

# épernay

community association inc.



1312 Chardonnay (Clubhouse)

(713) 531-5279

# ÉPERNAY COMMUNITY ASSOCIATION, INC.

## LIVING IN ÉPERNAY

### THE ASSOCIATION

It is a non-profit corporation comprised of all 157 record homeowners of fee simple titles to the townhomes in the Épernay subdivision. It is managed by a Board of five Directors and governed by its Articles of Incorporation; Declaration of Covenants, Conditions and Restrictions; and Bylaws. All homeowners and residents must abide by the rules, regulations and restrictions promulgated in the governing documents and enacted by the Board. An annual Members Meeting is held on the first Wednesday in February of every year to elect Directors whose terms are staggered for continuity and to take action on other business.

### MAINTENANCE ASSESSMENT

All homeowners are required to pay a uniform monthly maintenance fee to the Association through its Off-Site Management Company. Failure to do so will result in the Association following its collection procedure (attached). The Association uses these assessments for exterior building, common area, and recreational facility repairs and maintenance. The Association's budget and expenditures are discussed at each monthly Board Meeting and the the annual Members Meeting.

### RESPONSIBILITIES

- | <i>Association</i>                    | <i>Homeowner</i>            |
|---------------------------------------|-----------------------------|
| • Exterior Building Surfaces          | • Interiors                 |
| • Roofs                               | • Private Patios            |
| • Guttering                           | • Balconies                 |
| • Driveways                           | • Foundation Slab           |
| • Exterior Painting                   | • Garage Doors              |
| • Streets                             | • Dwelling Doors            |
| • Sidewalks                           | • Trelliswork               |
| • Landscaping (Common Areas)          | • Pergola                   |
| • Outdoor Lighting (Common Areas)     | • HVAC Units                |
| • Recreational Facilities             | • Windows                   |
| • Garbage Pickup                      | • Personal                  |
| • Cable Television (not maintenance)  | • Property                  |
| • Property Insurance (not for floods) | • Insurance                 |
|                                       | • Utilities                 |
|                                       | • Patio Trees and Plantings |
|                                       | • Property Taxes            |

**ON-SITE MANAGER** His office is in the Clubhouse and he performs all Association maintenance within the approved budget and policies of the Board.

**OFF-SITE MANAGEMENT COMPANY** It collects monthly maintenance assessments (payment coupon booklets are issued every June); handles all homeowner requests for maintenance and relays these immediately to the On-Site Manager; performs bookkeeping and prepares monthly financial statements; and pays all Association bills based on approved invoices.

**MAINTENANCE REQUESTS/ EMERGENCIES** Call the Off-Site Management Company. The On-Site Manager will be notified and will contact homeowners needing repairs to determine what the problem is before taking reasonable and cost-effective action.

**SELLING/LEASING** The Off-Site Management Company must be notified at the time of selling or leasing a townhome. Title companies are required to collect a one month maintenance fee in advance from a new owner and to transmit it to the Off-Site Management Company. Townhomes and membership in the Association, which includes the right to use all common area facilities and services, cannot be severed.

Leasing is permitted; Association rules and regulations apply to tenants as if they were homeowners. A copy of Association rules and governing documents should be transmitted from homeowner to homeowner upon sale of a townhome and from homeowner to tenant at the time of lease. These documents may be obtained by contacting the Off-Site Management Company. There will be a nominal fee for copying.

**GUESTS** Friends and visiting family members may use all of the recreational facilities without charge subject to Association Rules and Regulations as well as posted rules for individual facility use.

**RECREATIONAL FACILITIES** All homeowners, their families and tenants may use the recreational facilities and common services, provided they abide by Association Rules and Regulations as well as posted rules for individual facility use.

## **PETS**

Only two household pets are permitted per townhome. They must be properly leashed and controlled at all times in the greenbelt; they are not allowed in the pool and tennis court areas. Owners are required to pick up all pet droppings and properly dispose of them.

**CABLE TELEVISION** The Association pays for "basic" cable service. All other cable services, including maintenance in the townhome, premium channels and pay-for-view are secured directly from Warner Cable by the homeowner who must pay separately for them.

**GARBAGE PICK UP** Garbage is collected on Tuesdays and Fridays. It is not permitted to place garbage out earlier than the night before the collection day.

## **SECURITY**

The Association does not provide any private security. Homeowners should call the City of Houston Police to report robberies, vandalism or other security problems.

## **EXTERIORS**

Homeowners are responsible for all private exterior areas and patios, including preventing any condition or item from inside a patio from damaging unit exterior walls, roofs and guttering. Homeowners are obligated to repair, at their expense, damages to buildings caused by their negligence or failure to trim trees and climbing vines planted in their patios that overhang roofs or touch buildings.

Homeowners must receive written approval from the Board for any planned exterior change whatsoever made to any unit before making the change. A request consists of a written description of the contemplated scope of work supported with professional quality architectural engineering drawings or sketches. Requests are submitted through the Off-Site Management Company. Verbal discussions with on or off-site staff or individual Association Directors does not circumvent this requirement. Also, Board approval of a specific type of alteration (e.g., awnings) for one homeowner does not convey *de facto* approval to any other homeowner for a similar alteration.

## **INTERIORS**

Homeowners may paint, paper or decorate the interior of their units according to their taste, however, window

coverings must be a neutral color.

## **INSURANCE**

A special property insurance policy is provided by the Association. It has a \$2500 deductible per occurrence for fire and extended coverage of Épermay buildings.

This insurance does not cover loss of the contents of Épermay townhomes. Each homeowner and resident is urged to secure personal property insurance to protect against loss of household and personal belongings.

## **TAX BENEFITS**

Épermay owners receive all the tax benefits of home ownership: mortgage interest and property tax payments are deductible on income tax. Monthly maintenance assessments are not tax deductible unless a townhome is leased.

Before selling, homeowners should check their individual unit files kept by the Off-Site Management Company to record the amount of capital replacements and improvements (e.g., a new roof, not roof repairs or maintenance) performed by the Association on their units during their possession for addition to their basis for reduced tax computation purposes.