

ARCADA COMMUNITY ASSOCIATION
RULES AND REGULATIONS

Revised 2002

ARCADA COMMUNITY ASSOCIATION RULES AND REGULATIONS

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ARCADA COMMUNITY ASSOCIATION

INTRODUCTION

Arcada is a condominium community of 237 residences which prides itself on its architectural integrity and aesthetic beauty. It is governed by the Arcada Community Association. Persons owning units within Arcada are members of the Association and agree to abide by its rules. Homeowners are entitled to all of the Association's rights and privileges and are subject to all of its duties and responsibilities. Homeowners elect a Board of Directors which oversees the operation and maintenance of the physical facilities and implements and enforces Association policies. Through participation in the Association's system and elections, homeowners make additions and modifications to the Bylaws and CC&Rs and they involve themselves in all aspects of the Association's projects and operations by serving as committee members, chairpersons and directors. The Association's principal areas of responsibility are the maintenance of common area amenities, including common area landscaping, private streets and recreational facilities, as well as dwelling structures. The Board of Directors has developed the Rules to better facilitate the Association's day-to-day operations. Homeowners are encouraged to review the CC&Rs, Bylaws and Rules frequently in order to retain a full understanding of the standards and principles of Arcada and they are further encouraged to participate in community activities to help the Association meet its goals. Homeowners who rent or lease their properties should provide their tenants with copies of the CC&Rs, Bylaws and Rules. It is in each homeowner's interest to require tenants to abide by these documents since the ultimate responsibility — and liability — for tenants' actions rests with the homeowners.

Limitations:

The information contained in this Handbook is only one source for Homeowners to consult in managing their condominium home ownership obligations. The Handbook is subject to periodic revisions and is always subject to the CC&R's and other Governing Documents.

Management Assistance and General Information:

Please refer any questions or comments you may have regarding this publication to Property Manager, Tina M. Volpe, PCAM®, or Assistant Manager, Eileen Cohen.

Mailing address: Rinevol Community Management, Inc.
27101 Aliso Creek Road, Suite 126
Aliso Viejo, CA 92656

Email: tina@rinevol.com
eileen@rinevol.com

Phone: 949-455-2788
800-446-1607

Fax: 949-455-1304

Monday-Friday, from 9:00am-5:30pm, management staff is available to assist you through the management offices noted above. All general association management questions and requests, including assessment account assistance, escrow and documents assistance, building and landscape maintenance requests, as well as architectural inquiries and submittal processing, are directly administrated by the Property Manager or the management staff under the review and direction of the Property Manager.

After hours emergencies involving damages to common area building components such as a plumbing leak, a mainline sewer backup or irrigation system flooding, may be referred to the Property Manager on call through the 24-hour answering service by dialing 949-455-2788 or 800-443-1607.

Community News and General Information:

The Association regularly produces a newsletter (typically on a monthly basis), which is mailed with the monthly assessment billing. The newsletter is a good source of timely and general information.

Keys-Pool Area and Mail Boxes:

Every unit has had one (1) pool key issued by the Association, attached to an identification label corresponding to the homeowner's assessment account number (1 through 237). The pool key and "ID label" should be transferred upon sale to the new owner or provided to the tenant by the owner who may lease his/her unit. Key and "id tag" replacements are available through management for a cost of \$100.00 (payable to Arcada Community Association). The key provides access to the pool area and the restrooms within the pool area.

The Association does not administer mailbox keys. Like all entry door locks and keys, the lock and keys for a mailbox should be maintained by a locksmith or appropriate service personnel at the direction and expense of the homeowner.

Patrol Services and Parking Permit Administration:

The Association engages Patrol One to provide general, limited patrol services as well as assistance in the administration of the community's rules and regulations, including parking decal administration and parking enforcement. General patrol services include limited monitoring of the pool area, common area patrols and resident call response. Situations in which you may need Patrol One's assistance include suspicious persons or activity at the community, loud noise or music, or vehicles blocking fire lanes, parking areas, garages or other inappropriate areas.

All parking in unassigned Arcada spaces is by permit, either by resident decal (properly affixed) issued through management or through adherence to the "safelist" procedures also administered through management. Details regarding the administration of the community parking rules and the parking permit program, as well as vehicle registration forms are available through management. Residents should contact **Patrol One** if they suspect that their vehicle has been towed. They may be reached at **714-541-0999**, 24 hours a day, 365 days a year.

Recreation Areas:

The pool and spa area for use by residents and their guests is located within the center of the community. The pool area includes two spas, restroom and shower facilities, BBQ gas grills and a generous patio area. As citizens of the City of Tustin, Arcada Residents have the use of a variety of city parks and amenities. A map and listing of city parks and recreation facilities is provided with this booklet. The City of Tustin maintains an informative website at www.tustinca.org and may be reached by phone at **714-573-3000**.

Trash Collection:

The Association maintains trash collection services by placement of dumpsters within dumpster housings throughout the community. The removal schedule is every Monday and Thursday. The schedule may vary during weeks containing a holiday (i.e. Memorial Day or Labor Day). The Association requires that all trash be wholly placed within the dumpster. If a dumpster is full, trash should be taken to another dumpster within the community where the trash may be properly placed within the dumpster. Large items, such as appliances and hot water heaters, may not be placed within the trash enclosures. Please contact management for direction regarding large item disposal. Hazardous materials, such as motor oil, pesticides, batteries and BBQ propane tanks, may not be disposed of in the dumpsters or left in the trash enclosures. Please see the attached information for a complete listing of hazardous materials, as well as a list of Orange County Household Hazardous Waste Collection Centers which will accept hazardous materials for disposal for free.

Recycling bins are available within each dumpster housing as of this writing. The following items can be recycled in the Blue Bins:

Newspapers	#1 Plastics: water and soda bottles
Bottles	#2 Plastics: milk jugs, detergent &
Steel or tin cans	fabric softener bottles
Cartons	#3-#7 Plastics
Clipboard (cereal & cracker boxes)	Brown paper bags
Telephone books	Aluminum cans
Magazines and Catalogs	Empty aerosol cans

SAFETY AND SUPERVISION POLICY

ARCADA COMMUNITY ASSOCIATION RULES AND REGULATIONS

SAFETY AND SUPERVISION

The following general and common area rules, pool area rules and rules regarding pets have been developed by the Board of Directors of your Association to promote the enjoyment of your Association amenities by its members, member's guests and invitees.

Parental and Guardian Supervision

A number of the Rules and Regulations are concerned with safety issues. Safety should be a primary goal of all members and encouraged by all members when engaging in any activity within the Association. It is the primary responsibility of guardians and parents to supervise the activities of minors in their care. Parental and guardian supervision of minors' activities should be practised when minors are engaged in any activities within the common area of the Association. Engaging in dangerous activities or permitting children to play without supervision not only places the participant at risk but also infringes on the rights of others. Residing in a community such as ours requires consideration to and for others.

Pet Supervision

It is the responsibility of pet owners to insure that their pets are properly and appropriately confined and trained. Improperly restrained dogs pose a risk of danger to persons, property and other animals.

In General...

When anyone engages in activities in the common area, whether an adult or minor, they should do so in a safe manner, being considerate of others' rights. The goal of all should be to promote a safe, healthful and enjoyable atmosphere that all may fully appreciate.

Members (owners) are responsible for the activities of all family members, guests, invitees or tenants. This includes their actions and any damage to the common area or violation of the Association's governing documents.

COMMON AREA RULES

1. Balconies, railings and decks are to remain uncluttered and are not to be used for storage or for hanging planter boxes or drying of laundry, beach towels, etc.
2. Planters and pots are to be in terra-cotta color.
3. No wood planters.
4. Personal items are not to be left in any of the common areas, including driveways, entry-ways, walkways and landscaped areas.
5. Recreational roller blading, roller skating, scooter riding, bicycle riding and related activities are permitted within Arcada streets provided all rules of the road are followed, including the use of proper safety equipment. The use of the above items on walkways, in parking areas and in the pool area is prohibited. Children must have a parent or guardian in attendance when they are involved in activities and games within the common area. No motorized scooters are allowed within Arcada.
6. Access to building roofs is prohibited.
7. Owners will be held strictly liable for any and all damages caused to the common area by their children, guests or tenants and will be assessed the cost of repairs in addition to any applicable fine.
8. All residents share equally in the responsibility to keep the common areas clean. Littering is prohibited.
9. Activities taking place on common area where the public is invited, such as garage sales, are not allowed without prior approval from the Arcada Board of Directors.
10. All window coverings must show a neutral color to exterior (light beige, white, etc.) regardless of location.
11. No bicycle parking in the common area, including sidewalks, pool area entrances and within the pool area.
12. No notices of any kind may be posted on or in the common area.
13. Nothing may be stored within the utility closets (nor within air conditioning unit enclosures) of the dwelling structures. Articles found within these areas will be confiscated and disposed of properly.

PARKING RULES

General Rules (CC&R's Article VIII Section 8.2)

1. Covered and guest parking spaces shall be used for parking of passenger motor vehicles only.
2. Parking of inoperable, commercial and recreational vehicles is prohibited.
3. Parking of vehicles that exceed seven (7) feet in height, seven (7) feet in width and nineteen (19) feet in length is prohibited anywhere in the property except for the purpose of loading and unloading, making deliveries or providing service or emergency repairs.
4. Parking in driveways or in front of driveways is prohibited except for the purpose of loading and unloading, making deliveries or providing service or emergency repairs.
5. Parking in red zones, fire lanes and in front of fire hydrants is prohibited.
6. Restoring or repairing vehicles is permitted only in the homeowner's garage, with the door closed, provided the activity is not undertaken as a business and is not determined to be a nuisance by the Board of Directors (CC&R's Article VIII Section 8.3).
7. Garage doors are to remain closed except for reasonable periods of time to enter and exit.
8. Vehicles which are found to be in violation of the Arcada Parking Rules are subject to towing 24 hours a day, 365 days a year.

Guest Parking

1. Vehicles may park overnight in spaces marked "Guest Parking" for no more than two (2) consecutive or nonconsecutive nights in a seven (7) night period. The seven (7) nights begin with the first night the vehicle is parked in Guest Parking. Vehicles parked overnight in Guest Parking will be towed at the vehicle owner's expense on the third consecutive or nonconsecutive night in a seven (7) night period.
2. Residents requiring the use of Guest Parking for a period of time in excess of two (2) consecutive or nonconsecutive nights in a seven (7) night period must contact Management. Management, on a case by case basis, may place vehicles on the "Safelist" for up to fourteen (14) consecutive nights. Management may extend the Safelist for up to fifteen (15) additional consecutive nights with a Board Member's approval.

Guest Parking - continued

3. Residents requiring a vehicle to be placed on the Safelist for a period of time in excess of twenty-nine (29) consecutive nights must submit a written request to the Board of Directors indicating the specific period of time required and the reason for the request. Approval or denial will be decided on a case by case basis and may only be decided by a quorum of the Board of Directors. An extended Safelist may be subject to a \$40.00 monthly charge, at the discretion of the Board of Directors, for each additional month or portion thereof approved by the Board as described above.
4. Guest Parking Rules are enforced between the hours of 12:00 a.m. and 6:00 a.m. seven (7) nights a week for vehicles in violation of the Guest Parking Rules.

Parking Permits

1. Residences with three vehicles and three licensed drivers may be entitled to one (1) parking permit. Permits are issued on a first-come, first-serve basis.
2. Parking Permit applications are issued by Management upon request.
3. Completed Parking Permit applications must be approved by a quorum of the Board of Directors before a parking permit is issued.
4. A \$40.00 monthly Parking Permit fee will be assessed to the homeowner's association account. (Fee subject to change upon space availability with thirty (30) day notice.)
5. All drivers must be Arcada residents and have a valid California Driver's License showing an Arcada address.
6. All vehicles must be currently registered in California with Registrations showing an Arcada address.
7. Parking permits are nontransferable.
8. All exceptions to the above must be approved by a quorum of the Board of Directors.
9. The Board of Directors reserve the right to suspend or cancel Parking Permit privileges if the homeowner's Association assessment account remains delinquent for more than forty-five (45) days or for any other reason the Board of Directors deems appropriate. In accordance with Article XII, Section 12.3, of the Association's Bylaws, the owner may, within fifteen (15) days after receiving the Association's notice of intent to suspend or cancel Parking Permit privileges, request a Hearing before the Board. The homeowner's request for a hearing must be received not less than ten (10) days prior to the scheduled Hearing.

POOL AREA RULES

1. The "buddy system" is recommended to swimmers at all times. The Association provides no lifeguard services.
2. The use of the pools is expressly limited to onsite homeowners, tenants and their invited guests by entry through the locked gates. Anyone climbing or scaling a wall or building to enter the pool area will be ejected. Consequence of homeowners who violate this rule, or whose tenants or guests violate this rule, will be the loss of their pool privileges until such privileges are reinstated by the Board of Directors. Four (4) guests maximum per household.
3. **All gates shall be latched closed at all times.** Special care should be taken to assure compliance to this rule as it is for the safety of small children.
4. Children under **14 years** of age are not allowed in the pool area without a responsible escort, **18 years** of age or older, in attendance.
5. Diving, running, dunking, pushing, throwing of water balloons, using water guns or horseplay around or in the pools is not permitted.
6. Balls, Frisbees and other objects may not be thrown within the pool area, or within the swimming pool, so as to cause a nuisance or safety hazard to others.
7. Infants, youngsters and anyone not having control of their natural functions must use bathing apparel that incorporates snug-fitting leg openings. Health factors and the continuous operation of the pools depends on compliance.
8. No surfmats, boogie boards, surfboards or other large objects shall be permitted in the pools.
9. Small inflatable toys and flotation devices may be used in the pool area.
10. Playing with or destroying safety equipment (life preservers, hooks, etc.) will not be tolerated.
11. No glassware of any kind will be allowed in the pool area. Containers of an unbreakable nature are allowed provided they are disposed of properly.
12. Suitable swimwear shall be worn at all times. Cutoff pants ARE NOT ALLOWED.
13. No animals are allowed in the pool areas.

POOL AREA RULES - continued

14. Every family having pool privileges will have one (1) pool key issued by the Association and an identification label corresponding to the homeowner's assessment account number (1 through 237).
15. Pool users must present their pool key and ID label if requested by the Association's representative.
16. Do not use the "Emergency Switch" on the spa to turn off the spa jets.
 - A. The emergency switch is designed to turn off all of the spa equipment in case of suction entrapment only.
 - B. The switch turns off the pump, filter, chlorinator and the heater causing unsafe use and a cloudy spa.
17. No band aids, persons with infectious diseases or open sores.
 - A. Cuts cause bacteria to be released into the pool causing possible infections to others.
18. Do not play with the "skimmer" or drain cover.
 - A. Strong suction is present and can cause potential hazard.
 - B. Small objects can get caught in the pipes causing pool closure and a very expensive repair.
19. No radios without headphones may be used in the pool area.
20. Pool hours:
Sunday – Saturday 8:00 a.m. to 10:00 p.m.

PET RULES

1. No more than two (2) usual and ordinary household pets (dogs and/or cats) are allowed. Caged birds are considered a household pet. The Board has the right to prohibit maintenance of any animal which constitutes, in the opinion of the Board of Directors, a nuisance to any other owner pursuant to Article VII, Section 8.7, of the CC&Rs.
2. Pets are not allowed to be unattended in the Common Area.
3. Pets must be kept on a leash held by a person capable of controlling the animal at all times while in the Common Area.
4. Each resident is responsible for removing his dog's, cat's or other animals' defecation from the Common Area.
5. Excessive or repeated animal noise, such as dog barking, will be deemed a nuisance.
6. Each resident will be held responsible for any damage to the Common Area caused by his pet. In addition, each resident will be held responsible for any damage caused by his pet to the property of another resident, either by financial reimbursement and/or corrective action to be determined by the Board of Directors.
7. Any animal, fish or fowl found to be a nuisance by the Board may be forthwith removed from the property, at the Board's discretion, following the procedures outlined in the Association's legal documents.
8. No pets are allowed in the pool area.

ARCHITECTURAL CONTROL

The Association's Covenants, Conditions and Restrictions (CC&Rs), specifically Article IV, address the Association's Architectural Review process. In addition, various other CC&R provisions address the Association's and Owner's rights and responsibilities with respect to Architectural Control with some detail. Generally, Article VIII, Section 8.6, "Inside and Outside Installations," notes:

"...no exterior addition, change or alteration to any residence shall be commenced without the prior written approval of the Architectural Committee. Nothing shall be done in any unit or in or to the Common Area which will or may tend to impair the structural integrity of any building in the Project or which would structurally alter any such building except as otherwise expressly provided herein..."

To assist homeowners in the Architectural submittal process, the Association has developed a separate document entitled "Arcada Architectural Policies" and an official "Architectural Application" form. Please refer to these documents (available through the Association Management Company) for guidance and assistance in any matter related to architectural submittals.

MAINTENANCE, REPAIR AND REPLACEMENT POLICY

The maintenance and repair responsibilities of the Association and the Owners are described in great detail within the Association's CC&Rs and the California Civil Code.

With the exception of damage caused by a resident, the Association is responsible for the maintenance and repair of the Common Area. In the event the Association is required to perform work which is an Owner's responsibility or if an Owner, resident or guest should damage Common Area, the Association's CC&Rs permit the Association, following notice and opportunity for a hearing, to impose and collect a Special Assessment against the unit owner.

Each owner is generally responsible for the interior of the Owner's unit and the utilities which exclusively serve the Owner's unit. Owners must also keep their deck, patio, air conditioning pad and assigned garage and parking areas free from debris and in a reasonably good state of repair.

With such frequency as determined by the Board of Directors, the Association may notify owners from time to time that a contractor will be retained and paid by the Association to clean the chimneys and dryer vents serving the units. Each owner who wishes to have the Association provide such services will be required to provide written authorization to the Association for interior unit access.

Questions about maintenance and repair responsibility should be directed, in writing, to management for Board review and response.

ENFORCEMENT PROCEDURES

In the event of an alleged violation of a provision of the Association Governing Documents (the Declaration of Covenants, Conditions and Restrictions (CC&Rs), the Association's Bylaws, the Architectural Policies and/or the Association Rules and Regulations) by a member, a member's family member, or his/her guests or tenants, the Board of Directors shall follow the enforcement procedures outlined below.

Neighbor to Neighbor Disputes

1. The Association encourages neighbors to make a reasonable, good faith effort to solve noise, pet and vehicle problems among themselves. Often times a neighbor does not realize that his or her conduct is bothersome to others and merely knocking on the door and discussing the problem will bring a speedy result without the need for courtesy letters, violation letters, hearings and the like. Accordingly, if an owner or resident believes that a neighbor is violating the rules and regulations, the owner shall make a reasonable effort to resolve the matter directly with the neighbor.

2. If the owners are not willing or able to resolve the matter between themselves following a good faith effort to do so, the complaining homeowner may submit a written complaint to the Association's property management company for review by the Association's Board of Directors. The written complaint shall describe, in detail, all efforts made to resolve the dispute and shall explain the reasons, if any, given by the adjacent or nearby property owner(s) as to why the matter could not be resolved privately.

3. The Board of Directors shall review the complaining owner's written complaint and will determine, on a case-by-case basis, whether the condition described constitutes a violation. If the Board concludes that a violation exists, the Board will determine whether all or any of the Association's enforcement options, as provided herein, should be pursued by the Association. If the Board determines that no violation exists, the Association will take no further action and the matter will be left to the affected owners to resolve it as they see fit. In either case, the complaining owner will be notified of the Board's decision.

ENFORCEMENT PROCEDURES - continued

Association Enforcement Proceedings

The decision of whether it is necessary or appropriate for the Association to initiate enforcement or disciplinary action in any particular instance and the decision with regard to the type of penalty, if any, to be imposed shall be within the sole discretion of the Association's Board of Directors. If the Board decides to initiate enforcement or disciplinary action, the following procedure shall be followed except as provided below with respect to emergency situations:

1. A Courtesy Notice shall be sent to the member. The notice shall provide a deadline by which the member is requested to correct the alleged violation and shall inform such member that a failure to comply by the deadline date may result in possible fines or other penalties.
2. If the Courtesy Notice does not bring about compliance by the date specified in the Courtesy Notice, the Board shall have the right to take any one or more of the following actions in addition to any others provided for by the Governing Documents or law:
 - a. Levy of a fine or fines. The amount of fines which may be imposed are as follows:
 - 1) First offense - \$ 50.00
 - 2) Second offense - \$ 100.00
 - 3) Third offense - \$ 150.00
 - 4) Each succeeding offense thereafter - \$ 200.00

Continuing violations which remain uncorrected following the initial opportunity for a hearing before the Board, such as allowing unapproved architectural modifications to remain on the property, may result in **consecutive monthly fines of \$200.00 for as long as the violation continues without further notices or opportunity for hearings.**

- b. Suspend a member's and his/her family members', guests' and tenants' right to use the Common Area facilities owned, operated or maintained by the Association. Any such suspension shall be for a period of time not to exceed thirty (30) days for any non-continuing violation. In the case of a continuing violation, including, without limitation, the nonpayment of assessments which have become delinquent, such suspension may be imposed so long as the violation continues;

ENFORCEMENT PROCEDURES - continued

Association Enforcement Proceedings - continued

- c. Suspend the member's voting privileges. Any such suspension shall be for a period of time not to exceed thirty (30) days for any non-continuing violation. In the case of a continuing violation, including, without limitation, the nonpayment of assessments which have become delinquent, such suspension may be imposed so long as the violation continues.

No fine, suspension of rights or voting privileges, or other penalty may be imposed unless the member alleged to be in violation is given at least fifteen (15) days prior notice of the proposed penalty or temporary suspension and is given an opportunity to be heard before the Board of Directors at a hearing conducted at least five (5) days before the effective date of the proposed disciplinary action. The hearing shall be held in executive session unless the member specifically requests in writing, at least three (3) days before the scheduled hearing date, for the hearing to be held in open session.

On occasion, violations (called Emergency Situations in this Policy) occur involving conduct that constitutes an immediate and unreasonable infringement of, or a threat to, the safety or quiet enjoyment of the neighboring members; a traffic or fire hazard; a threat of damage to, or destruction of, the Common Area or Common Facilities; or a violation of the Governing Documents that is of such nature that immediate legal action must be taken to protect the interests of the Association.

In such circumstances, the Board of Directors may choose to forego the usual notice and hearing procedures set forth above and immediately retain legal counsel to commence the necessary and appropriate legal action. Moreover, with regard to vehicle violations, the Board reserves the right to tow the offending vehicle without issuance of courtesy or hearing notices, if deemed appropriate to do so, provided the Association complies with the signage and other requirements contained within California Vehicle Code Section 22658.2.

If the Association declines to take action in any instance, any member shall have such rights of enforcement against another member as may exist by virtue of the Association's Governing Documents, Civil Code § 1354 or otherwise by law.

All notices required by this Enforcement Policy, including Courtesy Notices and Hearing Notices, shall, at a minimum, briefly describe the action or inaction constituting the alleged violation of the Governing Documents and a reference to the specific Governing Documents provision(s) alleged to have been violated. The notice shall be in writing and shall be delivered by first-class mail, postage prepaid. The address for the member shall be that stated in the Association's membership list. If the membership list does not contain the member's address, the address used shall be that member's residence address within Arcada.