# CERTIFICATE OF SECRETARY of RESOLUTION OF BOARD OF DIRECTORS of THE PARK REGENCY COUNCIL OF CO-OWNERS regarding RULES AND REGULATIONS of THE PARK REGENCY COUNCIL OF CO-OWNERS

# STATE OF TEXAS

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10-795

## COUNTY OF HARRIS

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I, Sylvia Gluckman, Secretary of The Park Regency Council of Co-Owners, a Texas nonprofit corporation (the "Association"), do hereby certify at a duly called meeting of the Board of Directors of the Association held on the 20th day of February, 2003 with at least a majority of the Directors being present thereat and remaining throughout and being duly authorized to transact business, the following resolutions were duly made and approved:

WHEREAS, on or about April 30, 1976, that certain instrument entitled "Declaration for Condominium for The Park Regency Condominium" was duly recorded in the Official Public Records of Real Property of Harris County, Texas under County Clerk's -File No. H413972 thereby creating the Park Regency Condominiums, (hereinafter referred to as "Declaration"); and

WHEREAS, the Declaration was subsequently amended by those certain instruments entitled: "First Amendment to Declaration of Condominium for The Park Regency Condominium"; "Second Amendment to Declaration of Condominium for The Park Regency Condominium"; and "Third Amendment to Declaration of Condominium for The Park Regency Condominium", which are respectively recorded in the Official Public Records of Real Property of Harris County, Texas under County Clerk's File Nos. H644075; H656052; and H879814, (the Condominium Declaration as amended hereinafter still referred to as the "Declaration"); and

WHEREAS, Article III, Section 3.5 of the Declaration provides in pertinent part "...any action permitted to be taken by the Council may be taken by the Board"; and

WHEREAS, Article III, Section 3.5(f) of the Declaration provides in pertinent part:

(f) The Council may take and enforce reasonable and uniformly applied rules and regulations governing the uses of the individual Residents

Certificate of Secretary regarding Rules and Regulations for Park Regency Condominiums

Units, the General Common Elements and the Limited Common Elements...

WHEREAS, Article V(e) of the By-Laws of the Association, which are filed as a part of that certain instrument entitled "Notice of Dedicatory for The Park Regency Council of Co-Owners", which is filed of record in the Official Public Records of Real Property of Harris County, Texas under Harris County Clerk's File No. U63887 (the "Bylaws") provides the Board of Directors of the Association has the power and authority to "formulate and enforce reasonable policies, rules and regulations from time to time and to govern the use, management and operation of the General Common Elements"; and

## WHEREAS, Article V(i) of the Bylaws, provides:

In general, the Board shall have all such duties, rights and authority to do all such acts and things as are not by the Texas Condominium Act or other law or the Declaration or these By-Laws directed to be done or exercised directly by the Owners or Members of the Council, which shall be necessary or reasonably required for the successful and orderly administration, management and operation of the Condominium Regime established by the Declaration to which these By-Laws pertain.

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WHEREAS, Section 82.102(a)(7) of the Texas Uniform Condominium Act (the "TUCA") provides the Board of Directors of a condominium unit owner's association (unless otherwise provided in its declaration) has the power to "adopt and amend rules relating to the use, occupancy, leasing, or sale, maintenance, repair, modification, and appearances of the units and common elements to the extent the regulated actions affect common elements or other units"; and

WHEREAS, Section 82.102(a)(12) of the TUCA further provides the Board of Directors of a condominium unit owner's association (unless otherwise provided in its declaration) has the power (if notice and an opportunity to be heard are given) impose fines for violations of the declaration, bylaws, and rules of the association; and

NOW, THEREFORE, BE IT RESOLVED that "The Park Regency Council of Co-Owners Rules and Regulations and Fining Policy" ("Rules and Regulations") attached are hereby adopted, which Rules and Regulations supercede "The Park Regency Council of Co-Owners, Community Rules and Regulations" filed of record in the Official Public Records of Real Property of Harris County, Texas under Harris County Clerk's File No. U638887.

I certify that I am the duly elected, qualified and acting Secretary of the Association and that the foregoing resolutions were approved as set forth above and now appear in the books and records of the Association.

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; and

# TO CERTIFY WHICH WITNESS MY HAND on this // day of March, 2003.

THE PARK REGENCY COUNCIL OF CO-OWNERS

By: Sylvia Gluckman, Secretary

# STATE OF TEXAS

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## COUNTY OF HARRIS

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Before me, a notary public, on this day personally appeared Sylvia Gluckman, Secretary of The Park Regency Council of Co-Owners, known to me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that she executed same in the capacity and consideration therein expressed. Given under my hand and seal of office this the \_//\_\_\_\_ day of March\_\_\_\_, 2003.

**NOTARY PUBLIC - STATE OF TEXAS** 

#### 1. GENERAL

- 1.1 These Rules and Regulations were adopted by the Board of Directors (the "Board) in accordance with Article III, Section 3.5(f) of the Declaration and Section 82.102 of the Texas Uniform Condominium Act ("TUCA").
- 1.2 The Board designed these Rules and Regulations in order to make the Park Regency Condominiums (the "Property") a comfortable and enjoyable community for all Owners and residents.
- 1.3 The terms used in these Rules and Regulations have the same definition as those terms used in the Declaration.
- 1.4 All Owners and residents must strictly comply with the terms of the Declaration, By-Laws and these Rules and Regulations; any conflicts existing between these documents shall be governed by the stricter version.
- 1.5 Fines for violations of these Rules and Regulations or the terms of the Declaration and By-Laws have been established by the Board in accordance with Section 82.102(a)(12) of TUCA, as further detailed in Section 13 of these Rules and Regulations.
- 1.6 Section 3.5(f) of the Declaration provides the Council shall have the right to enforce any of the Rules and Regulations of the Council and the obligations of any Owner. All expenses of the Council in connection with any enforcement of these Rules and Regulations, the Declaration or the By-Laws, including court costs, attorney's fees and damages, together with interest thereon at the maximum lawful rate per annum until paid, shall be assessed against the defaulting Owner's Residence Unit and shall be secured by the Council's lien against the Residence Unit as provided in Section 4.7 of the Declaration and Section 82.113 of TUCA.
- 1.7 Except for emergencies, complaints regarding the service of the Buildings and grounds and General Common Elements or regarding any action of the Owners are to be made in writing to the Board or managing agent.
- 1.8 The Board shall have the right to appoint and designate a manager or any other person to enforce these Rules and Regulations or otherwise act in behalf of the Board.
- 1.9 These Rules and Regulations repeat and supercede those filed of record in the Official Public Records of Real Property of Harris County, Texas under County Clerk's File No. U638887. These Rules and Regulations may be added to, amended, modified or repeated at any time by the Board of Directors.
- 1.10 No Owner shall engage any employee of the Board for any private business of the Owner without the prior written consent of the Board.
- 1.11 All Owners and residents are to provide the management company with a current daytime and evening telephone number for contact.

Rules and Regulations and Fining Policy for Park Regency

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- 1.12 Owners shall be held fully responsible for the actions of their families, employees, agents, licensees, representatives, invitees, servants and guests.
- 1.13 Any consent or approval given by the Board under these Rules and Regulations shall be revocable at any time without any prior notice.

#### 2. LEASING

- 2.1 The Council relies upon each Owner to thoroughly and properly screen the occupante of their Residence Units.
- 2.2 Prior to leasing a Residence Unit, each Owner must obtain a written representation from each potential resident that they have not been convicted of a felony. In order to ensure the truthfulness of the resident's statement, each Owner must perform a complete criminal history check on each potential resident which includes all criminal convictions both inside Texas and outside of Texas. In the best interest of all the residents of the Property, no Owner may lease or allow his or her Residence Unit to be occupied by anyone that has been convicted of a felony.
- 2.3 It is also recommended that each Owner perform a prior rental history check on all potential tenants. Owners should refrain from renting Residence Units to tenants with unacceptable prior rental histories.
- 2.4 EACH OWNER IS SOLELY RESPONSIBLE FOR DETERMINING THE CREDIBILITY, CREDIT-WORTHINESS, MORAL CHARACTER AND/OR SUITABILITY OF EACH PROSPECTIVE TENANT AND/OR RESIDENT OF HIS OR HER RESIDENCE UNIT.
- 2.5 A fully completed and executed lease and a Resident Acknowledgement Form must be filed with the Council within thirty (30) days after a resident has taken possession of the Residence Unit. All leases must list every resident living in the Residence Unit.
- 2.6 The Owner must also furnish a Resident Acknowledgement Form for residents over the age of seventeen (17) who are not listed on the lease, but who move into a Residence Unit and remain living in the Residence Unit for a period of at least fourteen (14) days.
- 2.7 All leases must be in writing and must provide that the lease is subject to the terms of the Declaration, By-Laws and these Rules and Regulations, and that noncompliance with any term or condition of these documents is grounds for default under the lease.
- 2.8 All tenants must receive a copy of the Declaration, By-Laws and Rules and Regulations.
- 2.9 If a resident, their guests or invitees violate any of the terms and conditions of the Declaration, By-Laws and/or Rules and Regulations and the Board requests the eviction of the resident, the Owner must begin eviction proceedings immediately. The Owner must provide the Board with written proof that eviction proceedings have begun within ten (10) days after receiving notice of the eviction request from the Board.
- 2.10 If due to the act or neglect of a Owner, or his agent, servant, tenant, family mamber, invitee, or licensee, damage shall be caused to the General Common Elements or to a Residence Unit or Residence Units owned by others, or maintenance, repair or

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replacement are required which would otherwise be a common expense, then such Owner shall pay for such damage or such maintenance, repair and replacements, as may be determined by the Council. Each Owner may be held legally liable for any damages caused to Council property and all violations of the Declaration, By-Laws or the Rules and Regulations by any residents of his or helf Residence Unit.

#### 3. NOISE & PERSONAL CONDUCT

- 3.1 Radios, televisions, stereos, and/or musical instruments should not be played at such volume that sounds would annoy other resident. All residents should have due regard for the comfort and enjoyment of other residents in the condominium community. Your Residence Unit is your home and should be free from interference from others; you and your guests, in turn, should not disturb other residents and their guests. Residents and their guests should maintain order at all times and take care not to make unnecessary noise by slamming doors, bouncing objects against walls, floors and doors, jumping around unnecessarily, and using excessively loud voices.
- 3.2 Public drunkenness, disorderly conduct, lewd behavior, physical violence, fights, excessive noise, unnecessary shouting, and the use of obscene and/or abusive language are prohibited.
- 3.3 No consumption of alcoholic beverages or use of illegal drugs is allowed at any time in any of the Common Elements. Alcohol may be consumed only inside a Residence Unit.
- 3.4 Unlawful public display of firearms is strictly prohibited.
- 3.5 The unlawful firing of any type of firearm in The Park Regency Condominiums is strictly prohibited; this will automatically result in a request for eviction of the tenant.
- 3.6 Firecrackers and/or fireworks are strictly forbidden.
- 3.7 Vandalizing of General Common Elements, Including but not limited to the Buildings, landscaping, and fences, is strictly prohibited.
- 3.8 Loitering (including sitting or leaning on cars parked on the Property) is prohibited.
- 3.9 No one is allowed to play or party in the parking or driveway areas or in the hallways or lobbles, stairways, storage areas, boiler room, trash chute areas or elevators.
- 3.10 No sitting or climbing on any fences (including balcony fences) or traes is allowed.
- 3.11 No chairs, tables or any other furniture, other than those belonging to the Council are allowed to be set up and/or used in the General Common Element.

3.12 No smoking in elevators, stairways, breezeways and hallways. Smoking is permitted only inside the Residence Units or outside the Buildings.

3.13 No barbecuing on patios. (A City of Houston ordinance prohibits using barbecue grills within ten feet (10') of any Building). Barbecuing is not allowed on the premises.

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- 3.14 No Owner or resident shall produce or permit any noxious odors that will disturb or annoy other residents.
- 3.15 Haliways, lobbies and stairways are to be used for entering and exiting only.
- 3.16 Blocking of sidewalks, greens or walkways by persons or objects is not permitted.
- 3.17 No personal belongings should be left in the General Common Elements.
- 3.18 Waterbeds are not allowed.
- 3.19 Owners, their families, guests, servants, employees, agents, invitees, visitors or licensees shall not at any time or for any reason whatsoever enter upon or attempt to enter upon the roofs or attics of the Buildings.
- 3.20 Trunks, furniture, appliances and heavy beggage shall be taken in or out of the Buildings only at the times designated by the Board. No Owner shall do any act or place any object in his Residence Unit which would create a structural hazard or endanger the structure of the Buildings or any of the Residence Units.
- 3.21 All garbage, trash, refuse and disassembled paper cartons shall be deposited and enclosed within a plastic bag and placed with care in the trash chute intended for such purpose only at such times and in such manner as the Board may direct. No cartons, crates or boxes of any sort shall be placed in the trash chute or trash chute areas. All trash chute disposals shall be used in accordance with instructions given to the Owner by the Board. Wet garbage shall be deposited in the Owner's Residence Unit garbage disposal rather than in the trash chutes or trash containers whenever possible. Oversize items and furniture disposal are the responsibility of the Owner.
- 3.22 Owners shall close all exterior windows, sliding glass doors and all other exterior doors when necessary to avoid possible damage from storms or other inclement weather.
- 3.23 All damage to the Buildings or General Common Elements caused by the moving or carrying of any article therein shall be paid for by the Owner responsible for the presence of such article and the damage caused thereby.
- 3.24 No Owner shall permit the running of water for an unreasonable or unnecessary length of time. All hoses should be replaced in the hose garages.
- 3.25 No Owner shall interfere in any manner with any portion of the plumbing, heating, air conditioning, carpeting, flooring, window benches or lighting apparatus which is not part of the Owner's Residence Unit.
- 3.26 No Owner shall use or permit to be brought into or stored in the Buildings any inflammable oils, fluids or gases such as gasoline, kerosene, naphtha, benzene or other explosives or articles deemed hazardous to life, limb or property.
- 3.27 No Owner shall cause or permit the blowing of a horn of any vehicle in the parking areas, drive areas, garage or other areas about the Buildings.

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- 3.28 Any moving into or out of the Buildings shall be between the hours of 8:00 a.m. and 6:00 p.m. Owners leasing their Residence Units shall be responsible for notifying their tenants of such restrictions.
- 3.29 Any repair work within a Residence Unit except for emergencies shall be conducted between the hours of 8:00 a.m. and 6:00 p.m.

#### 4. VEHICLES, MOTORCYCLES & BICYCLES

- 4.1 Toys, tricycles, and/or bicycles must not be left on sidewalks, grassy areas, driveways and/or parking areas or in hallways.
- 4.2 Mechanical work on cars, trucks, motorcycles, and/or any other motorized vehicle is not allowed.
- 4.3 Lubrication and oil changes are not permitted on the Property. This is to prevent oil and grease spills in the driveways and parking spaces. No oil should ever be leaked, spilled, or disposed of anywhere on the Property.
- 4.4 Large trucks, boats, campers, trailers or other heavy vehicles are prohibited except for moving household goods.
- 4.5 Washing of vehicles on the Property is not permitted.

#### 5. <u>PARKING</u>

- 5.1 No motorcycles, motor bikes, motor scooters, or similar vehicles shall be operated within the Property except for the purpose of transportation, it being intended that said vehicles shall not be operated within the Property so as to annoy or disturb persons or endanger persons or property. Speed limit is 10 mph.
- 5.2 There shall be no parking along areas that are painted red or yellow or otherwise designated as "No Parking".
- 5.3 Inoperable or wrecked autos, including those vehicles displaying expired license plates and/or inspection stickers, including those parked in assigned spaces, will not be permitted on the Property for longer than forty eight (48) hours.
- 5.4 Vehicles cannot be stored on the Property.
- 5.5 Parking in an assigned (covered) parking space other than the one that has been specifically assigned to a resident's Residence Unit is strictly prohibited.
- 5.6 No vehicle may ever use more than one parking space at a time.

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#### 6. OUTSIDE APPEARANCE

- 8.1 No visible clothealines, bedding, rugs, towels, personal clothing, trash, mops or other unsightly items are permitted on patios or balconies.
- 6.2 Objects and/or trash should not be swept or thrown from the balconies.
- 8.3 All windows require traditional window coverings with the exterior facing portion of the window coverings being in shades of white or off-white to maintain the uniform appearance of the Property. No bed sheets, newspapers, or foil coverings are allowed on the windows. Tinting of windows is not permitted unless approved in writing by the Board of Directors.
- 6.4 All broken windows must be replaced after breakage.
- 8.5 Fans and air conditioners are not allowed in windows.
- 6.6 Exterior light bulbs cannot be any color other than white.
- 6.7 All exterior doors to Residence Units must be secure and in good operating condition.
- 6.8 Alteration and repair of the exterior of the Buildings, balconies and General Common Elements is the responsibility of the Board and no Owner shall do any paining or decorating of the exterior of the Buildings or make any alterations or construct any improvements to or upon the exterior of the Buildings or any part thereof or any of the General Common Elements.
- 8.9 No entrances, lobbies, stairways, hallways, balconies, fences, storage areas, elevators, club rooms or any other portions of the Buildings and General Common Elements shall be decorated by any Owner in any manner. Holiday decorations in windows and on balconies or patios are permitted for a period of time not to exceed thirty (30) day after the holiday.
- 6.10 No sign, notice, advertisement or decoration, chimes or mobiles, cables or wiring shall be inscribed or imposed on or projected from or attached to any window, balcony, stairway, elevator, fence, door or other part of the Buildings, General Common Elements, Limited Common Elements or Residence Units.
- 6.11 No radio or television aerial or antenna shall be attached to or hung from the exterior of the Buildings. Antennas of any nature are allowed only as provided in the Council's Rules and Regulations Relating to Antennas filed of Record in the Official Public Records of Real Property of Harris County, Texas under County Clerk's File No. U638887, a copy of which is available from the Council's managing agent.
- 6.12 No burglar bars or other devices shall be inscribed or imposed on or projected from or attached to any window, balcony, stairway, elevator, door or other part of the Buildings, General Common Elements, Limited Common Elements or Residence Units.

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#### 7. LIMITED ACCESS GATES

- 7.1 THE LIMITED ACCESS GATES ARE PROVIDED SOLELY FOR THE PURPOSE OF MONITORING TRAFFIC. ALL OWNERS AND RESIDENTS, THEIR GUESTS AND INVITEES ARE RESPONSIBLE FOR THEIR OWN SAFETY.
- 7.2 When using the limited access gates for entering and exiting, the noise emitted from the vehicles (including radios, conversations and vehicular sounds) must be kept at a minimum to ensure the quiet enjoyment of the residents who reside near the limited access gates.
- 7.3 Swinging on, standing on or tampering in any way with the limited access gate system, including the pedestrian gates as well as the vehicular gates, is strictly prohibited.

#### 8. PLUMBING

- 8.1 All leaking fixtures must be repaired promptly. Damages occurring from plumbing leaks in a Residence Unit will be the responsibility of the Owner of the Residence Unit from which the plumbing leaks emanate.
- 8.2 No cooking grease, sanitary napkins, tampon holders, disposable diapers, paper towels, plastic bags, toys, coffee grounds or cigarette butts should ever be placed in a drain, either inside or outside a Residence Unit, nor should any of these items ever be flushed down a toilet.

#### 9. BUSINESS OPERATIONS USE AND DENSITY STANDARDS

- 9.1 All Residence Units shall be used for residential purposes only except as provided in the Declaration. Residents may: maintain a personal library; keep personal business or professional records or accounts; and handle personal business or professional telephone calls or correspondence.
- 9.2 Any business operation which involves regular consultation with clients at a resident's Unit, including, but not limited to, baby-sitting service, car repair, and/or unlawful transactions is strictly prohibited.
- 9.3 No more than two (2) residents, plus a child six months of age or younger, per bedroom will be allowed to occupy any Residence Unit.

### 10. SWIMMING POOL

- 10.1 Pool area is restricted to residents and their guests.
- 10.2 Limit two (2) guests per Residence Unit. Resident must accompany guests at all times.
- 10.3 Standard swim wear is to be worn; no cut-offs.
- 10.4 No glass inside the fenced area around the pool.

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10.5 All trash must be put in containers provided.

10.6 Do not put foreign objects such as pool furniture, clothing, etc., in the pool.

- 10.7 Pool furniture may not be removed from pool area.
- 10.8 Pool furniture may not be used in the pool or otherwise abused.
- 10.9 No loud, boisterous horseplay.
- 10.10 ALL CHILDREN UNDER 16 MUST BE ACCOMPANIED BY AN ADULT 18 YEARS OR OLDER.
- 10.11 SINCE THERE IS NO LIFEGUARD ON DUTY, ALL SWIMMERS SWIM AT THEIR OWN RISK.
- 10.12 No obscenities allowed.
- 10.13 No persons with open wounds in pool.
- 10.14 No children with diapers in pool.
- 10.15 No pets allowed in pool.
- 10.16 NO DIVING INTO POOL. NO POOL PARTIES. POOL HOURS ARE 9:00 A.M.- 10:00 P.M.

#### 11. <u>PETS</u>

- 11.1 Pets may be kept or housed in the Buildings only when expressly permitted in writing by the Board. Each Owner who desires to keep a pet in the Buildings shall first apply in writing to the Board for permission to keep such pet; such permission shall not be unreasonably denied. In no event shall any pet be permitted in any of the interior General Common Elements unless carried by such pet's Owner and attached to a leash. Leashed pets must be walked outside of complex entry gates to ensure no excrement is in the interior General Common Elements, hallways, garage, driveway, greenways, walkways, lobbles, elevators, courtyard, pool, etc.
- 11.2 Each Owner who keeps a pet in the Buildings shall indemnify and hold harmless all other Owners, their family members, employees, servants, agents, visitors, guests and invitees from and against any loss or liability of any kind or character whataoever arising from or as a result of having such pet in the Buildings or any part thereof. If a pet disturbs other Owners by barking or biting or in other ways becoming obnoxious, the Board will give notice to the Owner of such pet to cause such annoyance to be discontinued; if such annoyance is not immediately discontinued, controlled and corrected, the Board may revoke its permission to keep the pet in the Buildings and the pet shall be immediately removed from the Buildings.

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11.3 The Declaration allows one (1) pet per Residence Unit weighing no more than twenty (20) pounds. Also see Policy Resolution of Board of Directors of Park Regency Council of Co-Owners Relating to Pets filed of record in the Official Public Records of Real Property of Harris County, Texas under County Clerk's File No. U999367, a copy of which is available from the Council's managing agent.

NOTE: Pet policies apply to both cats and dogs.

## 12. STORAGE

- 12.1 Storage space is limited and will be as available. Keys will be available through the management company at cost of \$25.00 each and upon execution of proper release of liability.
- 12.2 Large storage area in garage: Space must be maintained around stored items of 12 inches from wall to meet fire code regulations. The following items can not be stored: flammable matter of any kind, food or beverages, furniture, equipment, appliances, barbecue pits, glass items, plants, no Items that could be damaged by periodic extermination of storage area, items not contained within plastic or rubberized containers (no cardboard boxes). All containers must have Owner's name and unit number clearly identifiable on outside, either by label or permanent marker.
- 12.3 Small storage area inside Buildings may be used to store lightweight, containerized items.

## 13. FINING POLICY

- 13.1 Owners are responsible for assuring that their residents and their guests and invitees comply with the provisions of the Declaration, By-Laws and Rules and Regulations. In the event an Owner, resident, guest or invitee of an Owner violates any of the provisions of the Declaration, By-Laws and/or Rules and Regulations, the Board shall have the authority to impose a fine upon the Owner of the Residence Unit for each violation.
- 13.2 Upon determining that a violation of the Declaration, By-Laws and/or Rules and Regulations of the Council or other damages has occurred, the Board of Directors shall mall or deliver a written notice to the Owner and, if applicable, the resident of the Unit:
  - describing the violation or property damage and stating the amount of the proposed fine or damage charge;
  - stating that not later than the thirtieth (30th) day after the date of the notice, the Owner may request a hearing before the Board to contest the fine or damage charge; and
  - (iii) allowing the Owner a reasonable time, by a specified date, to cure the violation and avoid the fine; provided, however, that if the Owner was given notice and a reasonable opportunity to cure a similar violation within the preceding twelve (12) month period, the fine may be ievied

**Rules and Regulations and Fining Policy for Park Regency** 

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immediately without giving the Owner a reasonable time in which to cure the violation.

13.3 The Council must give notice of the levied fine or damage charge to the Owner not later than the thirtieth (30th) day after the date a fine or damage charge has been levied against the Owner. All fines and damage charges will be due and payable immediately as of the date of the notice stating that a fine or damage charge has been levied, regardless of whether a hearing is requested. If a fine is levied for a violation that can be cured by the Owner and the Owner does not cure the violation within the prescribed time period, the fine will be due and payable immediately on the date that the period for curing the violation ends, regardless of whether a hearing is requested. If a fine is requested. In the event a Owner requests a hearing within thirty (30) days after the date of the notice, the Board of Directors, at its discretion and after hearing all of the evidence, may determine that:

- (i) the fine is reasonable;
- (ii) the amount of the fine should be lowered, in which case the Owner will receive a partial refund; or
- (iii) the fine should be refunded in its entirety.
- 13.4 Any fine or damage charge levied against an Owner, pursuant to the fining policy set out herein, shall become part of the assessments for which the Owner is responsible for payment, which said assessments are secured by a continuing lien in favor of the Council as provided in Section 82.113 of TUCA.
- 13.5 The Board has adopted the Schedule of Fines attached to these Rules and Regulations and incorporated herein.

**Rules and Regulations and Fining Policy for Park Regency** 

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#### SCHEDULE OF FINES

# Items not specifically addressed in the listing below are not to be construed as non-finable offenses. Fines may be assessed from \$50,00 minimum to \$500.00 with increments of at least \$50,00 based on severity of the offense as determined by the Board of Directors

A charge of \$25.00 will be assessed to the Owner for each additional copy of the Rules and Regulations and Fine Schedule should the Council or Management Company have to provide same to the Owner, tenants, lessees, agents or employees of said Owner.

#### 1. General

Fine to be imposed for infractions of the Rules and Regulations as listed under Section 1 of the Rules and Regulations shall be \$50.00 per violation notice (after cure period) until corrected except in those instances as noted.

Exceptions: \$100.00 fine for refusal to allow entry to a Residence Unit for the purpose of identifying, correcting and/or repairing any incidence that may cause damage to a General Common Element or Limited Common Element.

#### 2. Leasing

Fine to be imposed for infractions of the Rules and Regulations as listed under Section 2 of the Rules and Regulations shall be \$50.00 per violation notice (after cure period) until corrected except in those instances as noted. Exceptions: \$100.00 fine for failure to obtain criminal history check.

\$100,00 fine for failure to obtain criminal history check. \$100,00 fine for failure to follow eviction proceedings.

3. Noise & Personal Conduct

Fine to be imposed for infractions of the Rules and Regulations as listed under Section 3 of the Rules and Regulations shall be \$50.00 per violation notice (after cure period) until corrected except in those instances as noted.

Exceptions: \$100.00 fine for leaving cigarettes, cigars, matches, etc. improperly extinguished within the Buildings.

\$100.00 fine for vandalism.

\$100.00 fine for firearms violations.

\$100.00 fine for fireworks violations.

#### 4. Vehicles, Motorcycles & Bicycles

Fine to be imposed for infractions of the Rules and Regulations as listed under Section 4 of the Rules and Regulations shall be \$50.00 per violation notice (after cure period) until corrected.

#### 5. Parking

Fine to be imposed for infractions of the Rules and Regulations as listed under Section 5 of the Rules and Regulations shall be \$50.00 per violation notice (after cure period) until corrected.

#### 6. Outside Appearance

Fine to be imposed for infractions of the Rules and Regulations as listed under Section 6 of the Rules and Regulations shall be \$50.00 per violation notice (after cure period) until corrected.

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#### SCHEDULE OF FINES

#### **Limited Access Gates** 7.

Fine to be imposed for infractions of the Rules and Regulations as listed under Section 7 of the Rules and Regulations shall be \$50.00 per violation notice (after cure period) until corrected.

#### Plumbing 8.

Fine to be imposed for Infractions of the Rules and Regulations as listed under Section 8 of the Rules and Regulations shall be \$50.00 per violation notice (after cure period) until corrected.

#### **Business Operations Use and Density Standards** 9.

Fine to be imposed for infractions of the Rules and Regulations as listed under Section 9 of the Rules and Regulations shall be \$50,00 per violation notice (after cure period) until corrected.

#### 10. Swimming Pool

Fine to be imposed for infractions of the Rules and Regulations as listed under Section 10 of the Rules and Regulations shall be \$50.00 per violation notice (after cure period) until corrected.

#### Pets 11.

Fine to be imposed for infractions of the Rules and Regulations as listed under Section 11 of the Rules and Regulations shall be \$50.00 per violation notice (after cure period) until corrected.

#### 12. Storage

Fine to be imposed for infractions of the Rules and Regulations as listed under Section 12 of the Rules and Regulations shall be \$50.00 per violation notice (after cure period) until corrected.

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