

**PAULINA PEAKS
HOMEOWNERS'
ASSOCIATION
COMMUNITY HANDBOOK
RULES AND
REGULATIONS**

THESE ARE THE RULES AND REGULATIONS THAT HAVE BEEN APPROVED AND ADOPTED BY THE PAULINA PEAKS HOMEOWNERS' ASSOCIATION BOARD OF DIRECTORS, OCTOBER 2018

ANY HOMEOWNERS THAT HAVE RENTAL PROPERTIES ARE RESPONSIBLE TO INFORM THEIR RENTERS OF THESE RULES AND REGULATIONS.

HOMEOWNERS WILL BE HELD RESPONSIBLE FOR ANY FINES INCURRED BY THEIR RENTERS.

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INTRODUCTION

The first Community Handbook with the Rules and Regulations for Paulina Peaks Homeowners' Association was prepared and distributed in 2006.

The purpose of this updated Handbook is four-fold. The first is to ensure that the Rules and Regulations are rewritten to be aligned with the original Declaration of Conditions, Covenants and Restrictions (the CC and R's) regarding the terms "common area" and "common area fences." An attorney has determined that PPHOA has no "common areas or common area fences." Second, there have been updates/changes to clarify some wording in the Design Section regarding the process for repainting of houses and the restaining and replacing decorative logs in front of houses. Additionally, the item regarding garage sales has been modified. And, fourthly, to simplify and clarify the Enforcement Procedures when a violation of the Rules and Regulations has been noted.

The Board of Directors urges each of you to review this handbook. Homeowners who are renting their property are strongly encouraged to provide a copy of this Handbook to their renters so that they, too, are knowledgeable of these rules since the homeowner/landlord will be held responsible and accountable for the renters compliance with the Rules and Regulations.

We hope that this Handbook addresses any questions and concerns a homeowner may have. Compliance of these Rules and Regulations by each homeowner/renter will continue to make Paulina Peaks a pleasant place to live and will help maintain the quality and atmosphere we all desire for our community.

If you should have questions, please do not hesitate to contact Cascadia Management for help and clarification. Cascadia can also help to direct your questions to a Board Member when appropriate.

Respectfully,

The 2018 Paulina Peaks Homeowners' Association Board of Directors

Paulina Peaks Homeowners Association (PPHOA)

Rules and Regulations

Introduction:

These Rules and Regulations were originally adopted in 2006 by a Resolution of the Board of Directors and the Modification Committee of Paulina Peak Homeowners Association (PPHOA). As allowed under the Declaration for Paulina Peaks (CC&R's) and the Bylaws of Paulina Peaks Homeowners Association, the Rules and Regulations have been updated in October 2018 by a Resolution of the Board of Directors.

As a reminder, the Declaration and Bylaws are the governing documents of the Association and Paulina Peaks' homeowners. These Rules and Regulations have been reworded so as not to conflict with the Declaration or Bylaws which are the ultimate guide for the Association.

USE Rules and Regulations

1. **Occupation of Houses** - Homes in the Paulina Peaks development are designated as single family housing. Occupation is limited to one family unit at any time including parents, spouses, and legal children. Occupation by multiple family units is not permitted. Single adults are allowed to house together as desired.
2. **Basketball Hoops** - Basketball hoops shall be permitted inside the property line of the home.
 - Basketball hoops are not permitted in the street at any time and will be removed by the Paulina Peaks Homeowners Association (PPHOA) after initial notice to the homeowner, at the homeowner's expense.
3. **Boat Trailers, Utility Trailers, Vacation Trailers and RV's** - Trailers or Motorhomes of any kind cannot be parked in the street or on the driveway of homes. and, if parked behind the fence line, must be out of sight from the street.
 - Temporary parking of trailers will be allowed for a maximum of 72 hours total duration to allow for preparation for use and clean up after use.
 - Houseguests may park Motorhomes in the street for a maximum 72 hours after prior notice to PPHOA.
 - House guests must park their trailer within the boundaries of the property being visited so as not to affect adjacent neighbors.
4. *****City Right of Way - PPHOA has no common area**
 - ***Maintenance of area which borders individual properties, such as parking strips, side yards or City Right of Way is the responsibility of that property owner. The property owner is expected to maintain these areas on a regular basis in a manner consistent with the standards of PPHOA.
 - PPHOA will be responsible for policing this requirement by notification, where necessary, to specific property owners.
 - If adequate remedy is not taken on or before 7 calendar days after notification, PPHOA will contract maintenance, as required, at the expense of, and billed to the responsible property owner and may proceed with other enforcement procedures.

5. **Landscaping** - Each property owner is responsible for maintaining the owner's property landscaping in a manner consistent with the standards of PPHOA.
- Yards are to be regularly mowed and weeded and the grass fertilized and watered as required. It is the responsibility of the owner, for those homes under rental, to insure the property is adequately maintained. If necessary, the owner is expected to provide this service individually or by contract.
 - Bushes and trees along the parking strips, sidewalks and City Right of Way need to be maintained and trimmed to allow pedestrians to pass safely and to give drivers a clear line of sight.
 - Property maintenance includes keeping fences in good repair where required.
 - Any and all damage to fencing caused by a homeowner/renter shall be the responsibility of the homeowner/renter.
 - PPHOA shall be responsible to insure adequate maintenance is done by the owner and notify owners when necessary.
 - Failure to comply with standards for landscape maintenance will result in PPHOA contracting the necessary services, as required, at the expense of and billed to the responsible homeowner.
6. **Holiday Lights and Decorations** - Each homeowner is responsible for installing and removing holiday lights and decorations in a timely manner.
- Holiday lights and decorations shall be displayed no earlier than two weeks prior to the upcoming holiday and removed no later than one week after the holidays
 - Holiday lights that may be displayed during the month of December, shall not be installed until the week of Thanksgiving (third week of November) and shall be removed by the end of the second week of January.
 - Lights and decorations shall be installed in a manner that does not interfere or cause discomfort to adjacent properties.
7. **Auto and Vehicle Repair** - Auto/vehicle repair of any nature is not allowed in the street at any time.
- Short-term repair, within a single day, is acceptable in an individual driveway provided all evidence of repair is cleaned up and removed by dusk that evening.
 - Auto parts and repair equipment must be stored in a manner that is not visible from the street.
 - Auto/vehicle repair inside the garage is acceptable provided it is not visible from the street.
8. **Automobile parking in the street** - Auto/vehicle parking in the street is acceptable within the guidelines established by the City of Bend.
- Non-operating or abandoned vehicles are not allowed, and vehicles shall be moved at least once, every 48 hours.
 - Violations will be brought to the attention of the homeowner first, then to the City of Bend, if not rectified.
 - Necessary vehicle removal of violators will be done in conjunction with the City of Bend at the owner's expense.
9. **Conducting a Commercial Business from Home** - To the extent that operating a business is allowed in a home by current zoning, a business conducted from a home in the Paulina Peak's Development must be done in a way, which is not visible to other homeowners.
- Business signs or banners are not allowed.
 - Regular delivery of goods by commercial trucks weighing more than 5 tons is not allowed.
 - Customer parking associated with a business must be provided within the confines of homeowner's property boundaries.

- 10. Parties and Celebrations -** Parties and celebrations must be held in accordance with the laws and ordinances of the City of Bend.
- It is strongly recommended that the hosts of any event notify their neighbors beforehand and insure that no undue hardship will be placed on them.
 - It is strongly recommended that any complaints of disturbances be referred to the City of Bend Police Department by the complaining individual.
 - Personal confrontations should be avoided.
- 11. Pet Control -** Pet control in the Paulina Peaks development is expected to meet the requirements of the City of Bend and its leash laws.
- Pets shall not be permitted to run loose or unattended. Dogs shall be on a leash or confined to the owner's property at all times.
 - Pet owners are expected to clean up after their pets when necessary and dispose of pet waste in standard disposal containers.
 - Property owners are responsible for insuring their pets are adequately fenced and that fencing is properly maintained or the pet is otherwise restrained within the owner's property boundaries.
 - No animals, except a reasonable number of household pets shall be kept or raised. Pets shall not be bred or raised for commercial purposes.
 - When necessary, PPHOA shall be responsible for notifying the homeowner, and, if necessary, referring the problem to the City of Bend.
- 12. Driving Habits -** All homeowners, their family members and guests are expected to use responsible driving habits within the confines of the Paulina Peaks Community, compatible with the City of Bend traffic laws, to guarantee the safety of homeowners, children and pets.
- The speed limit for all traffic within the Paulina Peaks residential area is 25 mph.
 - Operators of any motorized vehicle, electric or gas, must be legally licensed to operate such vehicle.
 - All motorized vehicles, electric or gas, shall meet noise restriction requirements established by the City of Bend.
 - Motorized vehicles, electric or gas, shall not be operated on the sidewalks of the Paulina Peaks Community.
 - When necessary, homeowners will be initially notified for the PPHOA that they or a family member is not following safe driving habits. If necessary, the issue will be then be referred to the City of Bend Police Department for resolution.
- 13. ***Garage Sales -** may be held at a homeowners discretion.
- 14. Fires and Smoking -** Fires are prohibited except in indoor fireplaces and wood stoves or in properly maintained gas or electric barbecues.
- Outdoor burning of trash or other materials and discarding of any during material, including cigarettes, smoking substances, live ashes or briquettes is prohibited.
- 15. Solicitation -** Solicitation within the borders of the Paulina Peaks Development offering, selling, enlisting support for, or promotion of any item of a commercial or non-commercial nature by means of personal contact, handout of handbills or advertising literature is not allowed.
- Distribution of newspapers by subscription is permitted.
 - Notification of PPHOA business is allowed to be communicated by door-to-door handout.

16. **Advertising Signs** - Signs advertising property for sale or rent, or for political campaigning are permissible under the following guidelines:
- One "For Sale" sign within the borders of the affected property is allowed provided the size does not exceed 18 inches high by 24 inches wide.
 - One "For Rent" sign with the borders of the affected property is allowed provided the size does not exceed 18 inches high by 24 inches wide.
 - Political signs may be displayed within\ the borders of a property. Signs are expected to be no larger than 18 inches high by 24 inches wide. Signs must be removed within 5 days of conclusion the political event.
 - No signs of a political or other nature my be displayed on light standards, telephone poles or on any fencing for any reason.
 - Signs displaying vulgarity or obscenities will be immediately removed by the PPHOA.
17. *****Trash and Recycle Bins** - Trash and Recycle bins must be stored out of sight from the street.
- Trash and Recycle Bins may be put on the curb the day before Trash Pick-up. They should be removed from the curb no later than the day following pick-up.
 - Trash of any kind, which is visible from the street level, cannot be stored on any property.

DESIGN Rules and Regulations

1. ******Painting of Houses/Staining of wood** - Painting of houses and staining of cedar shakes, fences and architectural logs shall be acceptable if done using any of the original set of color schemes used in the Paulina Peaks Development.
 - **Any variation from these paint or stain colors will require the approval of the Paulina Peaks Board of Directors (PPHOA-BOD) using a Home Modification Request Form (a copy is included on the last page of this document).
 - **A 2 x 3 foot sample of color should be painted on the house for review at the time the HMR is submitted.
 - **Staining of cedar shakes, fences and architectural logs shall stay in keeping with original stains. Variation from the original stains will require an approved HMR form.
 - **In the event that architectural logs have rotted out and need to be removed, prior notification of the log removal to the BOD is required.
 - ***Removed logs will need to be replaced in keeping with the original design of Paulina Peaks Development.

2. **Fences** - All fences shall be finished in a natural wood color. Any variation requires the approval of the BOD using the HMR Form and a stain color sample.
 - Design of new fences, or the design for replacement fences must be approved by the BOD prior to construction.

3. **Antennas and Satellite Dishes** - Mounting of satellite dishes will be permitted as required to provide a line of sight reception.
 - Efforts should be made to keep mounting as inconspicuous as possible.
 - Rooftop television antennas and/or Ham Radio antennas are not permitted.

4. **External Accessories or Storage** - External accessories including storage, decks and balconies should not be visible from the street.
 - Plans for balconies, decks and sheds which will be visible from street level must be submitted to PPHOA-BOD via Cascadia Management and approved before construction is started.
 - Plans can be hand sketches or computer generated renderings for submission to the BOD. Detailed architectural drawings are not required.
 - Decorations displayed which are visible from the street level should be of acceptable taste as determined by the PPHOA-BOD.

Procedures for Home Modification

Any homeowners wishing to make a change, alteration or improvement affecting the exterior appearance of a home that requires the approval of the PPHOA-BOD must follow these procedures:

1. Submit a completed " Home Modification Request Form" with the Plans and Specifications (collectively referred to as "Plans") to the PPHOA-BOD via the management company (CMI). A copy of this form has been provided at the back of this handbook. Additional copies may be requested from the management company
2. The BOD will receive and review requests and may contact homeowner for additional documentation if necessary.
3. The BOD has 45 days from the date it receives the request to respond to the homeowner. In the event the Board fails to approve or disapprove such plans or to request additional information reasonably required within 45 after submission, the Plans shall be deemed approved.
4. Considerations used when determining whether to grant a request will include, but are not limited to the following:
 - Whether the proposed changes or additions are harmonious with existing workmanship and design of existing structures.
 - Whether the changes or additions are consistent with surrounding structures, topography and finished grade elevation.

PPHOA Enforcement of Rules and Regulations

Declarations Article II, Section 9 and Article XI, Section 7 confers upon the Board of Directors (BOD) the power to conduct Association business and to protect the community harmony by providing guidelines and a procedure for addressing conditions that are disruptive to that harmony. The Board is, therefore, authorized to collect timely assessment payments from owners and to enforce compliance by owners, their guests, family and renters. In addition, the Bylaws, Rules and Regulations and other policies enacted in accordance with the governing documents, authorize the Board to assess monetary penalties against owners when there has been a violation to items within those documents.

1. As a general policy matter, the PPHOA-BOD prefers to use the incremental, escalating enforcement steps outlined below in dealing with violations of the Declarations, Bylaws or Rules and Regulations in this handbook. The Association and the Management Company, however, reserve the right to add, additional steps, omit steps or to follow different procedures as experience and judgement may dictate in a particular circumstance. In addition, The Association reserves all of its rights and remedies to enforce the Declarations, Bylaws and Rules and Regulations in the handbook in dealing with infractions, including the right to take appropriate legal action, if the Association considers it necessary.
2. **First Notification** - Upon observation or notification of a violation of the Declarations, Bylaws and Rules and Regulations (collectively referred to as "DBR&R") by the Association, or its management company, a notification letter will be sent to the violator/homeowner regarding the violation.
 - The management company will send the letter by USPS Certified Letter and regular First Class Mail. The violator/homeowner will be requested to commence specific actions necessary to come into compliance with the violated DBR&R within seven (7) days of the mailing of the letter.
3. **Second Notification** - If the violator/homeowner has not complied within seven days of the mailing of the first notification letter, a second notification letter will be mailed by the management company to the homeowner via USPS Certified Mail and regular First Class Mail.
 - This second letter will notify the violator/homeowner that the violator/homeowner has another 7 days to complete the specified actions to come into compliance with the violated rule.
4. **Final Notice** - If the homeowner still has not complied within 7 days of the mailing of the second violation notification letter, a FINAL NOTICE requesting complete compliance will be sent to the homeowner via USPS Certified Mail and regular First Class Mail.
 - The letter will notify the homeowner that, if complete compliance does not take place within 7 days of the mailing of the FINAL NOTICE letter, a hearing will occur before the Board on a date specified in the FINAL NOTICE.
5. **Hearing** - The purpose of the hearing will be to impose a scheduled fine for the violation and giving the violator/homeowner the opportunity to be heard and to present evidence and/or witnesses before a scheduled fine is imposed. At the conclusion of the hearing, the Board will decide whether or not to impose the scheduled fine and will be stated in the minutes of the meeting. A notice of the Board's decision to impose the fine will be mail via USPS Certified Mail and regular First Class Mail to the violator/homeowner.

6. Scheduled Fines - A scheduled fine, if imposed, will commence to accrue one day after the hearing and will continue each day thereafter until the specified actions come into compliance with the violated rule have been completed by the violator/homeowner to the Board's satisfaction. A monthly invoice will be mailed to the homeowner by the management company stating the accumulation of fines.

- A late charge of 1% per month (12% per annum) will accrue on the unpaid balance.

- In the event the balance surpasses \$200.00, a lien will be placed on the violator/homeowner's home through the finding of the Claim of Lien in Deschutes County Real Property Records. The violator/homeowner will be additionally assessed in the lien for filing fees, management fees, attorney's fees and mailing fees the Association incurs in the fine assessment procedures, lien preparation and filing.

- In the event a lawsuit is filed to recover the fines fees and costs, and/or to foreclose or defend the lien, the violator/homeowner shall pay all attorney fees and costs incurred at mediation, arbitration, trial and on appeal of the matter.

7. Scheduled Fines - Fines for specific violations of the Declarations, Bylaws, Rules and Regulations concerning use and design are:

- Use: \$15.00 per day

- Design: \$15.00 per day

PAULINA PEAKS HOMEOWNER'S ASSOCIATION
HOME MODIFICATION REQUEST

DATE: _____

HOMEOWNER: _____

ADDRESS: _____

DAY PHONE: _____

EVENING PHONE: _____

EMAIL ADDRESS: _____

BRIEF DESCRIPTION OF MODIFICATION/IMPROVEMENT (Attach drawing and specifications of proposed modification and a photo of work area, if applicable.)

NAME OF COMPANY MAKING CHANGES: _____

STREET ADDRESS: _____

CITY/STATE/ZIP CODE: _____

CONTRACTOR'S LICENSE if applicable: _____

DO NOT WRITE ON LINES BELOW

DATE OF REVIEW: _____

DATE ADDITIONAL INFORMATION REQUESTED: _____

RECOMMENDATION OF BOARD OF DIRECTORS: _____

REQUEST APPROVED: _____

REQUEST DENIED: _____

DATE OF APPROVAL/DENIAL: _____

BY: _____