

RULES
&
REGULATIONS
OF
FRIARS VILLAGE HOMEOWNERS' ASSOCIATION



Adopted by the Board of Directors January 26, 2005
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Friars Village Homeowners Association

Dear Resident,

The success of a condominium community depends in part on the rules, regulations, and restrictions that govern Residents' conduct. The Covenants, Conditions and Restrictions (CC&Rs) bind unit Residents to general covenants, while the Bylaws and Rules and Regulations provide specific guides for day-to-day living. Without these restrictions and a means to enforce them, the community living experience could become chaotic indeed. Your Board of Directors has adopted the following rules and regulations to assure the enjoyment and tranquility of all persons living in the community.

These Rules and Regulations do not supersede or change the CC&Rs or Bylaws in any manner. However, they are equally enforceable under the law.

Owners shall be responsible for their tenants' and occupants' actions or misconduct and responsible for their adherence to the Rules and Regulations of the Association. Each owner shall be responsible for providing their tenants with a current copy of the Association Rules and Regulations.

The Rules and Regulations herein may be changed or added to at any time by the Board of Directors. Any consent granted hereunder may be revoked by the Board.

RECEIPT OF THIS DOCUMENT SHALL CONSTITUTE FORMAL NOTICE.
NO ADDITIONAL WARNINGS NEED BE GIVEN.

The Board of Directors

Rules and Regulations

A. DEFINITIONS

1. **Association** shall mean and refer to the Friars Village Homeowners Association.
2. **Board** shall mean and refer to the Board of Directors of the Association.
3. **Common Area** shall mean all real property owned by the Association for the common use and enjoyment of all the Owners (CC&R Article I, Section 3). That includes private streets, greenbelts, walkways, lawns, Clubhouse pools, recreation areas, and fences.
4. **Exclusive Use Common Area** shall mean and refer to section 1351, subdivision I of the California Civil Code. This includes patio slabs in the greenbelt and balconies, which extend beyond property lines.
5. **Lot** means each parcel of real property intended for residential use (CC&R Article I, Section 8). For this document, "Unit" will mean the same as "Lot."
6. **Owner** shall mean the person or persons who own the unit as defined by the CC&Rs (Article I, Section 10) and Bylaws (Article II, Section 10).
7. **Resident** shall mean and refer to the owner in residence, tenants and/or occupants. All Rules and Regulations herein will apply to all residents thus defined.
8. **Occupancy** shall mean use of the Lot as the residence of the authorized persons designated to occupy the Lot by the Owner thereof.

B. USE

Each residential unit in the Association shall be used for residential purposes only. Business usage of any unit is prohibited.

C. MAINTENANCE OF RESIDENCE

1. Garage doors, carport sliders, and gates must be kept closed except when the occupant is in immediate attendance.
2. No items shall be hung on fences, gates, balcony railings, or from windows.
3. Plants or other objects which hang from the balcony ceiling must be securely fastened at least six (6) inches inside the balcony railings. Starting July 1, 2005, all plants which are placed at the balcony floor shall be in drip pans and elevated from the floor to allow ventilation and drying of the floor.
4. Windows and sliding doors shall not be covered with inappropriate items such as sheets, blankets, boards, paper products nor aluminum foil.
5. Greenbelt Patio: Owners are responsible to keep the greenbelt patio areas clean. Placement there of trash, unpotted or uncontained plants, discarded items or interior furniture is prohibited. The greenbelt patio area must not be used for storage, unless in an architectural committee-approved storage receptacle and permitted by way of an architectural change request.
6. Balcony: Owners are responsible to keep the balcony clean. Placement there of trash, discarded items or interior furniture is prohibited. The balcony must not be used for storage. Garden hoses cannot be used to clean balconies.
7. Entry and Carport: Owners are responsible to keep the visible portions of the entry way and carport clean. Placement there of trash, discarded items, or interior furniture is prohibited. The entry must not be used for storage.
8. All occupants must maintain all screens in good condition.
9. Open flame charcoal barbecues, wood style space heaters, or open flame torches are prohibited from being used on the balconies.

D. ARCHITECTURAL RULES

1. Any proposed exterior addition, change or appendage must be approved in writing, in advance, by the Architectural Committee , by way of an Architectural Change Request (ACR). Examples of changes requiring an ACR are, but not limited to, satellites dishes, garage doors, balcony modifications, fireplaces or stoves, window replacement, security bars and supplemental lighting. The harmony of the external appearance of the Association operates under the guidelines of the Board of Directors and the Architectural Committee as set forth in the CC&R's, Article V.
2. No penetration of the exterior stucco or wood surface of a unit, by screws, bolts, hooks, etc. shall be made without an approved ACR. An exception to this rule is allowed for the secure hanging of plants from the ceiling of the balcony, as long as the hanging of the plant otherwise complies with these rules.
3. Residents are prohibited from attaching screens, lattice, Plexiglas, fencing, shelving or similar material to the balcony handrails or the balcony ceilings.
4. Exterior decorative lights (e.g. holiday lights, rope lights, Tiki lights, etc.) not previously approved by an ACR or originally installed by the builder are permitted on balconies, carports, entryways, eaves, etc. only during the period from Thanksgiving Day through January 10th of each year.
5. The homeowner must obtain all necessary city permits for any modifications to a unit. Homeowners doing modifications are required to submit a copy of the city permit to the management office for recordkeeping in their files.
6. An owner must not act to compromise the integrity of the foundation of their unit. An owner must maintain the operation of the utilities in good working order. All owners and residents shall promptly repair any damage or broken element of the interior structure of their unit, including, but not limited to, doors, windows, water, power and sewer. The cost of such maintenance and repairs is the responsibility of the owners and residents.
7. Signs may not be larger than nine (9) square feet. Any damage caused by affixing the sign is the homeowner's responsibility.

E. COMMON AREA

It is the intent of the Association to preserve the quiet enjoyment of all authorized Residents and their right to use the Common Areas of the Village (CC&Rs Article VII, Section 1(b)).

1. Any damage to the common areas or common personal property caused by an owner, a tenant, their guests, their pets or contractors shall be repaired at the expense of the owner.
2. Dumping or discarding onto the common area is prohibited. All trash shall be properly stored in City approved trash and recycling containers.
3. Intentionally tampering with or disabling outside street and greenbelt lights is prohibited.
4. After dark, unsupervised children under the age of 12 are NOT allowed in the common areas.
5. Children eight (8) years and under must be accompanied by an adult when in the common areas.
6. Parents and guardians shall be held responsible for the actions of their minor children and their minor guests at all times.
7. Baseball, football, basketball or any other ball game is not allowed in the residential common areas.
8. Use of skateboards or gas powered minibikes or scooters are prohibited in the Village at any time.
9. Tree climbing is prohibited.
10. Climbing to and walking on roofs is prohibited, unless authorized by the Manager.
11. Climbing fences is prohibited.
12. Driving a motor vehicle of any kind or use of a bicycle on the greenbelts or landscaping is prohibited.
13. All residential garden hoses must be fitted with automatic shutoff nozzles. Hoses must not be stored in the Caminitos planter boxes. Hoses must be stored in Association approved containers.

14. Commercial solicitation and distribution of commercial handbills and/or advertising by residents is prohibited.
15. Exceeding the posted speed limit on the Caminitos is prohibited.
16. Any alterations to the contents of a planter box in the private streets must be approved by the Association.

F. CLUBHOUSE

1. No more than four (4) guests are permitted when accompanied by a resident sponsor to use the clubhouse facilities, except by prior written approval of the Friars Village Manager.
2. Unreasonably loud music in the Clubhouse is prohibited.
3. The billiard room is reserved for residents and guests 18 years of age or older. Unaccompanied residents less than 18 years of age must confine their pool playing to the table in the recreation room. Pool tables must be turned over to any waiting group after two games have been played. Registration at the front desk is required. Proof of residency may be requested at any time.
4. Recreation equipment must be signed for before being issued. The owner responsible for the person who signs for the equipment will be billed for repair or replacement costs of lost or damaged equipment.
5. No one is allowed in the lounge or in the carpeted billiard room in swimming attire.
6. Smoking is prohibited in the Clubhouse and all recreation areas.
7. No animals other than seeing-eye dogs or service dogs are permitted in the clubhouse.

G. RECREATION AREA

The recreation area is the fenced area adjacent to the clubhouse and includes the pool, spa, barbecues, children's play area, volleyball court and lawns.

1. The recreation area is restricted for the exclusive use of residents and their invited guests. Invited guests may not exceed four (4) without prior approval. Residents must accompany and properly register their guests prior

to entrance into the recreation area. Exclusive parties are not permitted in the recreation area.

PROHIBITION OF ALCOHOL AT POOL/SPA

Consumption of alcoholic beverages at the pool, spa, and outdoor clubhouse fenced area is prohibited.

2. Operation hours of the clubhouse are Friday through Monday 10:00 am to 10:00 pm and Tuesday through Thursday 9:00 am to 10:00 pm. It is prohibited for anyone to be in the Recreation Area after operating hours of the clubhouse.
3. All persons using the Pool and Spa do so at their own risk. No lifeguard is on duty.
4. Children under the age of 14 must be continuously monitored by a responsible adult while in or around the pool, spa, or recreation area.
5. Unaccompanied children under the age of 14 are not allowed in the spa.
6. Conduct in all Recreational Areas must be reasonable and orderly.
7. The diving board shall not be used after 9:00 pm. Excessive bouncing on the diving board and lingering under the board is prohibited.
8. No glass containers of any kind are allowed in the recreation area. Beverages may be consumed in the Recreation Area from plastic, metal, or unbreakable containers only.
9. Street clothes, such as cutoffs or shorts are prohibited in the pool and spa.
10. Obviously intoxicated persons and any persons having infectious diseases shall not use the recreation facilities. Incontinent persons shall not use the pool, spa, or sauna.
11. No animals other than Seeing Eye dogs or service dogs are allowed in the recreation area.
12. Boom boxes or any other type of musical apparatus should be heard with headphones so as not to disturb the surrounding persons in the pool, spa, and/or recreational areas.
13. Lap times for the pool will be Monday through Friday from 6:00 p.m. to 7:00 p.m.
14. No floating devices are allowed in the pool or spa areas.

H. PETS

1. The total number of dogs and cats in an individual unit shall not exceed two (2).
2. Dogs must be kept on an attached leash at all times and under the physical control of its handler or confined within the resident's unit.
3. Residents with pets shall clean up animals' waste products immediately.
4. Pit Bulls and Rottweilers are not allowed per the CC&R's.

I. PARKING

1. The Association shall not be responsible for the maintenance, insurance, liability, theft, vandalism, or any damage that may come to any vehicle. The owner of the vehicle shall be totally responsible for his/her vehicle parked on Association property, including personal and/or private property in the vehicle.
2. Garages may not be temporarily or permanently converted into a living area.
3. Municipal codes prohibit unattended parking on the Caminitos in front of units so that fire, police, or other emergency equipment can have access to all homes. Parking on a temporary basis in the designated fire lanes is permitted for picking up or dropping off people, unloading the vehicle or the washing of resident's vehicles only, and in any event, only while the driver is in immediate attendance.
4. Any parking on the lawn or landscape is absolutely prohibited at all times.
5. All vehicles parked on Association private streets (Caminitos, Esteban, and private streets connecting Caminitos) must be in operating condition with current state license plates visible and readable.
6. Marked parking spaces are not assigned to any particular unit. Parking of commercial work/service vehicles on the private streets (Caminitos and Esteban) in the designated firelane or marked parking spaces is prohibited unless temporarily parked while performing work for a resident or a delivery. [For the purpose of these rules, a commercial vehicle is any vehicle that is obviously used for work related activities, and any vehicle that contains markings of a company or product for sale or promotional purposes.] Any parking of RVs, motor homes, boats, trailers or inoperable or unregistered vehicles on the private streets is prohibited. All vehicles must fit within the designated lines of a parking space, and shall not extend onto the Caminito beyond the wall of the unit next to the parking space.

7. Any vehicle parked in a marked parking space on the Caminitos, Esteban, the Clubhouse parking lot, or the private streets between the hours of 11:00 PM and 6:00 AM must display a Friars Village parking placard. Placard must be hanging from rear view mirror to make it easily visible to Patrol.
8. All residents of Friars Village must register their vehicles within seven (7) days of occupancy by vehicle type and license plate numbers with the Association office.
9. Each unit may obtain one (1) non-transferable parking placard that will be identified with the unit number. Any vehicle parked in a marked parking space on the Caminitos, Esteban, the Clubhouse parking lot, or the private streets between the hours of 11:00 PM and 6:00 AM without a Friars Village parking placard may be towed at the owner's expense. A replacement permit will require a \$75 non-refundable fee.
10. No vehicle may park in a marked parking space on the private streets, Caminitos and Esteban, for a period exceeding 48 hours.
11. Parking privileges shall be suspended for 90 days plus a monetary fine will be imposed and/or the vehicle towed, for owners and residents of any lot who use multiple parking permits simultaneously.
12. Any vehicle parked in the Clubhouse parking lot must display a parking permit between the hours of 11:00 p.m. and 6:00 a.m.
13. Residents wishing to use a car cover, which prohibits the viewing of the parking permit, must paint their lot number on the front and back of the car cover so that the numbers will face the street. The numbers must be at least 10 inches high. The vehicle and parking permit number must be registered with the office as using a car cover.

J. NOISE

1. Residents shall avoid making or permitting to be made loud, disturbing or unreasonable sounds.
2. An unreasonable sound in this section shall constitute a violation if the complained of sound would disturb a reasonable Friars Village resident, under the circumstances.
3. Residents shall not at any time use, play, or permit to be used or played musical instruments, radios, phonographs, televisions, amplifiers nor any other instruments or devices in such manner as may disturb occupants of other units.
4. Control shall be exercised over pets at all times. In addition, control shall be exercised promptly to prevent unreasonable sounds made by pets.
5. Regardless of paragraph 2 above, a resident shall not use tools or appliances, or other devices, the sounds emanating from which can be heard outside his/her building, seven days a week, between the hours of 10 p.m. and 7 a.m., nor between 7 a.m. and 9 a.m. on Saturday, Sunday and legal holidays.
6. Noisy motor vehicles shall not be operated anywhere within Friars Village. Regardless of paragraph 2 above, any sound emanating from an automobile sound system and audible outside the vehicle is prohibited at all times and anywhere within Friars Village.
7. For the purposes of these Rules and Regulations, vibration shall be objectionable just as audible sound.
8. The remedies and penalties provided by these Rules and Regulations shall be in addition to any other remedy, which a homeowner or the Association has under the CC&Rs, by-laws, Municipal Ordinances, or under any other law.

K. RENTAL AND NON-OWNER OCCUPANCY

1. No later than seven (7) days after any change of occupancy in a residence, whether the occupancy is by rental or by permission of the owner, the owner must provide to the Manager, in writing:
 - a.** The full names of each of the authorized tenants or occupants.
 - b.** The actual address of the owner, if the owner is moving or has moved from the residence and where the owner's address has not previously been provided to the Manager.
 - c.** A description of the tenants and occupants motor vehicles and the license plate numbers of those vehicles.

- d.** Where there is a rental or lease of the residence, the owner must provide to the Association, through the Manager, a monetary deposit in the amount of \$200.00, which may be drawn upon for fines, penalties, and for necessary maintenance where tenants have failed to do so, and which must be replenished, as provided by the By-laws.
2. Upon any change in occupancy, whether by lease, rental agreement, or by permission, the owner shall provide in writing to the Manager, a written and signed and dated note in the following terms: "I affirm that I have provided a copy of the Friars Village Homeowners Association Rules and Regulations to my new/proposed tenant(s)/occupant(s), and he/she/they have agreed to abide by those rules."
 3. For the purposes of this article, there is a "change in occupancy" and a corresponding duty to provide the name or names and auto identification required by this rule whenever any one (1) or more occupants move out and are replaced by any one (1) or more occupants, regardless of whether a new lease or rental agreement is executed and regardless of whether the primary tenant, lessee or occupant remains in the residence.

L. TRASH

1. Trash and/or recycling containers shall not be put on the street before 5:00 p.m. the day before collection day, and must be removed from the street by 10:00 p.m. the day of collection.
2. No Resident shall dispose of any toxic material on the complex in a manner that is inconsistent with local and federal law. Toxic materials include, but are not limited to oil, antifreeze, solvents, gasoline, and paint.
3. Trash dumpsters in the Clubhouse parking lot are for the exclusive use of Association personnel and clubhouse rentals. Use by Residents is prohibited.

M. ADDITIONAL RESPONSIBILITY FOR DAMAGE TO PROPERTY, FOR COLLECTION COSTS, AND FOR COST OF CONFORMANCE MADE BY ASSOCIATION.

1. In addition to the foregoing fines and penalties, homeowners shall be assessed a compensatory sum for damages caused by the offenses and all fees, including attorneys' fees, and costs associated with collection of penalties imposed and collection of the damages caused by a violation of these Rules and regulations.
2. Title Six of the California Civil Code also known as the Davis-Stirling Act is incorporated into these Rules and Regulations.
3. Architectural changes made without an approved ACR are subject to correction by Friars Village Homeowners Association at the owner's expense.

Approved at the Board of Directors meeting on January 26, 2005, effective March 1, 2005, Revised July 20, 2005, October 19, 2005, March 15, 2006, & October 15, 2006, *(July 27, 2007)*