

LEFFINGWELL CREEK HOMEOWNERS ASSOCIATION

RULES & REGULATIONS

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Leffingwell Creek Rules & Regulations

LEFFINGWELL CREEK HOMEOWNERS ASSOCIATION **RULES AND REGULATIONS**

Leffingwell Creek is a very special kind of community. We share in a common organization, reside in the same are, and importantly, and determine the standards that will promote a peaceful and enjoyable environment, privacy and economic protection of our property.

To assure this level of total community living, your elected Board of Directors has legislated and approved a set of Rules and Regulations which are in accordance with the By-Laws and the Condition, Covenants and Restrictions (CC&Rs) of Leffingwell Creek Homeowners Association, and serve to reiterate and clarify many of them. Other rules are also included.

The rules and intended to protect your property values as well as to promote the privacy and enjoyment of all residents. Your children should be told about these rules and regulations. Tenants should be advised of all rules and regulation, as every homeowner is responsible for his/her tenant's compliance. These rules and regulations are effective immediately and supersede all previous rules and regulations. The rules contained herein may be updated as required. To remain fully informed, homeowners should read newsletters and other communications from the Board of Directors and attend all homeowner meetings.

Anyone wising to contact the Board of Directors may do so at any time by writing to the mailing address of any Board Member, or by directing the managing agent to have a Board member contact you.

Read this handbook carefully. Your cooperation is essential to the interest of the association at large. Take pride in being part of Leffingwell Creek. In addition to the contents of this handbook, you should be aware of the CC&Rs and the By-Laws. Copies of these should be in your possession, and are available at cost through the management.

DEFINITIONS

Please use the following definitions for better understanding of these rules and regulations.

- HOMEOWNER:** A person(s) who is of record an owner of a Leffingwell Creek unit.
- TENANT:** A person(s) who leases or rents from a homeowner.
- GUEST:** A non-resident who has been invited by a resident, homeowner or tenant and is accompanied by that homeowner or tenant or a member of their residence, enjoying the facilities of the common area.

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NOTE: Homeowners, tenants or resident are responsible for the conduct and/or damaged caused by of their guests at all times. Including those individuals not expressly invited by a homeowner, tenant or resident, but on the property as a result of, or related to, the homeowner, tenant or resident, or any quest thereof.

Parents are responsible for the actions and/or damage caused by their Children.

VIOLATION PROCEDURES

In accordance with the Covenants, Conditions, Conditions and Restrictions, the Leffingwell Creek Homeowners Association, acting through the Board of Directors, is charged with the responsibility for maintaining and managing the common areas of the Association, and with enforcing the Rules and Regulations.

Owners or Residents shall be notified of rule infractions and will be asked for compliance within a specific period of time. Should the compliance date not be met, a second notice will be sent which shall include the issuance of a penalty assessment. Should the action still continue legal action and other remedies, as provided for in the CC&Rs will be taken when necessary to correct the infraction.

Homeowners must report any Rule Violation in writing to the Managing Agent for consideration by the Board. Names of the reporting parties will be protected to the fullest capability of the Board. All reports will be investigated and recommendations for action will be made. The Board of Directors has final authority in enforcing rules and regulations.

Please do not disturb the board of directors or management at their residence except in the event of an emergency.

IMMEDIATELY:

- Trash
- Posters or signs (except to sell or rent the condo)
- Christmas decorating up after January 15
- Motor vehicle parking
- Pets
- Rights to peaceful enjoyment
- Conduct
- General architectural violations
- Loitering
- Destruction of property/vandalism
- Parking Rules

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The Board Of Directors shall assess fines it considers appropriate for each violation, weighing the gravity of the violations and the history thereof. The minimum fine for an infraction is \$50.00 and increase each time and associated offense occurs.

Fines will be levied against the Homeowner where the offender resides or is visiting, regardless of the offender. Juveniles are the responsibility of their parent or guardian.

PENALTY ASSESSMENTS

Penalty Assessments for uncorrected violations are as follows and can be imposed until the violation is corrected. The seriousness of the offense and the action necessary to correct the violation will be at the discretion of the Board of Director. **In addition to the fines below, all homeowners will be charged the actual cost to repair or replace any damaged or stolen item for which the Board of Directors is responsible.**

Infractions will be assessed in accordance with the following schedule:

First Infraction:	\$50.00
Second Infraction:	\$100.00
Third Infraction:	\$150.00

Any fine issued may be appeal upon written notice to the Board of Directors within 15 days of issuance of said fine. The Board of Directors must respond in writing to say appeal within 15 calendar days of the first Board meeting following receipt of a lawfully filed appeal. Failure by the applicable party to appeal any fine issued by the Board of Director within the specified timeframe shall constitute a waiver of the appeal. Nonpayment of fines or repair/replacement cost will result in an additional 10 percent nonpayment fee for every month that the fine is not paid.

MANDATORY

All homeowners must attend to annual homeowners meeting or submit a proxy form in-lieu of attendance.

Alternative Dispute Resolution

California Civil code Section 1354 provides guidelines to all California Community Associations and their individual members rules for Alternative Dispute Resolution (ADR), which must be followed prior to initiation certain types of lawsuits between members and the Association. A copy of Civil Code Section 1354 is attached.

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Nonpayment of Fines of Homeowners Dues

The Board of Directors will process delinquent Homeowner accounts as follows:

Lien Procedure	90 days after nonpayment of dues or fines
Foreclosure Procedure	180 days after nonpayment of dues or fines

Malicious Mischief and/or Vandalism

This offense may result in the maximum assessment allowable depending on the gravity of the offense, which is to be decided by the Board of Directors. In addition, all costs involved in correcting the damage shall be assessed to the homeowner responsible. The offender shall be prosecuted, where appropriate, to the full extent of the law.

RIGHTS TO PEACEFUL ENJOYMENT AND GENERAL CONDUCT

All homeowners and tenants have the right to **peaceful** enjoyment of their respective properties and the common area.

Any activity, which is considered a violation of the right to peaceful enjoyment, will be considered a violation of the Rules and Regulations and will be subject to the same grievance and penalty assessment procedures. Conduct, including but not limited to the following, will be considered interference with the right to peaceful enjoyment:

1. Anyone caught causing a general nuisance within Leffingwell Creek will be subject to **finest as defined in the penalty assessments schedule.**
2. Excessive noise from any residence at any time, which disturbs neighboring residents.
3. Disorderly conduct in the common area.
4. Loud or offensive language in the common area.
5. Activity, which endangers life or property.
6. **Noise:** A 10:00 p.m. to 8:00 a.m. quiet time shall be observed by all residents and guests in consideration of their neighbor's right to peaceful enjoyment of their property.

Loud and boisterous noise or any other objectionable behavior to any resident or guest cannot be permitted. Good judgment and thoughtfulness for others must be used in playing musical instruments, stereos, radios, television, and in all other activities.

All complaints, suggestions, inquire, and/or recommendations must be in writing to the Board of Directors. Please include your name, unit address, mailing address, and both your work phone number and your home phone number.

Unsigned complaints will be disregarded. Unsigned letters with threats or obscene language are subject to a fine of \$50.00 plus a criminal prosecution.

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NON-OWNER OCCUPIED RESIDENCES

If you are a homeowner who decides to rent your unit or to otherwise delegate your "right of enjoyment", the following rules apply:

1. You are required to report the names of the persons who are living in your unit to the Secretary of the Board of Directors, or to the Managing agent, within 10 days.
2. You are required to acknowledge in writing that your tenant, lessee, or contract purchaser fully understands the CC&Rs and has received a copy of the Rules and Regulations of the homeowners association.
3. You are required to further acknowledge that you (as a member of record of the homeowners association) will be held responsible for the actions of your tenants, including any penalty assessments for violations of the Rules and Regulations of the association, as well as any costs for repairing damage to the common area, or other property caused by your tenants.

FAILURE TO COMPLY WITH THESE RULES IN THIS SECTION WILL SUBJECT THE HOMEOWNER TO PENALTY ASSESSMENT IN ACCORDANCE WITH THE PENALTY ASSESSMENT SCHDLE FOR EACH MONTH OF NON-COMPLIANCE.

NOTIFICATION OF SALES OF CONDOMINIUMS

Concurrently with the consummating of the sale of any unit, the seller (homeowner) shall notify the Association's Board of Directors through the management company.

Within five (5) business days, the homeowner shall provide:

1. The name of the new owner
2. The street address of the condo purchased
3. The mailing address of the new owner
4. The date of sale

PENALTY ASSESSMENT FOR NON-COMPLIANCE IN ACCORDANCE WITH THE PENALTY ASSESSMENT SCHEDULE.

MOTOR VEHICLES AND PARKING RULES

1. Loitering in the garage will not be allowed.
2. Open Parking spaces are to be used for parking vehicles. They cannot be converted for living or recreational purposes. Spaces may not be partitioned or sectioned, or blocked off for uses, which prevent the parking of one normal-sized automobiles in each space.

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3. Do not leave blocks in doors to garage. We are not a security building when these doors are propped open.
4. There will be **NO VEHICLE REPAIRS**. Vehicles cannot be fixed, painted or washed with a hose in any part of the garage, open parking spaces in the common areas or in the grounds.
5. Storage of any inoperable motor vehicle, mobile home, R.V., camper, Commercial vehicle boat or trailer in common area-parking is strictly prohibited. A commercial vehicle or RV that is not garage able must be removed immediately. No commercial vehicle may be parked or stored in the common area garage unless such vehicle is making a delivery or performing a service. A commercial vehicle is any vehicle which has writing of any kind on it, or which has equipment or lighting apparatus on it which is not normally found on a similar vehicle.
6. No guest(s) is allowing to park inside the community.
7. Employ appropriate drip pan in parking space if your car drips excessive oil or grease. Sand or kitty litter will not be permitted. Owners must reimburse the Association for the repair of the areas affected by the leaking oil. The owner must clean up all messes.
8. The storage of gasoline and other volatile fluids is strictly prohibited.
9. All parking areas are to be maintained in a clean and tidy manner.
10. Vehicles parked in unmarked areas, at red curbs, or in driveways are subjects to immediate towing at owner's expense. Exception: parking in red zones is limited to 15 minutes for loading and unloading purpose only. Vehicles are not left to be unattended
11. All residents' vehicles must be registered with the Association.
12. One Parking pass will be issued to each unit. If a homeowner becomes delinquent at any time, that homeowner loses all privileges to the common area. Parking passes will become void until payments are made current. Vehicles without a valid parking pass will be subject to fines/towing if parked in the common area.
13. Garages must be used for their intended purpose (parking vehicles). One vehicle in excess of garage parking capacity will be permitted in the parking lot on a first come first serve basis. Said vehicles must bear an Association parking sticker on the windshield/dash or rearview mirror. All other resident vehicles must park off the premises. This applies at all times.