

RUSHMORE LOFTS CONDOMINIUM **RULES & REGULATIONS**

These Rules and Regulations adopted, in their entirety, any and all rules previously adopted by The Board of Directors of Rushmore Lofts Condominium Association (the "Association").

PREAMBLE / INTRODUCTION

The Rules and Regulations ("Rules") which follow have been adopted by the Board of Directors ("Board") of Rushmore Lofts Condominium (the "Association") pursuant to the authority vested in the Board to do so as set forth in the Condominium Declaration of Rushmore Lofts Condominium Association, the Bylaws of the Association (specifically Article IV, Section 3(b), and the Texas Condominium Act) (Chapter 82 of the Texas Property Code; specifically Section 82.102).

ACTIVITIES

Activities should be conducted in such a manner as to not interfere with the rights, comforts or convenience of others.

- Written permission must be obtained from the Association before any parties or social gatherings are held in the common areas or around the pools.
- Food preparation and/or cooking, grilling or barbecuing is prohibited within the pool area.
- Residents are solely responsible for the conduct of their guests.
- Residents are responsible to keep the property free of litter and to clean up after any social gathering.
- Residents are liable and may be assessed for any damage, mutilation or defacing of the Association's property caused by the resident, his or her children and/or damage caused by the resident's guests or by guests of their children,
- Residents are liable and may be assessed for any damage, mutilation or defacing of the Association's property caused by the resident's tenant, tenant's children and/or damage caused by tenant's guests or by guests of the tenant's children.
- Residents should curtail loud noise after 10:00 p.m.,
- Visitors may use the common area facilities if accompanied by a resident
- Residents cannot play in the parking or driveway areas.

ACTIVITIES (CONT.)

- All residents are responsible to provide the management office with their telephone numbers and emergency contact information.
Residents who move from the property or have tenants who move from the property are responsible to provide the management office with a forwarding address.
- Sidewalk sales are prohibited.
- Soliciting on the property is prohibited.
- Possession and or use of any weapons - firearms, air guns, BB guns, knives, slingshots, bow and arrows, etc. is prohibited on the property.
- Per City and County ordinances, fireworks are strictly prohibited
- Storage of kerosene, gasoline or any flammable or explosive agent is prohibited.
- All units are to be utilized for single-family residence purpose only
- Sunbathing is permitted in the common areas.

ALTERATIONS

Prior written approval from the Association is required before for any structural or plumbing alteration can made to the interior or exterior of unit. Failure to obtain such approval may result in the removal of the alteration and/or restoration of the unit to it's original condition at the owner's expense.

Alterations include, but are not limited to the following :

- Exterior doors and windows, window or balcony screens, light fixtures, patio covers, trellises, awnings, burglar bars, and satellite dishes.
- Interior alterations consist of removing walls or altering any structural changes including electrical wires and plumbing within the unit.
- Once approved, only licensed contractors should make interior and exterior alterations. Residents are responsible to inform their contractors to remove debris from the property. Contractors are prohibited from discarding material in the Association receptacles.
- Residents are prohibited from installing or causing to be installed any wiring for cable line, electrical or telephone installation, or for any other purposes such as television or radio antenna on the exterior of any building. This rule includes wiring or cable strung on the walls of any building, out the window of any unit, or on the roof of any building, except as expressly approved in writing by the Association.

BALCONIES

Residents are responsible for keeping their patios clean and free of excessive debris.

- Items placed on the patio unit patio must not interfere with the structural soundness of the balcony.
- Residents are not permitted to store bicycles on the front entrances or the balconies in the front of the unit.
Residents are not permitted to store health equipment, tools, interior types of furniture, appliances, pool toys and cleaning items on their front patios.
- Residents are not permitted to store appliances, health equipment or cleaning items on the patios on the walk ways.
- Hanging clothes, sheets, towels, etc. on patios or walkways is not permitted.
- Residents must receive written permission before installing any curtains, blinds, screens or any other type of covering on their patio.
- Residents will be required to remove any type of installation (including shades, etc.) that has not been maintained or for which the resident has not received written approval from the Association.
- Fake flowers or plants that are faded must be removed.
- Outdoor barbecuing on the patios or walkways is strictly prohibited as per City of Houston Fire Code. Residents may use electric grills only.

BURGLAR BARS

Written permission must be obtained from the Association before a resident can install burglar bars on the windows or doors of his or her unit.

- Burglar bars, installed on the inside of the unit, must be painted white or off-white.
- Burglar bars installed on the outside of the doors and/or windows must correspond with the existing ironwork on the property. The Association will provide the name and paint color.

PARKING

Each resident has an assigned parking space. It is the resident's responsibility to keep their carport, storage shed, garbage bin and trash receptacle clean and free of excessive debris.

- Residents have the right to contact a bonded towing company to remove any unauthorized vehicle parked in the resident's designated parking space
- Cars, trucks or motorcycles are the only types of vehicles that can be parked in the assigned spaces.
- Residents are prohibited from parking any type of trailer or commercial vehicle on the property.
- Any inoperable vehicle with expired stickers or license plates will be towed.
- Go-carts and 4-wheelers are prohibited on the property,
- Residents can not store vehicles in their parking space or on the property.
- Bicycles may not be stored in the parking area. Bicycles must be stored in the designated area
- Residents are responsible to obtain locks for their storage rooms.
- Car washing is permitted in the common area.
- No major vehicle repairs are permitted in the common area,
- Residents can not leave furniture, boxes, pots, bags of soil or mulch, plants or any other item in their parking area.

CHILDREN

Parents are responsible and will be assessed for any damage, mutilation or defacing of Association property caused by their children and /or guests of their children.

- Juveniles under the age of 17 are subject to the Harris County Juvenile Curfew Order
Juvenile curfew hours: Midnight to 6 a.m. seven days a week.
- Ball playing such as baseball, football, golf and soccer is prohibited on the property.
- Playing in the driveways or streets is prohibited.

DUMPSTERS

The dumpsters are for the use of residents only. Contractors and subcontractors are

prohibited from using the trash receptacles. It is strictly prohibited to discard air

- Moving and other type boxes should be collapsed before placing in the trash receptacles
- Residents should make arrangements to have air-conditioning condenser units, refrigerators and other appliances removed at the time of a new installation.

ENTRANCES

Residents are required to keep the entrance to their unit clean and free of debris.

- All stair landings and entrances to the units must be kept free of objects such as bicycles, clothing, toys, pool floats and pool toys, discarded trash, etc.
- Hanging clothes, towels or other articles on the patio, stairs or railings is prohibited.
- A single decorative bench or chair is permitted at an entrance if the size, appearance and construction is suitable for the location. The bench or chair must be removed if it interferes with the walkway or is in violation of City Fire Code.
- Statues, birdbaths, feeders and "yard art" are not permitted in the common areas or in the front of a unit. These items must be kept on the resident's patio,
- Potted plants and hanging baskets may be placed in a reasonable and appropriate quantity and size for the area.
- Empty plant containers must be removed.
- Plant containers must be made of material suitable for outdoor use such as clay and /or wood in earth tone colors or wrought iron.
- Dead and neglected plants must be removed or they will be removed.
- No carpeting of any kind is permitted on the front entrance without written approval.
- "Yard Art" is not permitted in the front of the units.

FLAGS

Ornamental, seasonal flags, banners, pennants and windsocks are prohibited in the front or back of the unit.

A flag of the sovereign country is the only type of flag to be displayed during appropriate occasions and in accordance with flag etiquette i.e.

-A flag should not be used as a drapery or for any decoration in general.

-A flag should only be displayed from sunrise to sunset unless illuminated at night.

-A flag should not be draped over a balcony or left out in the elements.

HOLIDAY DECORATIONS

Holiday decoration may be displayed no sooner than a week before the holiday and must be removed week after the holiday.

Christmas decorations may be displayed three weeks before Christmas and must be

- Displays can not be placed on the roof of any building.
- Residents must not attach anything to the siding in the front or back of the unit. Violations will result in the owner being liable for the damages, The Association will replace the damaged siding and all costs will be assessed to the owner.
- Residents are responsible for the proper disposal of their Christmas trees. Do not leave the discarded trees in the common areas. The trees can be placed outside on trash pickup day or taken off the property to a tree recycling company.

LANDSCAPING

Any planting on the "limited common" areas (patios and enclosed side yards) should be done with consideration of possible damage to the patio slab, foundation and/or intrusion into the adjoining patio areas.

- Residents cannot plant anything in the common areas of the property. If a resident plants in the common area, the plants will be removed without warning.
- Residents must obtain written permission before planting any permanent plantings in the common area.

MOVING

It is required that owners provide management with forwarding addresses, telephone numbers and

- Resident's are responsible to make sure their moving van does not block the street or entrance way.
- Residents will be responsible for any property damaged caused by the moving van.
- Movers can not park on the grass at any time.

OUTDOOR GRILLING

Outdoor grilling is prohibited on patios or balconies within 10 feet of the combustible walls or roofs or other combustible material as per the uniform fire code 1102.5.2.2. It is permissible to use electric grills.

PARKING.

The Homeowners Association has the authority to order removal without warning and at the owner's expense the following:

- Any vehicle parked in a guests parking area more than 3 days without being moved.
- Any vehicle left unattended in any common area for more than 30 days.
- Any inoperable vehicle displaying an expired inspection sticker or license plate.
- Any vehicle parked in driveways or alleyways, which have been designated as fire lanes other than designated carport spaces.
- Any vehicle parked behind vehicles in the designated carport spaces
- Any unattended vehicle left in the alleyways or streets in such manner as to impede the passage of traffic or to impair property access to parking areas.
- Any motor vehicle undergoing major repairs

Houston City Ordinance prohibits any person from parking a trailer, semi-trailer or house trailer in excess of two (2) hours.

Houston City Ordinance prohibits parking, commercial vehicles on streets between the hours of 2 a.m. and 6 a.m.

A homeowner can cause an unauthorized vehicle to be removed from their designated carport space upon the condition that the same is removed by an insured towing company. It is suggested the owner use the towing company posted at the entrance of the property.

If your vehicle or your guest's vehicle has been towed, the towing telephone numbers is listed on the signs posted at each entrance.

Any vehicle in violation of these Rules may be stickered, wheel -locked, towed pursuant to the Teas Towing Statute, or otherwise removed from the property by the Association at the expense of the vehicle's owner. In addition or in lieu of the foregoing, the Association shall be entitled to take any available legal action (including seeking mandatory injunctive relief) in the event of any violation of these rules. The Association expressly disclaims any liability for damage to vehicles on which the Association exercises these remedies for Rule violations.

PATIOS

Residents are responsible for the upkeep of their patios.

- Residents should use appropriate outdoor furniture on their patios. Indoor, upholstered type furniture is prohibited.

- Residents are responsible to maintain special locks, doorbells and security signs that they have installed or caused to be installed.
- Management has the right to enter any patio without prior notice in case of an emergency.
- Outdoor grilling is prohibited within ten (10) feet of the building.
- Housing of pets on patios is prohibited.

PETS

Conditional Permission to keep or maintain pets. (Pet (s) shall be conditionally permitted in accordance with the provisions of this section. Provided that all of the following rules are met and maintained at all times, each resident shall be permitted, on a conditional basis, to keep or maintain pet (s) in compliance with the following rules (conditional permission). If any of the following rules are violated, the conditional permission to keep or maintain any pet in violation of such rules shall be subject to being revoked by the Board in the Board's sole and absolute discretion.

Restrictions as to pet (s). The following rules shall apply to all residents and their pet (s). Violation of any of the following rules may be the basis for revocation of the conditional permission to keep such pet (s).

- No animal shall be kept except normal and customary household pets (i.e. dogs, cats, fish, birds, etc.). Reptile, exotic species or endangered species, are prohibited.
 - As to dogs and cats, there shall be allowed only two (2) dogs and two (2) cats per unit.
 - Upon request by the Association, all residents shall provide the Association with a List of the household pets kept or maintained in their unit (i.e. number, species, breed, etc.)
 - No pets may be kept or bred for commercial purposes.
- No pets shall be kenneled or tethered unattended for any period of time on any balcony, patios, or any part of the limited or general common elements of the property.
- **ALL PETS MUST BE KEPT ON A LEASH OR CONTAINED AND MAINTAINED UNDER THE CONTROL OF THEIR OWNER WHILE ON THE COMMON GROUNDS. THERE SHALL BE NO EXCEPTIONS** (the City of Houston leash law mandates this). No pet shall be allowed to run loose within the property. Animals, being transported from a unit to an automobile or another unit must be on a leash, securely cradled, or carried within a pet carrier.
 - No savage or dangerous animal shall be kept.
 - Each resident who maintains a pet shall be responsible to pick up and dispose of any defecation by such pet on the property.
 - Residents are not permitted to bathe or groom dogs and/or cats outside in the common area.
 - Cats are not allowed to roam on or about the property. Cat traps may be set out periodically and any stray cat caught in such a trap will be turned over to the City of Houston Department of Animal Registration and Care (or its then existing equivalent).

- Residents who keep or maintain pet (s) in accordance with these rules must be responsible pet owners and not allow their pet (s) to unreasonably interfere with the rights of other residents.
- All pet (s) shall have such care and restraint so or not to be obnoxious or offensive on account of noise, odor, or unsanitary condition.

Violations of Rules, Revocation of conditionally permission. In the event that any resident violates any of the foregoing rules, or fails or refuses to maintain and care for his /her /their pets, or allows their pets to unreasonably interfere with the rights of the other residents, or such pets are determined to be offensive on account of noise, odor, or pose a threat to other residents, the Board, in its sole discretion, shall have the right to revoke the permission to keep any pet in violation of the rules of these provisions, and the resident shall be obligated to promptly remove and relocate any such animal determined by the Board to be in violation of these provisions. The Association shall have the right to pursue all available legal remedies to cause the owner /resident to remove any such pet; including without limitation, a mandatory injunction.

Any resident who causes any animal to be brought or kept upon the premises of the condominium property shall indemnify and hold harmless the Association for any loss, damage, cost or liability which the Association may sustain as a result of the presence of such animal on the premises.

PLUMBING

Licensed professionals should perform all plumbing repairs.

- Residents must give management at least two days notice if they plan on scheduling a plumber to make repairs to their unit.
- The water will not be turned off if pre-scheduled repairs have not been made and coordinated with the homeowner's office.
- Plumbing repairs, that may require turning the water off, are NOT permitted on the weekends unless there is an extreme emergency.

RIGHT OF ENTRY

Owners or tenants will grant the right of entry to the managing agents or any other person authorized by the Association in case of any emergency originating in or threatening his unit or other units, whether the owner is present or not.

In case of emergency, right of entry will be immediate.

Residents will permit representatives hired by the Association to perform installations, alterations or repairs to the mechanical or electrical services, provided the request are made in advance.

SATELLITE DISHES

Guidelines for the installation of satellite dishes may be obtained at the Association management office.

- Satellite dishes must be installed in accordance with the Association guidelines
- Failure to comply with the "guidelines" could result in removal of the dish.

SIGNS

Residents shall not post any sign, window decal, advertisement or poster of any kind on the property which may be visible from the exterior of a unit.

TRASH

- Trash receptacles are to be kept their designated area.
- All garbage must be placed in secured garbage bags.
- Do not place loose garbage in the trash receptacles.

WINDOWS

Residents are responsible for maintaining the windows of their unit. The Association is responsible for their window frame only.

- All windows should be kept clean and in good repair.
- It is requested that residents try to use white or off-white blinds or white liners on windows facing the outside of the unit.
- Broken blinds must immediately be removed or replaced.
- Do not hang blankets, flags, sheets or cardboard, etc. on the inside of the windows,
- Residents must obtain written Board approval before installing new windows,
- Broken windows must be replaced.
- Broken or torn screens must be removed or replaced.

- Residents shall not post any sign, window decal, advertisement or poster of any kind on the property or which may be visible from the exterior of the unit.

RULE ENFORCEMENT POLICY

The rules and regulations will be strictly enforced. Any violation and /or infraction of these rules and regulations will result in an assessment being charged to your account. The Association Board of Directors sets the rules enforcement policy as follows:

The unit owner will be sent a **First Notice** upon inspection of a said violation requiring immediate cure of same. If the matter is not cured immediately, the unit owner will be sent a second notice.

The **Second Notice** will advise the unit owner that he has the right to request a hearing before the Board of Directors. Said request for a hearing must be received in writing within 30 days from the date of the letter. The Notice will also advise the owner that an assessment ranging from \$25.00 to \$200.00 will be imposed if the violation is not cured. If the violation is not cured within 30 days, the unit owner will be sent a **Third Notice**.

The **Third Notice** will impose a violation assessment in the amount of \$50.00 for each infraction of the Association Deed Restrictions.

The **Fourth Notice** will impose a violation assessment in the amount of \$100.00 for each infraction of the Association Deed Restrictions.

The **Fifth Notice** and each notice thereafter will impose a violation assessment in the amount of \$200.00 for each infraction of the Association Deed Restrictions.

Should the violation not be cured after processing the **Fifth Notice**, the Unit and Violation will be discussed among the members of the Board at a Board of Directors Meeting in order to determine the next step to be taken in deed restriction enforcement.

If said violation is not cured upon imposing the initial fine, the Association will follow through with any remedy available to have the violation corrected, this will include, but not be limited to, employing an attorney to file a lawsuit against the unit owner.

Payment for all costs incurred will become the responsibility of the unit owner.

This policy may change from time to time as deemed necessary by the Georgetown Homeowner Association Board of Directors.