

# **BROOKFIELD EAST 1 HOMEOWNERS ASSOCIATION RULES AND REGULATIONS**

**Revised and Adopted October 2018**

All owners shall receive and keep for reference, a copy of these Rules and Regulations. It is the owner('s) responsibility to make sure that these Rules and Regulations are obeyed by all guests, and/or renters. Owner(s) can be held responsible for any damage to common grounds by renters and/or guests. Additional copies of this document may be obtained from the current community management company.

The Board of Directors has the authority to adopt and amend reasonable rules and regulations concerning the use of the Association Property. The Board also has the right to enforce such rules. If an owner feels any rule or regulation is discriminatory or unfair for the good of the majority, they should contact the Board of Directors with a recommended change.

When we purchased property in this Association, we gave up certain individual rights we would have had if we had purchased a private home elsewhere. The purpose of the Rules and Regulations is to protect everyone's right to enjoy the community equally without interfering with others right to enjoy the same.

## **GENERAL RULES**

1. Within 30 days of taking title, if the property will be rented, the Homeowner shall report to the Management Company the names of all other residents as well as an address and phone number to contact the Homeowner.
2. Arizona Law states that an Association can take action against in-home businesses, if the traffic to the neighborhood is increased. No owners, resident or guest may use the unit for any commercial purpose, including the performance of a service, the storage and/or dispensing of products or merchandise for sale at Brookfield East 1 or elsewhere, or the reception of clients or customers which increases the normal traffic flow on the property.
3. The common areas may not be used for the storage of privately owned property. Upon Architectural Committee approval, an RV gate may be installed to store items behind the yard enclosure.
4. No items may be hung on or over the walls and fences such that the item may be viewed from the street, the common area, or adjoining property.
5. Advertising signs, political signs, etc. may be no more than 4 feet square in size. Signs must be removed within 24 hours of event conclusion.
6. One "No Soliciting," "For Rent" or "For Sale" sign of a standard size may be placed at the front entrance of the unit.
7. All residents should obey City of Mesa noise and nuisance laws.

## **POOL**

1. The pool facilities are for the use of owners, tenants and guests only. Owners will be responsible for anyone to whom they provide pool access. Residents must accompany their guests at all times.
2. One pool key per unit is provided. The current community management company will charge a fee to replace a lost key.
3. NO DIVING. Swim at your own risk – NO lifeguard is on duty.
4. Gate must be locked at all times. County inspections occur regularly.
5. Children under the age of 14 must be accompanied and supervised by an adult 18 years or older at all times when in the pool area.
6. Persons using radios or electronic devices of any kind in the pool area must maintain the volume at a level that cannot be heard beyond the immediate area. Noise is prohibited after 10 p.m.
7. No pets are allowed in the pool area.
8. Climbing on the fence, cabana, etc., is prohibited. Anyone damaging the pool facility or equipment will be responsible for repair or replacement.
9. Infants or young children must wear rubberized pants while in the pool.
10. Persons using rafts or other flotation devices shall not interfere with others who wish to enjoy the pool.
11. No glass bottles or glassware of any kind are allowed in the pool area.
12. Oils and lotions are prohibited. Users should wear waterproof sunblock.
13. No running, yelling, horseplay, jumping, diving or obscene language is allowed in the pool area.
14. No skateboards, bicycles, etc. or sports equipment (other than swimming gear) is permitted in the pool area.
15. All persons shall obey all posted pool signs.
16. Leave the pool area in a clean, neat and orderly condition, including furnishings. The HOA does not provide pool area furnishings.

## **PETS**

1. Only domestic pets are allowed at Brookfield East 1. No other animals (potbelly pigs, chickens or livestock) may be kept.
2. There is a leash law in effect (Mesa City Ordinance, Title 6, Chapter 4, Section 7) that states when outside of a unit, dogs should be kept on a leash no more than 6 feet in length and under the control of a responsible individual.

3. Pets (dogs and cats) are not permitted to run loose anywhere within Brookfield East 1, including the common areas. The owner of the unit and the owner of the pet shall be responsible for all damage to persons or property caused by the pet.
4. Pet owners are required at all times to monitor the activities of their pets so that such pets do not create a disturbance or constitute a nuisance to neighboring residents.
5. Pets must be confined to individual units and yards, and dogs must not be tied up on common areas. Continuous barking will not be tolerated.
6. Droppings must be picked up immediately per City of Mesa regulations.
7. All owners, residents, tenants and guests shall not be abusive or neglectful to pets. Violators will be reported to City of Mesa Animal Control.
8. Only indoor cats are allowed in Brookfield East 1. Any resident letting their cat(s) roam free will be fined by the current community management company.
9. Any animal causing or creating a nuisance, disturbance or health hazard will result in a fine for the owner.

### **VEHICLES AND PARKING**

1. No vehicle of any kind shall be built, rebuilt, restored or repaired upon any portion of the property and its common areas. Normal vehicle maintenance is allowed if completed within 24 hours.
2. No vehicles may be parked on the landscaping of any residence, nor stored or parked in any common area. No recreational vehicle shall be parked, maintained, rebuilt, restored or repaired on any portion of the property or common areas.
3. Recreational vehicles, campers, trailers, boats, large commercial vehicles and the like are not to be stored at Brookfield East 1 except in an owner's garage or enclosed backyard.
4. It is the owner's/renter's responsibility to maintain vehicles so they do not drip oil or fluids on any area of Brookfield East 1. Should there be a fluid drip from a vehicle, it must be cleaned up in a timely manner or be subject to fines.
5. Vehicles used for loading and unloading are allowed on the property for a maximum of 72 hours. Contact the current management company for prior approval beyond these parameters.
6. All vehicles must have current registration. Vehicles not in compliance will be towed with 24 hours notice, at the owner's expense.
7. The speed limit inside the complex is 10 miles per hour for any type of vehicle. Homeowners will be fined if excessive speed is used by homeowners, residents or their guests.

8. In the event an owner or renter chooses to ignore these Rules and Regulations, the Board may tow away any vehicles in violation, after 24 hours notice, at the owner's expense.
9. **PARKING ON THE STREET IS PROHIBITED** according to City of Mesa Title 7, Fire Department Chapter 2 Fire Code. Park only in garages and driveways or in designated parking spaces provided at the common area. The fire department must have unobstructed access and our streets are of a width that pose a risk.

### **STORAGE / TRASH**

1. All trash, garbage and rubbish at a unit shall be placed in that unit's trash receptacle.
2. Residents that want to throw away large items must make their own arrangements for special pickups, and may not place any trash outside of the trash receptacle except for the 24 hours immediately before an arranged pickup.
3. Trash receptacles shall not be on the street for longer than 12 hours prior to and after trash has been collected.
4. The Board has designated the area by the gate or behind the gate as the storage area for trash receptacles.
5. Keep items inside the unit, garage or enclosed back yard. All trash, unused or discarded items, or equipment, including cabinets, trunks, tool boxes, utility trailers or any other possessions similar in nature, shall not be visible from the street.

### **ARCHITECTURAL CONTROL AND LANDSCAPING**

1. Pursuant to Article V of the CC&Rs, homeowners and residents must submit an architectural request and obtain authorization in writing from the Board of Directors before making any alterations to the structure or appearance of any Unit or Association Property. It is recommended to begin the approval process 30 days or more in advance of any project. A significant fine up to \$250 will be assessed for any architectural changes made without Board approval.
2. Any owner wishing to alter or improve anything structurally outside the unit must make their initial written request to the current community management company or the Board prior to work being done. The request must show the nature, kind, shape, height, materials and other attributes of the alteration.
3. Alterations include painting, the addition of lights, awnings, security doors or windows, roofing materials, plants, shrubs, trees or anything that changes the appearance of the home exterior. The Board, in making its decision, will be guided by a number of criteria, including the harmony of design and location in relation to surrounding structures and topography.

4. Each owner is responsible for maintaining the exterior of their own home. This includes all roofing, paint, doors, gates, screens and windows, among other items.
5. No owner, resident or guest shall remove, alter, injure or interfere in any way, with any shrubs, trees, grass, plantings or ground coverings on the common property without first obtaining the written consent of the Architectural Committee. The owner, resident or guest will be charged for full replacement cost if in violation.

#### **DELINQUENT ACCOUNTS**

1. Monthly assessments are due on or before the first day of the month.
2. An account is delinquent on the last day of the month. A late fee of \$15 will be charged if payment is not received by the last day of the month.
3. A charge of \$45 plus any additional bank charges will be posted to the homeowner's account for checks returned for non-sufficient funds.
4. Accounts delinquent on the last day of the third month will be turned over to an attorney and will cause a lien to be placed against the homeowner's title.
5. All costs, including liens and filing fees, process server fees, and attorney fees incurred in the collection of unpaid account balances will be borne by the homeowner.

#### **VIOLATIONS OF RULES AND REGULATIONS**

1. The current community management company shall send the owner of the property a letter detailing the violation and ask for the problem to stop or be resolved.
2. If the violation still exists after 30 days, the homeowner will be fined a minimum of \$25. If fines remain unpaid at 90 days delinquent, further legal action will be taken.
3. Fines will be proportionate to the violation. Fines will range from \$25 to \$1,000 depending on the violation.
4. The Board reserves the right to impose a fine without a warning.
5. Any fees paid by the Association for non-compliance will be reimbursed to the Association by the homeowner.