

**BEGONIA GARDENS TOWMHOMES HOMEOWNERS ASSOCIATION, INC.**

**11522 215<sup>th</sup> Street, # 14, Lakewood Ca. 90715**

**Rules and Regulations**

These rules and regulations have been issued for the purpose of clarifying and supplementing the original Covenants, Conditions and restrictions (CC&R's) and Bylaws provided to all homeowners at the time of purchase. Some homeowners and renters may not be in possession or are not aware of the content of these documents at this time. These Rules and Regulations are provided for your convenience and compliance.

It will be the responsibility of all residents in this community to know, recognize and obey all rules. Furthermore, it will be the responsibility of each homeowner (non-resident) to acquaint his/her tenant(s) with the contents of these Rules and Regulation in addition to the CC&R's and Bylaws. All residents, renters or owners, are responsible for their guest's actions in obeying these rules.

It is requested that each owner read this book and retain it in a safe place for future reference. With everyone's assistance, townhomes, common areas, and the general community will be kept attractive, clean and safe, adding to the enjoyment of residing in Begonia Gardens Townhomes.

The Rule and Regulations contained herein have been generated in accordance to the authority granted to the Homeowners Association in the CC&R's, Article 5.02(e). In addition to the contents of this handbook, residents should be aware of the Articles of Incorporation, CC&R's and Bylaws. Residents may request copies of these documents from the Board of Directors in writing. There is a fee for each document requested.

The Rule and Regulations contained herein were adopted by the members at the annual homeowners meeting on July 24, 1991 and may be updated as required.

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## **DEFINITIONS**

**HOMEOWNER:** Person or persons who are of record, owner(s) of a Begonia GardensTownhomes unit.

**TENANT:** Person or persons who lease or rent from a homeowner.

**RESIDENT:** A homeowner or a tenant and their children, or any other person residing in a unit with the permission of the homeowner or tenant.

**GUEST:** A non-resident who has been invited by a resident and is accompanied by that resident.

**PROPERTY:** The entire Begonia Gardens Townhomes complex as a whole.

## **RULE 1 - GENERAL**

A. Sidewalks, stairways, courtyard, backyard, gazebo, pool area, storage areas, and balconies shall not be used in any manner that will limit access to and from any residence, or detract from the neat appearance or decor of the property.

B. Residents shall not bring into the property any flammable materials such as kerosene, naphtha, benzene, or any explosives, or any other hazardous materials that are hazardous to life, limb, or property.

C. Radio or television antennas or satellite dishes shall not be installed by residents outside of their units without prior approval of the Board of Directors.

D. Guns, pellet guns, sling shots or other similar devices shall not be used in any manner on or from the premises.

E. Resident and their guests shall not make any disturbing noises on the premises or do anything that will interfere with the rights, comfort and convenience of any other resident.

F. The homeowner and/or person(s) responsible for damage to the property shall pay any damage to the premises done by a resident or their guests.

G. Lewd and/or indecent conduct in all common areas are prohibited.

VIOLATION OF ANY OF THE ABOVE RULES IS SUBJECT TO A PENALTY ASSESSMENT OF \$50.00 FOR EACH OCCURRENCE.

### **RULE 2 - SECURITY**

A. Lost garage door openers and common area keys must be reported to the Board of Directors immediately.

B. Exterior lights shall remain on from dusk to dawn.

C. All common area doors shall be securely closed at all times.

### **RULE 3 - LEASED OR RENTED RESIDENCES**

If a homeowner leases or rents a residence the following rules apply:

A. The homeowner shall report in writing the name of the person(s) living in the residence to a member of the Board of Directors within ten days.

B. The homeowner is required to acknowledge in writing that the residents have received a copy of the Rules and Regulations.

C. The owner shall be held responsible for actions of their tenants, including any penalty assessments for violations of the Rules and Regulations, as well as any costs for repairing damages to any common area property caused by tenants or their guests.

FAILURE TO COMPLY WITH THESE RULES WILL SUBJECT THE HOMEOWNER TO A HEARING BY THE BOARD OF DIRECTORS AND PENALTY ASSESSMENTS OF \$50.00 EACH MONTH OF NON-COMPLIANCE.

#### **RULE 4 - COMMON AREA**

Each owner has a vested interest in the common areas. Please give these areas the same pride of ownership and care that you would to your own residence. Common areas are all property owned by the association for the common use and enjoyment of its members including but not limited to landscaping, building exterior, parking areas, pool and gazebo area, courtyard, etc.

A. Bicycle, moped, and skateboard riding is prohibited on courtyard, pool and gazebo area, and landscape areas.

B. Trees and shrubbery are not to be abused. This includes climbing trees, beating on trunks or branches, breaking branches, peeling bark, and using branches to swing.

C. The homeowner shall be responsible for damages done by residents to lawns, trees, shrubs or any common area property and will be billed for repair, replacement, and clean-up costs.

D. Beverage containers, Styrofoam or plastic plates and utensils, and papers are to be disposed in trashcans.

E. Climbing on roofs of residences or fences is not permitted.

F. Noise: See Rule 5 - Rights to Peaceful Enjoyment.

G. Pool: See Rule 6 - Pool and Gazebo Area.

H. Parking: See Rule 7 - Parking.

I. Garage: See Rule 8 - Garages.

J. Pets: See Rule 9 - Pet Control.

K. Signs: See Rule 10 - Signs.

L. Physical Modifications: See Rule 11 Architectural Changes.

M. Courtyard and Stairways: See Rule 12 - Courtyard and Common Stairways.

N. Playing loud musical instruments or televisions, or loud car or motorcycle exhaust noise is prohibited.

VIOLATION OF ANY OF THE ABOVE RULES IS SUBJECT TO A PENALTY ASSESSMENT OF \$50.00 FOR EACH OCCURRENCE.

### **RULE 5 - RIGHTS TO PEACEFUL ENJOYMENT**

All residents have the right to peaceful enjoyment of their respective residences and the common areas. 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 penalty. Conduct, including but not limited to the following will be considered interference with the right to peaceful enjoyment:

A. Loud noises from any residence at any time, which disturbs neighboring residents.

B. Disorderly conducts in the common areas.

C. Loud or offensive language in the common areas.

D. Activities which endanger or have a natural tendency to endanger life or property.

VIOLATION OF ANY OF THE ABOVE RULES IS SUBJECT TO A PENALTY ASSESSMENT OF \$50.00 FOR EACH OCCURRENCE.

NOTE: IT WILL BE THE RESPONSIBILITY OF RESIDENTS TO REPORT ANY VIOLATION OF THESE RULES AND REGULATION TO THE BOARD OF DIRECTORS.

## **RULE 6 - POOL AND GAZEBO AREA**

- A. State Law: Any person of the age of fourteen (14) years or under must be accompanied by an adult eighteen (18) or older.
- B. State Law: Gates shall be locked at all times. Compliance with this rule is mandatory for safety reasons. No lifeguard is on duty and toddlers can fall in the pool.
- C. Glass containers of any type are not permitted in the pool area.
- D. No running, pushing, horseplay, dunking or diving into the pool are not permitted.
- E. Animals are not allowed in the pool.
- F. Only swimwear is allowed in the pool. Street clothes, shorts, T-shirts, etc. are not allowed in the pool.
- G. Disposable diapers are not permitted in the pool.
- H. Swimming is prohibited after 10 p.m.
- I. Lifesaving equipment in the pool area shall not be used as toys. Its misuse or breakage could cost a life.
- J. Loud musical instruments shall not be played in the pool or gazebo area.
- K. Metal objects such as pennies are not allowed in the pool.
- L. If toys are taken out of the game closet, please put them back in neat order.
- M. Only authorized persons are permitted to adjust the pool heating and filter system.
- N. The pool and gazebo area are for the use of residents and their guests only.



- O. Resident must accompany their guests into the pool and gazebo area.
  - P. Pool may not be reserved for private parties.
  - Q. Person(s) other than residents and their guests will be prosecuted for trespassing.
  - R. Food and drinks are allowed in the gazebo, backyard, and around the pool but not in the pool.
  - S. Littering in and around the pool, the gazebo area and the backyard is prohibited.
  - T. Climbing over the gates and fences is prohibited.
  - U. For safety purposes, whenever possible, swim with a friend or family member.
  - V. Barbeque grill must be cleaned and cover must be put on after each use.
- VIOLATION OF ANY OF THE ABOVE RULES IS SUBJECT TO A PENALTY ASSESSMENT OF \$50.00 FOR EACH OCCURRENCE.

#### **RULE 7 - PARKING**

- A. Residents are urged to park their cars in their garages.
- B. Parking in front of garages is prohibited.
- C. No resident shall park, store or keep any large commercial type vehicle (dump truck, cement mixer, oil or gas truck etc.), boats over 20 feet in length or any vehicle other than a passenger vehicle in the outside parking spaces.
- D. Major repairs or restoration of vehicle, boat, trailer etc. is not permitted in the outside parking spaces. Minor repairs are allowed to enable movement of a vehicle to a repair facility.

E. No resident shall store, keep or park any vehicle in the outside parking spaces in an unsightly or dirty condition.

F. Outside parking spaces are for residents only. All others will be towed away at the owner's expense.

VIOLETION OF ANY OF THE ABOVE RULES IS SUBJECT TO A PENALTY ASSESSMENT OF \$50.00 FOR EACH OCCURRENCE.

### **RULE 8 - GARAGES**

A. The use of the unit garage, floor, ceiling, and walls is limited to the exclusive use of the resident. Costs of maintenance and repair of those areas shall be borne by the homeowner or the tenant.

B. Damage caused by another resident shall be the responsibility of the damaging party.

C. Combustible fluids shall not be stored in the garage.

D. Garages shall not be used as a storage warehouse or for any other commercial purpose.

VIOLETION OF ANY OF THE ABOVE RULES IS SUBJECT TO A PENALTY ASSESSMENT OF \$50.00 FOR EACH OCCURRENCE.

### **RULE 9 - PET CONTROL**

Dogs, cats and ordinary household pets may be kept in and residence as permitted by the rule adopted by the homeowners association

A. Total of two dogs and/or cats and ordinary household pets may be kept in any residence.

B. Residents walking their dogs must have them under control and will be legally responsible for their dog's actions.

C. The owner must immediately attend to barking by dogs so as not to disturb residents.

D. Animal refuse in the courtyard, backyard, pool and gazebo area, and in front of the property shall be disposed promptly in tightly secured containers. This is necessary to control flies and to keep offensive odors to a minimum.

E. Cats are not permitted to roam free after 10:00 p.m. Howling and fighting cats are annoying to residents.

VIOLATION OF ANY OF THE ABOVE RULES IS SUBJECT TO A PENALTY ASSESSMENT OF \$50.00 FOR EACH OCCURRENCE.

#### **RULE 10 - SIGNS**

A. Display of any sign to the public view on or from any residence or in the common areas is prohibited without consent of the Board of Directors.

B. "For Sale" and "For Rent" signs erected on posts (commonly referred to as post signs) are prohibited.

C. One "For Sale" or "For Rent" sign, no larger than 36 inches by 24 inches (commonly referred to as stake signs), located on the grass is permitted per residence.

VIOLATION OF ANY OF THE ABOVE RULES IS SUBJECT TO A PENALTY ASSESSMENT OF \$50.00 FOR EACH OCCURRENCE.

#### **RULE 11 - ARCHITECTURAL CHANGES**

A. No person shall install, erect, attach, paste, hinge, screw, nail, build or construct lighting devices, shades, screens, awnings, patio covers, decorations, fences, antennas, radio or television broadcasting or receiving devices, or paint or make any changes or otherwise alter whatsoever the structural aspect of the exterior of any building or structure containing the units or the restricted common areas constructed or to be constructed within the property.

B. Construction or alteration of any type shall not be performed without obtaining appropriate building permits.

VIOLATION OF ANY OF THE ABOVE RULES IS SUBJECT TO A PENALTY ASSESSMENT OF \$50.00 FOR EACH OCCURRENCE.

### **RULE 12 – COURTYARDS AND COMMON STAIRWAYS**

A. Courtyards are to be kept in a clean and orderly manner.

B. Nothing shall be left or stored in the courtyard or in the common stairways.

C. Bicycles, skateboards, roller-skates, boxes or trash are expressly prohibited.

VIOLATION OF ANY OF THE ABOVE RULES IS SUBJECT TO A PENALTY ASSESSMENT OF \$50.00 FOR EACH OCCURRENCE.

### **RULE 13 – FEES**

The following miscellaneous fees apply:

A. All non-residents, including escrow companies and real estate companies, must pay by cashiers check in advance for any documents requested from the Association. Following are the fees for documents:

Copies of CC&R's, Bylaws, Articles of Incorporation or Rules and Regulations to non-residents - \$25.00/each.

Copies of any other Association documents to non-residents - \$10.00/each.

B. Copy of a key - \$10.00.

C. Returned check due to insufficient funds (residents)- \$25.00.

D. Late payment of assessment fees (regular or special) - \$ 10.00.

## **YOUR RESPONSIBILITY TO THE RULES AND REGULATIONS**

These rules are for the benefit of all residents of Begonia Gardens Townhomes. It is hoped that they will be followed without any problems. With cooperation and adherence to these common sense rules, everyone can enjoy the pleasure and privileges of condominium living.

1. The Homeowner's Association Board of Directors may take disciplinary action against any resident member for breach of any rules or regulation as provided herein.
2. In addition to any disciplinary action authorized by the CC&R's, action under these rules may consist of any or all of the following: (A) Written violation notifications, (B) A fine not to exceed \$50.00 for each violation, (C) Suspension of the right to use any facilities owned, operated or managed by the Homeowner's Association for a period not to exceed thirty (30) days, (D) Repeated violations will cause the Board to take legal action against the violator.
3. Before any disciplinary action is taken, a resident owner member shall be entitled to a hearing before the Board of Directors no sooner than five (5) days after mailing of written notice of the time and place thereof and the nature of the charges. A resident member of the Homeowner's Association shall have the right to appear at said hearing in person, by counsel, or both, and present evidence in his/her behalf.
4. Failure to pay any fine within fifteen (15) days after imposition thereof shall constitute a separate offense, and may result in a lien on the resident member's property.

## **FINE POLICY**

1. Basic policy on penalties, fines and fees.
  - A. Whereas it is the policy of the Begonia Gardens Townhomes Homeowner's Association to protect the rights and privileges of the members and to enforce the CC&R's, Bylaws and Rules and

Regulations of the Association, therefore pursuant to the authority vested in the Board of Directors of said Association by the CC&R's and the Bylaws, the following system of penalties, fines and fees is hereby established and supersedes all previously adopted systems for such penalties and fines.

- B. This system shall be binding on the members of the Association, and shall not be the exclusive remedy of the Association to deal with violations of the CC&R's, Bylaws or Rules and Regulations. Owners shall be responsible for the acts or omissions of their guests and tenants.
- C. All penalties and fines, pursuant to this Rule and Regulation, shall be imposed by Board action after reasonable notice and hearing as set forth hereinafter.

2. Violation of CC&R's.

Pursuant to Article 6.08(c) of the CC&R's the Association has the right to proceed to bring an action at law against the owner for non-payment of assessments. Voting rights and use of the common areas by any member, his guests or tenants, may be suspended by action of the Board of Directors during any period when assessments owed by such member remain unpaid.

3. Continuing violation of rules.

Right to use the common areas and facilities may be suspended by the Board of Directors for continued violation of any rules and regulations for a period not to exceed thirty (30) days.

4. Fines.

Fines may be levied by action of the Board of Directors after notice and hearing.

## HEARING PROCEDURE

### 1. Notice of Violation:

Each notice of violation of the Association's Declaration, Bylaws or Rules and Regulation shall specify the nature and date of violation, or the date said violation was determined, and if applicable, shall state a reasonable time by which the member is requested to comply.

### 2. Notice of hearing:

Upon notification by any homeowner of a violation, the Board of Directors shall review the matter. If it is determined there is sufficient evidence of violation to warrant imposition of a penalty, fine, or action at law, the member shall be noticed in writing, sent by certified mail, of the violation and the amount of fine or nature of penalty or action (including suspension of any membership privileges) considered. Such notice shall also provide for a hearing date set within thirty (30) days of such notice, provided however, that upon written notice by the member of his/her inability to attend the hearing on said date, a reasonable effort shall be made by the Board to accommodate the member on another date to be mutually agreed upon by the member and the Board.

### 3. Waiver of hearing:

If written notice by the member is not received within fifteen (15) days of the notice of hearing, the member's right to such hearing shall be deemed waived, and the board shall make a final determination in the matter without a hearing.

### 4. The hearing:

In the event a hearing is held, it shall be before the Board of Directors and shall be open or closed at the discretion of the member. Prior to the hearing date, the member shall have access to all association records relevant to the matter, and shall have the right to representation of his choice, including legal counsel. The association shall be