners are urged to exercise restraint in making noise. Using power tools and other loud items should be kept to a minimum before 8 AM and after 10 PM on weekdays, and before 9 AM and after 10 PM on weekends.
- D. It is the responsible of pet owners to control them. Complaints made to the Board of Directors about barking dogs may result in fines – and notification of Animal Control.
- E. All mufflers on motorized vehicles are required to conform to the California State Standards.

V. POOL RULES AND REGULATIONS

The pool and spa areas are part of the Common Area and are for the enjoyment of all owners, residents, and their guests. **All pool rules, as posted in the pool area, and set forth in this document, must be observed.**

- A. No Life Guard on duty. ALL PERSONS USING THE POOL OR SPA DO SO AT THEIR OWN RISK.
- B. A homeowner or occupant must be in attendance at all times while guests are present. The gates must remain locked at all times.
- C. Keys are not to be duplicated or given to anyone else.
- D. Pool and spa hours are 6:00 AM to 11:30 PM daily.

- E. Safety equipment provided in the pool area must remain in the area at all times. The safety equipment is for emergency use ONLY and must remain in its proper place.
- F. Outdoor furniture has been provided at the pool area. It is NOT to be removed from the pool area.
- G. Children needing to wear diapers are not allowed in the pool. Diapers of any kind are not allowed in the pool.
- H. Restrooms and showers shall be for the exclusive use of persons using the pool or spa. Those who use these facilities have the responsibility of keeping them clean. When not in use, the restrooms and shower doors are to be closed and locked, and the lights turned off.
- I. A maximum of four (4) guests per household are permitted. Written approval, in advance, is required for pool or cabana parties. An owner must accompany guests or resident at all times.
- J. An adult must accompany children under the age of 14. The supervision of children shall be strictly observed. Children shall be continuously monitored while in, around, or in the proximity of the pool.
- K. Pool noise must be kept to a minimum. Excessive noise, such as yelling, screaming, loud music, etc., is not permitted. Conduct in pool areas must be orderly. Games, running, noisy behavior, and unnecessary splashing are not permitted. Aquatic games must stop if other swimmers are in the pool.
- L. Only plastic, metal, or unbreakable containers are permitted in the pool area. NO GLASS CONTAINERS of any kind are allowed. Food should be confined to the cabana area. A trash container has been provided. Residents and their guests must leave the pool, spa, and cabana clean. Remove anything leftover, such as food, trash, etc., before leaving the pool area.
- M. Proper swimming attire is required in the pool area. Cut-offs are not allowed. Nude bathing is prohibited. No hairpins are allowed as they may cause damage to the pool or spa plaster, or the pool or spa filters. Wearing earrings is not recommended while in the pool or spa.
- N. Residents and their guests should change into swimming attire in their residences, not in the pool restrooms.
- O. Floats are allowed in the pool unless their use interferes with other swimmers. Non-floating items, such as marbles, coins, rocks, etc., are not allowed in the pool or spa.
- P. No animals are allowed in the pool, spa, or cabana areas.

- Q. NO DIVING into the pool or spa, and NO RUNNING in the pool area.
- R. No bicycles, skateboards, scooters, etc., will be allowed in the pool area.
- S. Any persons having any apparent skin disease, sores, or inflamed eyes, cough, cold, nasal or ear discharge, or any communicable disease shall not use the pool or spa.

If the rules are not followed, possible termination of pool privileges may result, at the discretion of the Board of Directors.

VI. REFUSE REMOVAL AND TRASH

- A. Trash is picked up once a week.
- B. Homeowners and tenants are encouraged to pick up papers and debris from the complex when observed and to keep the area around their unit clean at all times.
- C. Homeowners and residents who will be away for an extended period should cancel newspaper and other deliveries, or request a friend or neighbor to collect them. This will help keep our complex safe. An accumulation of newspapers in driveways and walkways is often a sign that a home is unoccupied – and inviting to thieves and vandals.

VII. OPEN HOUSE AND SIGNS

One (1) *For Sale* sign may be placed in a front window of a unit. Written approval from the Board of Directors is required before any signs can be placed elsewhere. The Homeowners Association shall not be responsible for care or maintenance of any sign installed by a homeowner.

VIII. PETS

- A. All pets must weigh less than 40 lbs and dogs must be kept on a leash when not confined to the dog owner's unit.
- B. All pets should be licensed and vaccinated. It is recommended that dogs have collars with ID tags.
- C. If any pets become a general nuisance, restrictive action will be taken. All animals shall be the exclusive responsibility of the unit owner. The pet owner is responsible for cleaning up animal waste immediately. If a pet runs free and leaves waste that the pet owner does not remove immediately, the unit owner is responsible for the removal of the pet from the complex or for the cost of such removal. Damage to shrubbery, etc., by animals will be repaired at the expense of

the unit owner. Pet owners should control any noise made by their pets.

- D. No animals of any kind shall be raised, bred, or kept in any unit except as household pets, provided that they are not kept for any commercial purpose. No more than two (2) animals, cats, or dogs shall be kept in any unit.
- E. The Board of Directors bans the following breeds of dogs from the complex. Pit Bull, Rottweiler, Doberman Pincer, German Shepherd, Chow, Mastiff, Akita, or any mixed breeds containing one of the said breeds.
- F. Any occupant who brings any of the above named breeds to the complex shall be fined up to \$100.00, plus \$10.00 per day for each day after notice to remove the dog from the complex.

IX. DISPOSAL OF TOXIC WASTE

- A. No owner or occupant shall dispose of any toxic material in a manner that is inconsistent with local and federal law. The Board of Directors shall be empowered to levy a severe fine against the owner of the unit whose occupants have been observed illegally disposing of any toxic material.
- B. Toxic materials include, but are not limited to, oil, antifreeze, solvents, gasoline, paint, pesticides, etc.
- C. Toxic materials should be stored inside a secure and safe area to prevent injuries to tenants and guests.

X. WINDOW COVERINGS

- A. All windows, sliding doors, etc., shall be properly covered with appropriate window dressing.
- B. Sheets, blankets, boards, or other such items are specifically prohibited. Window dressing shall be of a reasonable quality and shall compliment the property. Curtains, drapes, blinds, etc., are recommended.
- C. No reflective tinting is allowed on windows unless approved in writing by the Board of Directors prior to its installation.

XI. PARKING RULES

- A. Each unit is permitted to park one (1) vehicle or motorcycle in the assigned garage, and one (1) vehicle or motorcycle in the assigned parking space. All vehicles must have current license plates and be in running condition.

Time limit

- B. Vehicles that appear to be inoperable or have not been moved and appear to be stored may be towed at owner's expense.
- C. Parking is not allowed in the common area driveways, except for loading and unloading, or during an emergency. Unattended vehicles/motorcycles will receive an initial warning notice. Vehicles/motorcycles that have received a warning notice and continue to park in violation shall either be towed away at the owner's expense or be fined, or both. Owners are responsible for their own vehicles/motorcycles and for those belonging to their guests. In the case of a rented unit, the *owner* is responsible for the tenant's vehicles and those of their guests.
- D. Visitors may park in available *visitor parking* spaces or on the street.
- E. Except for the purpose of loading or unloading, no vehicles other than private passenger cars or small trucks (under 9,000 lbs GVW) will be allowed in the parking areas. Commercial or recreational vehicles are not permitted. However, a resident may park a recreational vehicle in the parking area for up to four (4) hours to load and unload.
- F. The speed limit for all traffic in the common area is ten (10) miles per hour.
- G. Parking in front of garages is prohibited. Garages may NOT be used as living spaces.
- H. Washing vehicles in the complex is prohibited.
- I. Vehicles/motorcycles leaking gasoline, oil, or other fluids may, at the discretion of the Board of Directors, be prohibited from parking in the driveways or parking lot. Any cleanup or damage expense caused by such leakage will be charged back to the *homeowner*. If the responsible party is a tenant or guest, the *homeowner* may be held responsible. Vehicles/motorcycles in violation are subject to a fine or to being towed at the vehicle owner's expense.
- J. Noisy vehicles/motorcycles are not permitted. Loud music from car radios is not permitted at any time within the complex. The volume should be turned down when entering the complex. Guests should be instructed to turn down the volume on their car radios when entering the complex.
- K. Mechanical work on any vehicle within the complex is not allowed, except for minor repairs and emergencies (flat tire, dead battery, etc.). Occupants may not use garages for major repairs or for any repair of another person's vehicle/motorcycle.

XII. ARCHITECTURAL RULES

- A. Upon written approval from the Board of Directors, screen doors and security doors may be purchased and installed at the homeowner's expense.

Approved doors will be made of metal, have a door closer, and conform to the quality of the already existing screen and security doors in the complex. Owners shall be responsible for proper maintenance and repair of their own screen doors.

- B. Exterior modifications are prohibited except as authorized by the Board of Directors. This includes the unit exterior, patios, landscape planter areas, walls, etc. Written approval must be secured when exterior changes are desired.
- C. Requests for the installation of TV satellite dishes shall be presented to the Board of Directors for approval prior to installation. Satellite dish installation will only be approved for the fascia area, never onto the roof.
- D. There is a community bulletin board located next to the mailboxes. Advertisements, notices, or signs may not be posted in any other areas in the complex.
- E. The Architectural Committee and the Board of Directors reserve the right to ask any resident to remove items or alter the appearance of units as deemed necessary to maintain property values and uniformity within the Association.

XIII. MEETINGS

Meetings of the Board of Directors are held on the last Tuesday of each month at 6:00 PM. An open forum is provided at the opening of each Board meeting. Following the open forum the Board will discuss the business matters of the Association. Regarding certain agenda items concerning homeowners, the Board will meet in executive session to protect the privacy of the unit owners.

XIV. CRIMINAL OR SUSPICIOUS ACTIVITY

Homeowners are encouraged to be active participants in Neighborhood Watch. If you observe any suspicious or illegal activity, **CALL THE POLICE IMMEDIATELY**. Any non-emergency complaints regarding other unit owners should be directed to the property manager by phone, in writing, or at the open forum portion of a monthly meeting. Complaints should NOT be voiced to Board members at their homes.

XV. RENTAL FINES

Change of a residence to rental status without prior approval from the Board of Directors will result in a fine of **\$1,200.00 per month**. The matter will also be referred to the Association's attorney for legal action. No warning letters will be issued, as every resident is in possession of a current copy of the CC&Rs and has thereby been warned. Renting of any unit without prior approval of the Board of Directors will not be tolerated.

DARTMOUTH ARBORS HOA PARKING RULES AND REGULATIONS

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PARKING:

1. All vehicles must park in designated spaces only. There is one exterior parking space designated per unit. All other vehicles must park in the garage or in guest parking.
2. No parking between garages or in front of the garages at any time. Residents must be able to access their garages AT ALL TIMES.
3. There is no parking in "Red Zones," or those areas marked "NO PARKING".
4. Guest parking spaces are marked on the ground or with a sign and are to be used only for temporary visitors. Owners and tenants parking in guest parking may be subject to towing without notice. Vehicles parked in excess of 48 hours in visitor spaces without moving or using shall be considered stored and subject to towing without notice. All vehicles parking on Baylor Way must be parked in the right direction with the proper flow of traffic.
5. All vehicles must be driven on a regular basis. Storing of vehicles within Dartmouth Arbors is not permitted.
6. All vehicles parked in the exterior parking spaces must be operational and **currently registered.**
7. Recreational Vehicles (Motor Homes) may not park within Dartmouth Arbors HOA, except for loading and unloading for no more than 24 hours.
8. Trailers, Boats, Commercial trucks and motorized recreational vehicles such as; ATC's, Quad Runners, dirt bikes, etc. **may not** be driven or parked within the complex.

Failure to comply with any of the above may result in the vehicle being towed at the vehicle owner's expense. Furthermore, the owner of the unit may be subject to a fine pursuant to the Fining Policy.

DARTMOUTH ARBORS HOA RULES AND REGULATIONS

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ARCHITECTURAL

Plans must be submitted to the Architectural Committee via the Management Company for all exterior modifications including but not limited to: landscape, planting, patio covers etc. Screen doors are to Black or White only. Storage is not permitted in patio or balcony areas. Furniture designed for exterior use is permitted on balconies and patios.

Damage to exterior patios and balconies from exterior barbecues will be charged to the unit owner. It is the owners responsibility to maintain the balcony in a safe condition.

COMMON AREA

1. Speed limit is **5 miles per hour**.
2. Animals in common area are to be kept under owners control. All cats must have collars to identify the owner of the cat. **Dogs are to be kept on a leash at all times.** Owners are responsible for cleaning up after their pets at all times.
3. **TRASH:** All trash must be disposed of in the appropriate trash receptacles. Do not over load the dumpsters and/or discard your trash on the ground. Boxes must be crushed before being discarded in the dumpster.

If you have large items that need to be discarded, please contact the Management Company to coordinate pick up. Additional fees will be passed on to the owner/resident of the unit.

4. All portable basketball hoops must be stored in garage when not in use. In the event basketball hoops are not stored in garage, they will be disposed of at the owners expense.
5. Items may not be stored in the common area. All toys, furniture, etc. found in the common area will be discarded.
6. Garage sales are not allowed within the Dartmouth Arbors H.O.A.

COMPLIANCE

FAILURE BY AN OWNER OR TENANT MAY RESULT IN A HEARING FOLLOWED BY A MONETARY FINE AND OR SUSPENSION OF COMMON AREA PRIVILEGES. OWNER'S ARE RESPONSIBLE FOR THE ACTIONS OF THEIR GUESTS OR TENANTS.