

Arbor Village Homeowners Association
Rules and Regulations

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Our mission is to foster a working relationship in the neighborhood, to educate homeowners about living in a Community Association and encourage their participation.

1. General Rules and Regulations - *reference CC&Rs, Article 15*

- 1.1. The Rules and Regulations published by the Board of Directors apply to and are binding upon all owners, tenants, and visitors on properties within the Arbor Village Homeowners Association.
- 1.2. Property Owners are responsible for compliance with the Protective Covenants, Conditions & Restrictions (CC&Rs) and Rules & Regulations by all residents, tenants and visitors on their lot. Owners will take appropriate and timely action to ensure compliance when notified of any violation.
- 1.3. Proposals for amendments to the Rules and Regulations must be submitted to the Board of Directors in writing and will be considered at the next scheduled Board meeting or at a special meeting if appropriate.
- 1.4. Adoption of any proposed Rules and Regulations will be determined by a majority approval of the Board of Directors. The Board will provide a 30 day notice to homeowners before implementation of the approved rules.
- 1.5. Any Rule or Regulation may be challenged by the members of the Arbor Village Homeowners Association at a general membership meeting. A Rule or Regulation may be overturned by a two-thirds majority vote of the homeowners. The vote will be by secret ballot.
- 1.6. The Board of Directors will periodically review, update and amend the Rules and Regulations as appropriate.

2. Architectural Control – *reference CC&Rs, Article 10, section 2*

- 2.1. The Architectural Control Committee (ACC) will be comprised of members of the Board of Directors. Approval of ACC requests requires a majority vote of the Board.
- 2.2. Owners will submit an ACC request form along with detailed plans and material samples for exterior improvements to home and property or construction of proposed exterior structures. Construction may not commence without written approval from the Board. Owners are responsible for compliance with City requirements.

ACC request forms are available on the Arbor Village Homeowners Association website or from the Property Management Company (Windermere Property Management South).

- 2.3 The Board of Directors will review all ACC proposals submitted. The review will include, but not be limited to the following consideration: quality of workmanship, use of materials, conformity with proposed and existing structures and current neighborhood aesthetics as described in the CC&Rs.
- 2.4 If the Board denies an ACC request, the owner may present an appeal at the next scheduled meeting of the Board of Directors.
- 2.5 If after thirty (30) days, the Board fails to notify the owner of approval or denial of an ACC request submitted in accordance with Rule 2.2, the owner may proceed with the proposed work.
- 2.6 Original ACC request forms and attached plans will be retained by the Property Management Company and a copy of the documents retained by the Board secretary. A copy of the documents will be provided to the owner for their records.
- 2.7 Alterations on any lot must commence within six (6) months after the ACC approval or the approval will be considered void. Improvements to the building exterior or landscaping must be completed within six (6) months of the commencement of the work. All construction materials and debris must be removed upon completion of the work.
- 2.8 All exterior structures will be constructed in the same architectural style as the main residence on the lot. Exterior structures must be constructed of similar materials and be painted the same color(s) as the main structure. Exterior structures include, but are not limited to, storage areas, sheds, and potting sheds.

Green houses must have framework constructed of metal or wood. The green house must have wood trim painted the same colors as the main structure. The panels must be clear glass. Colored or frosted glass and plastic are not permitted.

- 2.9 The Board reserves the right to deny any proposed in ground swimming pools and other recreational structures or equipment as described in the CC&Rs.

Above ground pools located in fully fenced back yards do not require an ACC request. The owner must insure that any leaks or drainage of the pool does not flow across any adjacent lots.
- 2.10 If you are repainting your house or trim in the existing color, an ACC request is not required. If you are painting in a different color, an ACC request along with paint samples must be submitted prior to commencing the work.
- 2.11 Fences constructed on any lot must be of the same design of other fences within the neighborhood and painted in the approved color (Almond #5731W – Parker Paint).

If you are repainting your fence in the approved color an ACC request is not required.

3 Assessments – *reference CC&Rs, Article 9*

- 3.1 Assessments are due March 1 and are considered past due if not received by the tenth day of the month.
- 3.2 A late charge of five percent (5%) will be assessed for payments not received within ten (10) days of the due date. Any assessment not paid within thirty (30) days after the due date will accrue interest at 12% per year (1% per month).
- 3.3 A billing statement will be mailed monthly for any delinquent amount, including late charges, if not fully paid by the last day of the month after the billing due date.
- 3.4 Any delinquent account with a balance of two hundred fifty (\$250) dollars will be placed for collection as permitted under the laws of Washington state and the CC&Rs.

4 Property Maintenance – *reference CC&Rs, Article 7, section 2*

- 4.1 Owners and/or occupants are expected to maintain their home and property in compliance with the requirements of the CC&Rs.

In accordance with Article 7 section 2 of the CC&Rs, the Property Management agent, acting on behalf of the Board of Directors, will give notice to owners who fail to perform proper upkeep of their home in violation of the CC&Rs.

- 4.2 The Board of Directors will be responsible for the maintenance of the common landscaped areas (i.e. four decorative monuments). The Board may contract with a landscape service for maintenance.
- 4.3 No trailers, boats, motor homes, recreational vehicles, commercial vehicles or any disabled or inoperable vehicles may be stored on the premises unless they are completely enclosed in a garage.

The Board will give written notice to the owner or occupant that they have three (3) days from the date of the written notice to take actions necessary to remove the **unauthorized vehicles**. If the owner or occupant does not comply within the three day period, the Board is authorized to remove the vehicle at the owner's expense. (*reference CC&Rs, Article 10, section 11*)

Homeowners may request written permission from the Board to park a camper, trailer, or other recreational vehicle for up to two (2) weeks on their property, however this privilege will be granted only after written authorization has been obtained from the Board.

Kent City Code 9.138.45 - Parking of recreational vehicles, boats or vessels, and trailers states that no recreational vehicles, boats, or trailers may be parked on the street in any residential neighborhood for more than twenty-four (24) hours. Violations of this code are subject to fines and impoundment.

- 4.4 No vehicle repairs will be conducted on any lot unless done so within an enclosed garage and on the owner's personal vehicle. Vehicle repair activity must be conducted in a manner which is not offensive to neighbors and does not result in unusual noise or debris on the premises.
- 4.5 Lots may be used for one single family dwelling with parking for not more than three cars. No business or commercial activity may be conducted nor may goods, materials, or supplies associated with a commercial business be stored there without the express written approval of the Board. (*reference CC&Rs Article 10, section 16*)
- 4.6 No nuisance will be permitted to exist or operate on any Lot which is detrimental to any other Lot or occupants in the vicinity. The Board will determine what constitutes a nuisance and will take any steps necessary to remove or terminate the nuisance. (*reference CC&Rs Article 10, sections 4 and 22*)
- 4.7 Containers used for garbage, recycled material, and/or yard waste will not be kept in view of the street except for the period beginning at 5:00 p.m. the day before trash collection and ending at 10:00 p.m. the day of trash collection.
- 4.8 One (1) satellite dish per lot will be allowed for the purposes of receiving telecommunications transmissions. Per the Federal Communications Act of 1996, dishes must be thirty-nine (39") inches or smaller. They must be placed on the property in the least obtrusive position without interfering with receiving the frequency.

- 4.9 For sale or for rent signs are permitted to be displayed on the property. Political/campaign signs may be display on an owners own property during the election season. No signs may be displayed in the common areas. *(reference CC&Rs Article 10, section 6)*
- 4.10 Per Kent City Code, no fireworks may be discharged at any time, except between the hours of 9:00 a.m. and 11:00 p.m. on the fourth of July.
- 4.11 No unsightly conditions will be permitted to exist on any lot (i.e. junk, debris, trash etc). No awnings, air conditioning units, heat pumps or other projections shall be placed on the exterior walls visible from the street unless approval is obtained from the Board. *(reference CC&Rs Article 10, section 8)*
- 4.12 Lawn waste (cut grass, tree limbs, leaves) will not be left on the premises but placed in a container located in an area not visible from the street. *(reference CC&Rs Article 10, section 18)*

5 Pets/Animals

- 5.1 No livestock or poultry of any kind will be raised, bred or kept on any lot. Domestic pets (dogs, cats, birds) may not be bred or maintained for any commercial purpose.
- 5.2 Pet owners are responsible to ensure that their pets do not roam loose outside their own property.
- 5.3 Pet owners are responsible to clean up any mess left by their pet outside the owner's lot.
- 5.4 Dog owners are responsible to control excessive barking (duration of one hour). Failure to do so will be considered a nuisance according to the terms of the CC&Rs and subject to actions necessary. (see section 4.6).
- 5.5 Pet owners are responsible to understand and abide by all applicable country or state ordinances regarding pet control.

6 Grievances and Enforcement Action

- 6.1 All owners and/or occupants are encouraged to discuss any grievances, complaints, and concerns with the offending neighbor for resolution.
- 6.2 Grievances, complaints and concerns may be considered at a regularly scheduled Board meeting or at a special meeting if appropriate. Grievances to be considered by the Board must be submitted in writing to the Property Management Company on behalf of the Board.
- 6.3 Matters which are unable to be resolved during a regular Board meeting will be scheduled for a sanction hearing. Notice of the date of the hearing and subject matter to be considered will be given to all interested persons not less than fourteen (14) days prior to the hearing.
- 6.4 Owners or occupants in violation of the provisions of the CC&Rs may be subject to the following procedures to enforce compliance:
 - (A) First notice of violation: Courtesy notice

A letter will be sent to the lot owner which states the violation and the action necessary to be in compliance within thirty (30) days. Compliance will be expected within 30 days unless the homeowner petitions the Board for additional grace period under some circumstances.
 - (B) Second notice of violation: Notice and \$25 fine

A second letter will be sent to the lot owner which states the violation and imposes a \$25 fine to the homeowner's account with a warning that additional fines may apply if compliance is not met. The homeowner will be given 30 days to comply and an opportunity to be heard by the Board.
 - (C) Third notice of violation: Notice and \$100 fine

A third letter will be sent to the lot owner which states the violation and imposes a \$100 fine to the homeowner's account. The homeowner will be given an opportunity to be heard by the Board and warned that failure to comply within 30 days will result in the imposition of a \$100 fine monthly until the violation is corrected.
 - (D) Fourth notice of violation: If the violation persists, the homeowner will receive a notice stating that a \$100 fine is now being imposed monthly and advised they may be heard by the Board.
 - (E) Any fines imposed shall be paid within fifteen (15) days of notification or be subject to the collection procedures adopted by the Board.

Dated and Adopted by the Board of Directors on this date.

Debbie Sampson – President

Date

Loren Moorehead – Secretary

Date