

The Memorial Drive Townhouse Condominium Association

July 5, 2019

Adopted Rules & Regulations  
(Blue Book)

Dear Homeowner/Resident,

Enclosed you will find the newly adopted Rules & Regulations, otherwise referred to as the Blue Book, for The Memorial Drive Townhouse Condominium Association. Please be sure to read through the rules to familiarize yourself with the rules and ensure you are in compliance.

All homeowners must sign and return the acknowledgement (page 3 of 13) to Genesis Community Management confirming that you have received and read the rules of the community. The signed acknowledgement can be emailed to [Bryan@Genesiscommunity.com](mailto:Bryan@Genesiscommunity.com), faxed to (713) 952-3972 or mailed to 9700 Richmond Avenue, Suite 160, Houston, TX 77042. You can also place the signed form through the mail slot of your Area Manager.

If you have any questions, please contact the management office at (713) 953-0808 to speak with Bryan Pierce or Miranda Rodriguez.

Sincerely,  
The Board of Managers  
The Memorial Drive Townhouse Condominium Association

OF THE TEXAS PROPERTY CODE

THE STATE OF TEXAS

§  
§  
§

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Sarah Gerdes, who, being by me duly sworn according to law, stated the following under oath:

“My name is Sarah Gerdes. I am over twenty-one (21) years of age and fully competent to make this affidavit. I have personal knowledge of all facts stated herein, and they are all true and correct.

I am the attorney for The Memorial Drive Townhouse Condominium Association, a Texas non-profit corporation (the “Association”) and I have been authorized by the Association’s Board of Directors to sign this Affidavit.

The Association is a “property owners’ association” as defined in Section 202.001(2) of the Texas Property Code.

Attached hereto is the original of, or true and a correct copy of, the following dedicatory instrument, including known amendments or supplements thereto, governing the Association, which instrument has not previously been recorded: 1) Blue Book (Rules and Guidelines) for The Memorial Drive Townhouse Condominium Association. The document attached hereto is subject to being supplemented, amended or changed by the Association.

Dedicatory instruments of the Association that have already been filed in the Real Property Records are as follows:

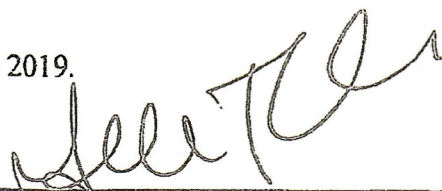
- 1) Condominium Declaration for The Memorial Drive Townhouse Condominium Association, together with the survey plat and Exhibits attached thereto, filed on November 14, 1966 and recorded under County Clerk’s File No. C407702, and under Volume 10, Page 1, et seq. of the Condominium Records of Harris County, Texas.
- 2) By-Laws, Articles of Incorporation and Parking Rules & Regulations for The Memorial Drive Townhouse Condominium Association, recorded August 15, 2003, under County Clerk’s File No. W933385 of the Official Public Records of Harris County, Texas.
- 3) Revised Parking Rules & Regulations (2009) for The Memorial Drive Townhouse Condominium Association, recorded under Clerk’s File No. 20090398217 and Film Code No. 206241 of the Condominium Records of Harris County, Texas.



Townhouse Condominium Association, recorded January 4, 2003, under County Clerk's File No. Y170005 of the Official Public Records of Harris County, Texas.

- 5) Affidavit in Compliance with Section 202.006 of the Texas Property Code utilized to record the Certificate of Incorporation for The Memorial Drive Townhouse Condominium Association and Assessments Collection Procedure for The Memorial Drive Townhouse Condominium Association. recorded January 17, 2012 under County Clerk's File No. 20120019958 of the Official Public Records of Harris County, Texas.
- 6) The Memorial Drive Townhouse Condominium Association Resolution Approving and Adopting Leasing Rules and Regulations recorded May 30, 2013 under County Clerk's File No. 20130261056 of the Official Public Records of Harris County, Texas.
- 7) The Memorial Drive Townhouse Condominium Association Resolution Regarding Covered Property Under the Master Property Insurance Policy recorded November 22, 2013 under County Clerk's File No. 20130590416 of the Official Public Records of Harris County, Texas.
- 8) The Memorial Drive Townhouse Condominium Association Resolution Adopting Rule Requiring Retention of Flood Insurance by All Owners recorded July 14, 2016 under County Clerk's File No. RP-2016-305746 of the Official Public Records of Harris County, Texas.
- 9) The Memorial Drive Townhouse Condominium Association Parking Rules & Regulations (Revised February 2017), recorded March 13, 2017 under County Clerk's File No. RP-2017-103409 of the Official Public Records of Harris County, Texas.

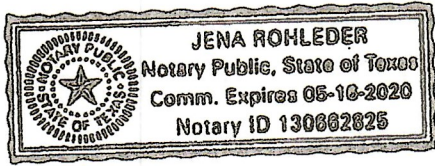
SIGNED on this the 12<sup>th</sup> day of June 2019.

  
\_\_\_\_\_  
Printed Name: Sarah Gerdes  
Position Held: Attorney and Agent for The  
Memorial Drive Townhouse Condominium  
Association

THE STATE OF TEXAS     §  
  §  
COUNTY OF FORT BEND   §

BEFORE ME, the undersigned authority, on this day personally appeared Sarah Gerdes, who, after being duly sworn stated under oath that she has read the above and foregoing Affidavit and that every factual statement contained therein is within her personal knowledge and is true and correct.

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public, on this the 12<sup>th</sup> day of June 2019.



*[Handwritten Signature]*  
\_\_\_\_\_  
Notary Public – State of Texas

RECORDED BY:

**BSG** | SEARS  
BENNETT  
& GERDES, LLP  
6548 GREATWOOD PKWY.  
SUGAR LAND, TX 77479



The Memorial Drive Townhouse Condominium Owners Association

Genesis Community Management  
Memorial Drive Townhouse Management Representatives

Manager: Bryan Pierce  
9700 Richmond Avenue, Suite 160  
Houston, Texas 77042

All requests should be submitted through the Genesis Office.  
Please email Bryan at the following email address:

[Bryan@Genesiscommunity.com](mailto:Bryan@Genesiscommunity.com)

Revised: May 2019

THE MEMORIAL DRIVE TOWNHOUSE  
CONDOMINIUM ASSOCIATION, INC.

This booklet has been prepared for your convenience by the Board of Managers (the "Board") of The Memorial Drive Townhouse Condominium Association (the "Association"). This booklet is intended to supplement the Condominium Declaration for Memorial Drive Townhouse (the "Declaration") and the By-Laws of The Memorial Drive Townhouse Condominium Association (the "By-Laws") and, where specified, to summarize certain provisions of the By-Laws. The Declaration and By-Laws have been filed for record in the Official Public Records of Harris County, Texas, and are binding on each Owner and each Owner's property in the Association.

If you do not have a copy of the By-Laws or the Declaration, please notify the Management Company, Secretary of the Association, or your Area Manager to obtain a copy. You will be held responsible for compliance with the terms of the Declaration and By-Laws whether or not you obtain copies. A copy of each should be kept with your personal records for periodic review.

In addition to the provisions of the Declaration and By-Laws, certain other rules and regulations (the "Rules") have been passed by the elected Board. A summary of these Rules is included in this booklet. The Board may from time to time amend or add to the Rules, and Owners will be given notice of any such amendments by hand delivery or delivery through U.S. mail. The Declaration, By-Laws and Rules will also be posted on the Association's website. Also included in this booklet for your review are Maintenance Suggestions and Guides for Safety Practices.

The Declaration, By-Laws, and Rules are reviewed and enforced by the Board. Enforcement may also be carried out by Genesis Community Management as instructed by the Board. The Board reserves the right to take any authorized enforcement action against any Owner that is in violation of any provision of the Declaration, By-Laws, or Rules. This action may include, but is not limited to, filing suit against an Owner for injunctive relief and recovery of damages, as well as levy of fines as follows:

- 1<sup>st</sup> offense: Warning\*
- 2<sup>nd</sup> offense: \$100.00 fine
- 3<sup>rd</sup> offense: \$200.00 fine

Consecutive offenses will result in levy of fines which are double the fine amount levied immediately prior.

\*With the exception of offenses causing bodily injury or property damage, which will incur the initial \$100.00 fine.

The Board also reserves the right, with respect to any monetary delinquency for which the Declaration provides for the imposition of a lien against the Owner's property, to (i) file suit for damages; (ii) judicially or non-judicially foreclose the Association's lien, as allowed by the Texas Uniform Condominium Act (TUCA); or (iii) seek the remedies of (i) and (ii).

Please remember that the Board does not desire to fine, file suit, or proceed with foreclosure against any Owner. However, when someone doesn't comply with the rules by which we all must live, adverse action is necessitated for the benefit of all. You, as an Owner, have chosen to invest in our community. You have given the Board the authority to enforce the Rules. The Board can serve you effectively only if you and all other Owners cooperate to the fullest extent.



Please sign and return a copy of this page to Genesis Community Management by mail or email.

I, \_\_\_\_\_, residing at

\_\_\_\_\_ have read and agree to comply with the rules and regulations set out in this document.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

This signed acknowledgement must be returned to Genesis Community Management no later than 30 days following receipt.

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ARTICLE I  
SUMMARY OF CERTAIN PROVISIONS OF THE BY-LAWS

The By-Laws of the Association are a legally binding document for which all Owners are required to comply. Copies of the Declaration and the By-Laws are given to each Owner at the time of orientation, additional copies may be obtained from the Management Company. The Declaration and By-Laws should be reviewed in their entirety by each Owner; however, below is a brief summary of some of the provisions of the By-Laws.

a. Board of Managers

The affairs of the Association are governed by the Board (Art. IV, Sec. 1). The Board is composed of seven members, one for each of the six areas, and one at-large (Art. IV, Sec. 1). The officers of the Association are President, Vice-President, Secretary, and Treasurer (Art. V, Sec. 4, 5, 6, and 7).

b. Assessments

The Board has the authority to fix, determine, levy, and collect monthly prorated assessments to be paid by each Owner for the expenses of the entire premises (Art. IV, Sec. 3(e)). All Owners are obligated to pay the monthly assessment imposed by the Association to meet the common expenses (Art. IV, Sec. 3(f)).

c. Insurance

The Association obtains hazard insurance coverage for all general common elements of the property in an amount equal to their maximum replacement value, comprehensive liability insurance for the entire premises, and insurance for all fixtures, equipment, and personal property of the Association (Art. IV Sec. 3(d)). Every Owner of a condominium Unit at Memorial Drive must obtain flood insurance covering his or her Unit. The flood insurance must include coverage for the exterior and interior of the Unit. Owners must provide the Association with proof of satisfactory coverage. Fines will be assessed until proof of coverage is provided.

d. Maintenance and Repairs

An Owner is responsible for all maintenance and repairs within their Unit. This includes all utility repairs (water, light, gas, power, sewer, and telephone) at the point of entry to the Unit. Air conditioners, sanitary installations, doors, windows, glass, and electrical fixtures, etc. belonging to the Unit, including limited common areas, are also the Owner's responsibility (Art. VII, Sec. 2 (a) and (b)).

Note: Installation of electrical devices or appliances on the patio is prohibited.

e. Meetings

The annual member meeting is held the first Monday in April (Art. III, Sec. 3). Monthly board meetings are held the fourth Tuesday of the month at 6:30 pm; however, meetings may be rescheduled as necessary due to holidays or scheduling conflicts. Homeowners are encouraged to attend all meetings. For additional information concerning meetings, see Article III.

f. Members of the Association

Any person on becoming an Owner of a condominium Unit is automatically a member of the Association and is entitled to vote pursuant to the By-Laws. (Art. II, Sec. 1 & 2).

g. Members' Restrictions

All Units are to be occupied for single family residential purposes only. (Art. VII, Sec. 5 (a)) The Board, through the Managing Agent or other authorized persons, has the right to enter any Unit in case of an emergency. (Art. VII, Sec. 7 (a)) In addition to the Rules set forth herein and established by the Board, Owners are required to comply with all Rules and Regulations outlined in Article VII, Section 8.



ARTICLE II  
RULES AND REGULATIONS

Article VII, Section 8 (a) through (l) of the Bylaws establishes Rules and Regulations for the successful condominium living such as exercising extreme care to avoid making loud or objectionable noise, etc. Please read this section carefully. Owners are required to assure that all occupants and guests comply with these Rules and Regulations, as well as any other Rules adopted by the Board.

a. Cars, Parking and Roadways

Due to extremely limited parking within the complex, the fact that a number of Units have only one garage/carport, and city ordinances related to emergency vehicle access, the following rules have been enacted and will be strictly enforced by the Board *without exception*.

1. All resident drivers of vehicles within the complex must have a valid driver's license. Parents who allow unlicensed juveniles to drive vehicles within the complex are subject to being fined. According to the City of Houston Police, all city traffic laws apply, and it is the right and responsibility of the City of Houston Police and/or Constable to enforce City Laws on these streets including issuing tickets for violations.
2. Vehicle speed is limited to 10 mph on all streets within the complex. Vehicle speed is limited to 5 mph on all driveways/alleys within the complex.  
**PLEASE COMPLY FOR THE SAFETY OF ALL.**
3. The Board and/or Property Management Company are authorized to enforce the Rules and Regulations set forth in the Association's "Parking Rules & Regulations."

Parking

- o Vehicles are required to be parked in the garages and carports corresponding to the Unit in which the resident resides. The garage and carport area are not to be used for storage of any objects that prevent the parking of vehicle and should be kept free of debris or rubbish of any kind. (Art VII, Sec. 8 (f))
- o Memorial Drive Townhome ("MDTH") vehicle registration stickers will be issued for all owner/resident vehicles. These stickers are not street parking permits, but are used for registration purposes only. This will enable not only supervision of parking but assist in identifying authorized vehicles within the complex. Approved street parking permits will be issued to owners/residents for qualifying vehicles they own. For the purposes of these Rules and Regulations, the term "qualified vehicle" is defined as a drivable vehicle, having no flat tires, exhibiting current license/registration and inspection stickers, and being registered to an Owner/resident.
- o Owner/resident vehicles parked on the street must have a MDTH vehicle registration sticker and street parking permit. Applications for vehicle registration stickers and street parking permits must be obtained from the Board and/or the Property Management Company. The Board will approve all vehicle registration stickers and street parking permits issued. Vehicle registration stickers and permits will be issued for all qualified vehicles. Vehicle registration stickers are to be displayed on lower driver's side of the rear window. Street parking permits will be issued according to the requirements outlined in Section (a) above and require payment of a monthly permit fee. The monthly permit fees are due each month by the 15<sup>th</sup> day of the month. Failure to pay the monthly fee by the 15<sup>th</sup> will result in the voiding of the permit(s); non-permitted vehicles parking on the street will be towed at the owner's expense without notice.



- o Vehicle registration is limited to the number of licensed & insured drivers in the Unit. For approved qualifying vehicles, the first permit is a yearly fee of \$100.00. Additional approved street parking permits will cost the Owner/resident \$50.00 each per month. Vehicle registration is limited to the number of licensed drivers residing in each Unit. The Board and/or the Property Management Company will coordinate and handle the issuance of all vehicle registration stickers and permits.

**FAILURE OF AN OWNER/RESIDENT TO APPLY AND OBTAIN THE NECESSARY STREET PARKING PERMIT FOR A QUALIFIED VEHICLE MAY RESULT IN TOWING OF THE VEHICLE.**

- o Moving vans **MUST NOT** park in the alleys.
- o Vehicles may be parked in driveways/alleys during loading or unloading provided they are not left unattended; however, there is a fifteen (15) minute time limit. Unattended vehicles parked in driveways/alleys are subject to being towed without notification at the owner's expense.
- o Owners'/residents' vehicles with commercial tags, signs, or logos may not be parked on the street.
- o Recreational or commercial vehicles, including any vehicles that have been retrofitted with commercial utility items to modify them for commercial purposes, are not permitted anywhere in the complex, including carports, garages, and any other common or limited common area. Vehicles with commercial tags, signs, or logos will be towed at the owner's expense.
- o Parking of vehicles in "FIRE" zones, "NO PARKING" zones (all red or yellow painted curb areas), and any other such area specifically designated and/or identified by an appropriate sign as a "NO PARKING AREA" is strictly prohibited and will result in the immediate towing of the vehicle.
- o Street parking is required to be in the same direction as traffic flow for that side of the street and as close to the curb as possible (within 6 inches) to allow easier traffic flow and access for all vehicles. Parking tickets can be issued for violations.
- o Guest vehicles parking on the street for longer than three (3) days must have a temporary parking permit. Temporary permits (valid up to two (2) weeks), must be obtained from the Property Management Company. Requests for permits exceeding 2 weeks must be submitted in writing and will be considered for approval by the Parking Committee or Board.
- o Vehicles parked on the street must be moved at least once every 72 hours. "For Sale" or any other signs are not to be display in the windows of vehicles parked with the complex.

**b. Architectural Control (ACC) Requests**

Major repair work includes projects such as installation of patio covers, enclosure of carports, and any additions, changes or improvements to the General Common Elements or Limited Common Elements that have been approved by the Board. Also included are alterations such as installation or repair of doors, patio covers, etc., including any change that can affect the structural integrity of the buildings as well as major electrical additions and changes. Alteration of a patio to install a hot tub, outdoor kitchen, built-in cooker, or similar built in appliance is prohibited. Major repair work does not include installation and/or service of air conditioning units, furnaces, hot water heaters, and appliances; as well as use of painters, electricians, plumbers and wallpaper installers inside a Unit.

**c. Outside Contractors**

- o Before commencing any major repair work within your Unit, please have the contractor meet with the Property Manager.
- o All contractors performing work on the property must have a General Liability Insurance Policy with minimum coverage of \$500,000 and a liability policy covering any commercial vehicles that will be operated on the property. A waiver of Mechanic and Materialman's Lien should also be provided.



d. Monthly Maintenance & Insurance Assessment

The monthly maintenance and insurance assessments are due and payable on or before the 5<sup>th</sup> of each month. Failure to pay by the 15<sup>th</sup> day of each month requires imposition and assessment of a \$5.00 late charge. In addition to pursuing any other rights or remedies as authorized by the Declaration, these Rules, the By-Laws or Texas law, the Board reserves the right to terminate water service to a Unit if the Owner of which is delinquent in the payment of an assessment.

e. Fire

Fireworks and the indiscriminate use of matches are strictly prohibited.

No person shall operate a stove, oven, or bar-b-que pit in the patio areas. The City of Houston Fire Code (Section 17-27.6) prohibits the use of a stove, oven, or bar-b-que pit when located less than ten (10) feet from any building. No propane tanks are allowed to be stored anywhere on the property. Electric grills are permitted as long as there is no open flame. Every Unit Owner is required to adhere to the City of Houston Building Code for smoke detector installation. Smoke detectors are required in each bedroom and hallways near bedrooms; interconnection is required.

Violations of the City of Houston Fire code could result in a fine not to exceed \$1,000.00 for each violation. Each and every day a violation is permitted to continue shall constitute a separate offense. (Section 17-1.18 City of Houston Fire Code)

f. Garbage Pick Up

- o Pickups are scheduled for Monday and Thursday after 7:15 am.
- o Please place all garbage in plastic bags and in a garbage can with a secure lid.
- o Garbage should not be placed behind the garage until the night before pick up.
- o Trash cans must be taken into and stored out of public view as soon as possible after pickup.

g. Park

The park is a beautiful area that all of our residents enjoy. In order to preserve the park as a place of enjoyment, we ask that you adhere to the following rules:

- o Basketball is not permitted after 10:00 pm.
- o During the evening and overnight hours, no loud or boisterous activity or conduct of any kind is permitted.
- o Disorderly behavior is prohibited at all times.

h. Landscaping

The parks and malls are among the most attractive features of the complex. Plants in the common areas, including the front of your Unit, are selected and maintained by the Association. Please treat the trees and ornamental shrubs as the valuable property they are. Each resident should take a protective as well as proprietary interest in the common element areas. Your individual attention is requested in admonishing any and all of those persons, be they owners, guests, or children, who damage, destroy, litter or pollute the premises. Homeowners may plant flowers and plants of their choosing on their patios.

i. Pets

- o Not more than two dogs, cats, or other usual household pets may be kept in any Unit.
- o No animal, livestock, birds or poultry shall be kept in or around any Unit. (Art. VII, Sec. 8 (d) of the By-Laws) The Board will not enforce this provision against any guide dogs that aid the disabled.



- o Pets must always be kept on a leash when in the common areas (park, malls, front yards, and streets). Pets must always be under control and properly restrained; leashes must be held by the person walking the pet.
- o Deposits/pet wastes are to be picked up by the pet's owner and properly disposed.
- o Cats are not allowed to roam at will.
- o Pet owners must restrain their pets from fighting with other pets or from attacking or jumping on the other residents or guests.
- o Except as may be required of a guide dog for a disabled person, pets are not allowed to remain unattended for extended periods of time on the patio or in the garage or carport, for animal safety and out of consideration for neighbors.

Pet owners are reminded to please exercise responsibility for their pet(s) and be considerate of their neighbors.

j. Signs

- o Advertisements, signs, decorations, and/or posters of any kind shall not be located within the complex except as authorized by the Association, and not in the common areas.
- o A "For Sale" or "For Lease" sign may be placed in one window only of the Unit when offered for sale or lease.
- o All need to be removed promptly after the event.

k. Pool

**POOL KEYS**

- o Must be obtained from the Management Company for access to the pool area. A deposit is required and can be refunded at any time you desire to turn in the key. Notify Management Company immediately of lost keys. There is a replacement charge for lost keys.
- o Are to be used by residents and their invited guests only.
- o Are not to be given or loaned to any Owner or tenant on the premises.
- o Are not to be duplicated for any reason. Duplication of keys could result in the loss of pool privileges.
- o Must be turned in to the Management Company if you move, sell, or lease.

**POOL RULES**

1. Swim at your own risk. MANAGEMENT IS NOT RESPONSIBLE FOR ACCIDENTS OR INJURIES.
2. For Safety and insurance purposes, the pool gate must be kept closed and locked at all times. (No propping or leaving the gate ajar.) Residents should remember to bring and use their key when visiting the pool.
3. Life-saving equipment is for emergencies only and is not to be used for recreation.
4. Children under 12 must be accompanied by an adult at all times.
5. No glass in pool or pool area.
6. No pets in pool or pool area.
7. No horseplay, running, screaming, throwing objects or Frisbees.
8. No obscene language or loud radio.
9. Regulation swimming suits only.
10. No Styrofoam objects in pool.
11. Adults will be responsible for removing children's toys from the pool at the end of play.
12. Pool hours are 10:00 am – 10:00 pm.

l. Pool Party Guidelines



Although the pool may not be reserved for the exclusive use of any group, it may be used for small parties under the following conditions:

- Parties may be held Tuesday, Wednesday, or Thursday only.
- The pool will only be available between the hours of 12:00 pm (noon) and 7:00 pm for a maximum of two hours.
- No more than a total of 10 guests may be included.
- There must be one adult chaperon over the age of 21 for every three children under age 12 present. Chaperons must accompany children in the pool enclosure at all times.
- The parties must be set up in the park area. The pool is available only for swimming.
- Only one group may use the pool at a time. Reservations may be made through the Management Company on a first come, first serve basis.
- All posted pool rules apply, and consideration of other residents using the pool is appreciated and expected.
- Failure to comply with the above guidelines may result in the loss of future privileges at the discretion of the Board.

#### PROCEDURES FOR SALE OR LEASE OF CONDOMINIUM UNIT

##### m. Transfer of Units

In the event that you wish to sell or lease your Unit, upon your receipt of a bona fide offer from a prospective buyer or lessee, you are required, pursuant to Section 27 of the Declaration, to notify the Management Company. To comply with this obligation, the "Notice of Intent" form, a copy of which is attached to these Rules, must be completed, signed and the original returned to the Management Company.

In addition to the requirements of the Declaration, each Owner is required to give a copy of the "Notice of Intent" form and a copy of the rules and regulations book to the buyer or lessee prior to closing or signing of the lease.

In the event an Owner sells or leases their Unit without proper notification to the Association/Management Company, the attempted sale or lessee occupancy shall be considered unauthorized.

Effective July 18, 1987, the Board adopted a rule, pursuant to the By-Laws, that if an unauthorized occupancy of a Unit exists, such occupants shall have no rights or privileges as to the use of the common elements of the Association, such as the pool, clubhouse, etc. The Board reserves the right to assess a fine of up to \$100.00 per month, over and above the regular monthly assessment, for each month until the "Notice of Intent" is properly filed with the Management Company.

The subleasing or sub-renting of a Unit shall be subject to the same notification requirements as are applicable above. The liability of the Owner under these circumstances shall continue. In the event a lessee and/or agent is to act on behalf of the Owner, the Owner must provide a general (not limited) Power of Attorney covering all matters relating to the ownership of the Unit. This Power of Attorney must be duly recorded in the Official Records of Harris County. Each Owner's obligations shall remain in accordance with these Rules, the Declaration and the By-Laws.

##### m. Leasing Limitations

Effective May 30, 2013, the Board adopted a rule, pursuant to the By-Laws, that at any given time, no more than 25% of the Units at Memorial Drive may be occupied by tenants. At all times, at least 75% of the Units at Memorial Drive must be Owner occupied. (An Owner is defined as the individual(s) listed on the deed recorded in the Official Public Records of Harris County, Texas). Any individual acquiring a Unit after



May 30, 2013 is subject to this rule. See the Resolution for complete requirements pertaining to this regulation.

o. Owner's Rental Guidelines *This section pertains only to Owners who rent their Units.*

Each Owner is responsible for the conduct of the Owner's lessee and such lessee's guests and occupants; it is a violation of the Rules if any lessee, guest, or occupant disturbs the rights, comforts, or conveniences of any other persons within our community. The following guidelines apply to any Owner who rents or sublease his or her Unit:

Criminal history checks. Each Owner is required to notify Genesis Community Management of prospective lessees, and Genesis will conduct the required criminal background checks. Each Owner is required to provide Genesis with all information necessary to complete this task. Owners are prohibited from knowingly renting to any lessee or adult occupant that has been convicted of a felony.

Prior rental history. In order to minimize problems, it is necessary that each Owner refrain from renting his or her Unit to lessees and occupants with unacceptable prior rental histories. The Association is not responsible for determining whether a prior rental history is acceptable or whether the Owner has made a sound economic decision to rent the Owner's Unit. However, references on each prospective lessee and occupant should be obtained and thoroughly checked. At the very least, any applicant for rental that has a history of being evicted for non-monetary reasons should be declined rental.

Identification of all lessees and occupants. Prior to the move-in date, each Owner or Owner's managing agent shall file a copy of the Owner's executed lease with the Management Company. Each lease must clearly and legibly show the full name of all lessees and authorized occupants of the unit.

Move-In Procedure. As part of every Owner's move-in procedure, each Owner, on the Owner's own behalf or through the Owner's managing agent, shall provide the Management Company with a statement certifying that the Owner has complied with the Owner's obligations in this section and that all lessees, in addition to any other documents required by law, have been provided with a copy of these Rules, the Declaration, the Bylaws, or any other documents or statements which the Association may, from time to time, require the Owner to provide. As part of the lessee's lease or other rental documents, the lessee shall agree to comply with these Rules, the Declaration, By-Laws, or any other rules that the Association may from time to time adopt. Owner shall notify Management Company and an Orientation meeting shall be setup with lessee and the Association prior to move-in.

When the Owner of a Unit receives a bona fide offer, of which the Owner intends to accept, for the sale or lease of such Unit, the Owner is required, pursuant to Section 27 of the Declaration, to notify the Association of the anticipated sale or lease. To comply with this obligation, the "Notice of Intent" form must be completed, signed, and the original returned to the Management Company. In addition to the requirements of the Declaration, each Owner is required to give a copy of the "Notice of Intent" form to the buyer or lessee with the instructions to contact the Management Company to set up an appointment for an Orientation meeting with the Greeting Committee of the Association after such sale or lease transaction is consummated and prior to move-in.

Any questions the buyer/lessee might have about the Association's Rules and Regulations and the obligations they have assumed should be directed to their area manager. A copy of our "New Owner/Resident Handout" which includes copies of our Declaration and By-Laws of the Association plus other information regarding the Association and complex will be provided. Notwithstanding the



Association's effort to acquaint new owners or lessees with our community, the Association does not assume any disclosure obligations for the Owner under Texas law.

For the sale of a Unit, a fee will be collected to cover the costs involved in providing documents to the prospective purchaser, real estate agent, lender, and the title company.

### ARTICLE III MAINTENANCE SUGGESTIONS

1. Owners with their own dryers should clean the lint trap after each load. Garbage cans and other items placed near the a/c condenser will impede air circulation and could be a fire hazard as well as cut down the efficiency of the Unit.
2. As a safety measure, and to avoid repairs, your heating and air conditioner units should be checked by a professional heating and air conditioning firm at the beginning of each season. The following should be checked: pilot light, pilot safety, fan motor and blower oil, fan control, gas valves, burner, thermostat, filters, heat exchanger and air conditioner drain line.
3. Use good judgment when disposing items down sink drains, garbage disposal and toilets. Put only biodegradable items in toilets and always run water when using the disposal. Never pour grease, cooking oil, bulky foods, fats/oils, seafood shells, egg shells, coffee beans, metal, glass, cloths, napkins/paper towels, rubber, plastic, sanitary/baby wipes, disposable toilet bowl scrubbers, feminine hygiene products, hair clippings, diapers, paint, aquarium rocks, sand, or cat litter down sink drains or toilets.
4. Familiarize yourself with water shut off valves on the exterior and interior of your Unit so that you can locate them quickly in case of any emergency. The Association strongly urges each Owner to contact your insurance agent to be sure adequate coverage for any potential damage to your Unit and to neighboring Units caused by interior plumbing or maintenance problem.
5. The landscaping on the patio is the Owner's responsibility. The lawn crew will not maintain any plants on the patio. Trees and vines must not touch the back of the house, garage, or fences. They must be kept trimmed back and kept under control. Trees planted on the patio will eventually cause trouble with the patio floor. A good alternative is to plant in a large container. The Owner is responsible to reimburse the Association for any costs incurred for the maintenance or repair of the patio due to the negligence of the Owner to maintain the landscaping. Patios are to be kept clean and free of all debris and trash.
6. Patio covers presently in place or to be installed in the future are the responsibility of the Owner. They must not be constructed as to impede the maintenance work to be done on the Units or garages. New patio covers are subject to approval of the Board after review of the patio cover specifications.