



Guide and Rule Book 2014

Introduction

This booklet was written to aid Windemere Court Owners and Residents in understanding how the building operates and explain just some of the rights and responsibilities of each member of the Homeowners Association.

When you buy a unit in the building you automatically become a Member of the Homeowners Association (HOA) and agree to abide by and obey the Covenants, Conditions, and Restrictions (CC&Rs), Bylaws and the Rules and Regulations of the building. If the Owner chooses to rent their unit, the Owner is responsible for their renter and their guests. The Owner must supply a copy of this Guide and a complete copy of the CC&Rs to their renter to help avoid issues in the future. This Guide and all of the Governing Documents are available on the Association website.

History and Management

Windemere Court is a 29 unit condominium building (9 studios and 20 one-bedrooms) located at 3950 Cleveland Avenue in San Diego.

The Western Properties Service Corporation of Arizona constructed the building in 1986. By the fall of 1987 all units were sold and responsibility for running the building was taken over by a volunteer Board of Directors elected by the unit Owners. This Board consisted of three members, but later it became the practice for the Board to appoint a non-voting fourth person to fill one of the officer positions. Each Board Member is elected for a two-year term and may be re-elected with no limit on terms served. The officers are President, Vice-President, Secretary and Treasurer whose duties are defined in the Association Bylaws. Since inception, the Board has employed a professional management company to take care of the day-to-day operations. This company serves under contract, and their duties and responsibilities are defined and supervised by the Board of Directors.

The Association is currently managed by: ceosd.net

Telephone: (855) 669-2103 ext. 612 (or ext. 711 for emergencies)

Direct Emergency line: (619) 298-4170

E-mail: 612@ceosd.net Association Website: www.612.calcal.org

Condominium Life

When you buy a unit in a condominium, what you buy is the area inside the walls of your particular unit and the right to use personally, certain exclusive use common areas, (for example; parking space or balcony) and the right to use, with other Owners, the remaining common areas (for example; entry and exit ways, laundry room).

In many respects condominium living is much like large family life. You have your own "space" and the rest is "shared." The "shared" space needs the same care and consideration for others that you might give to members of your family living with you. This "caring" is necessary because we are living in close proximity to others with perhaps, varying life styles and different standards and needs. So, we must have a few rules. In all you do, consider others, and should you find a rule irksome, recognize that it is there to try to improve the quality of life for all Residents.

Communication

Communication, particularly between Association Members, Management, and the Board of Directors is important. There are a number of ways to accomplish this communication and a few are listed here:

- (a) Direct verbal contact with our Manager. The name and telephone number are posted on the front notice board.
- (b) Write or e-mail Management. All correspondence is forwarded to the Board of Directors.
- (c) Attend the bi-monthly Board Meeting. Details of time and location are included in the prior month's billing statement.
- (d) Attend the Annual Meeting of Members held in January each year.

Board Meetings are open meetings and all Members and Residents are encouraged to attend. The meeting Agenda always provides a time for non-Board members to speak. If you have a problem or idea, let the Manager know.

Courtesy to Your Neighbors

Due to Windemere Court's wood construction and placement of the units, noise of any kind can be an issue/annoyance to your neighbors. Therefore, please be aware those simple things can create noise levels that can be disruptive to your neighbors. Please be courteous when:

- * walking (especially 2nd level)
- * running/pounding feet on stairs in the courtyard
- * conversations outside of your unit
- * gates slamming/doors shutting
- * television and/or music

Being courteous with a heightened awareness of how easily noise carries/amplifies would be appreciated by all.

Nuisances

What is a "nuisance?" For this building a "nuisance" can be defined as a noise, smell, behavior, or activity, which adversely affects another Resident's enjoyment of the accommodations.

Items which the Board may rule as a "nuisance" are:

- (a) Excessive noises – turn the stereo/television down; lower the bass on the stereo, move the equipment. Police may also be called to assist in resolving your concern.
- (b) Smells – we suggest closing the doors and/or windows & using the extractor fan.
- (c) Leaky oil from cars – fix your leak, clean up the oil spill you caused.
- (d) Garbage/trash – seal your bag and put it in the trash room, not in the corridor, hallway or elevator.
- (e) Inappropriate items on balcony – bedsprings, trash, plants, water jugs, etc.
- (f) Unsuitable or no window blinds – must conform (see Care of Building).
- (g) Smoking – obey the "No Smoking" signs. No smoking is allowed in any common areas of the property including the front walkway, inside courtyard, elevator, garage, and patio areas.

This list is not comprehensive, but illustrates common sense rules. If, as a Resident, you are faced with a neighbor's "nuisance," ask politely for correction. If this fails, try to get confirmation of the "nuisance" from a neighbor. If the "nuisance" is confirmed, make a written report to Management and the matter will be referred to the Board of Directors. The Board may impose monetary penalties where "nuisances" are proved and repeated after proper investigation. Members cited for "nuisances" are always offered a Hearing before the Board before any decision is made.

Pets

A small pet (under 30 pounds) is permitted with a limit of one per unit. Dogs must be in the presence of their Owner/sitter and leash-held when on the property. Fouling the walkways and grassy areas must be avoided. Pet Owners must clean up after their animals. A fine will be assessed for each occurrence. Excessive noise from any animal will be dealt with as a “nuisance”.

Security

Although Windemere Court is not a security building, the Board of Directors has instituted a number of features to assist in the protection of lives and property within the building. You will note external and internal lighting, gated side fences, an intercom at the front door, and a key entry to the elevator from the garage. Locks on external doors require a special key, which may not be duplicated (Management can supply a duplicate to the Owner for a charge - \$100 each). Garage door openers are also coded.

A few simple rules will help insure greater security for all of us:

- (a) Do not leave garage door openers in the car in the garage. Keep them on your person or in your unit. Report the loss of an opener to management so the code can be changed.
- (b) Secure your storage area with a chain and padlock.
- (c) Politely question strangers as to their right to be on the property.
- (d) Avoid leaving portable valuables in the garage area.
- (e) Be sure that all external doors that you unlock are properly secured after you enter or exit and do not leave doors propped open.

Fine Schedule

Fines may be levied at the discretion of the Board for any violation of the Governing Documents.

Repeat Violations:

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| 1. First Violation | Warning Letter |
| 2. Second Violation (of same covenant or rule) | \$50.00 |
| 3. Third Violation (of same covenant or rule) | \$100.00 |
| 4. Each additional violation (of same covenant or rule) | \$200.00 |

Continuing Violations:

The Owner will receive a warning letter and notified via first-class mail of the Board’s decision. If a violation exists, the Owner will be instructed to rectify the situation within a specified time frame. A fine of \$200 will be applied for each additional week after the specified date until such time as the violation is cured.

Fines shall be in addition to any applicable cost of repair or other reimbursement of any costs incurred by the Association, including attorney’s fees.

Care of the Building

A cared for building helps to protect your investment. Correction or repair of damage within the walls of a unit is the responsibility of the Owner as well as any damage they cause on the outside. This also includes plumbing fixtures entering the inside of the unit (for example; bath, shower pipes, and faucets). Exclusive use common areas (for example; balconies, parking spaces) may not be used as storage areas and no additions or changes are permitted. Please notify management if you notice any evidence of wood destroying insects.

Any proposed construction or maintenance, which is externally visible or penetrates the walls or floors of a unit, must receive prior Board approval. To receive approval, an Owner must complete the Architectural Review Request form, available on the website, and submit it to Management for the review of the Board.

Recycling Requirement

A City of San Diego Ordinance from 2010 requires all residences to recycle. A recycling dumpster is at the Southwest edge of the property located in the alley alongside the trash dumpster. Separate the following items at home and only dispose of them in the recycling bins: **plastic & glass bottles and jars (not lids/caps, paper, newspaper, metal containers, cardboard.**

Amenities

Windemere Court provides five principal amenities: laundry room, barbecue, courtyard, and underground garage with individual storage units. The following rules apply:

Laundry Room

- Available from 8 A.M. to 10 P.M.
- Clean the filters.
- Be tidy and clean up what you spill.
- Empty washers and dryers promptly.

Barbecue

- Available from 8 A.M. to 10 P.M.
- Clean up after use.
- Turn off the main gas valve when finished.

Courtyard

- Clean up all spills. To remove marks or other substances from the decks use a mild cleanser and a soft brush or sponge.
- Limit noise: most bedroom windows are adjacent to the courtyard.

Garage

- Do not keep your remote control in your vehicle.
- If you drip oil, clean it up.
- Park in your designated space.
- Be alert for possible dangers.
- No storage in parking spaces.
- No inoperable bikes or vehicles should be stored in the garage and only emergency repair work may be done in the garage.

Intercom

- Residents are not allowed to have entry codes.
- Contact Management to program your number into the Entry System.

Insurance

The association carries comprehensive building insurance including earthquake coverage. This insurance covers the building structure. However, there is a **substantial** deductible. **This insurance does not cover personal items within individual units. Owners and Residents/renters are strongly recommended to obtain a personal liability and contents policy. Consult with your insurance agent for full details.**

Emergencies and Disasters

We live in a wooden building so we need to be extra careful about fire. Each unit is equipped with a personal smoke detector system fed by the main electric circuit. It is the individual Owner's responsibility to maintain this device. Test it frequently.

The building is equipped with fire extinguishers and alarm stations in glass cases. You should familiarize yourself with their locations and how they function. Activating the fire alarm sounds a siren in each unit. It does not call the fire department.

If you discover a fire:

- (a) try to put it out if you can
- (b) activate the alarm
- (c) call the fire department (911) (**Note:** you can call 911 from the front door intercom).

In the event of an incident (fire/earthquake), which prompts evacuation of the building, use the stairs, if possible and assemble across the street in the DMV parking lot to facilitate a roll call. Emergencies in individual units (for example: water leaks, drain blockages) should be reported to Management because they are often likely to affect another unit. Management can usually suggest a speedy solution or help with obtaining professional help.

It is recommended that each unit on the second floor maintain a strong length of rope, flexible fire ladder, etc. suitable for an emergency exit via the balcony.

A complete Copy of the Governing Documents (CC&Rs, Bylaws, Collection & Lien Policy, etc)
can be found at:

www.612.cal.cal.org/docs.htm



Rules & Regulations

The following are details on Rules and Regulations that are currently enforce to help ensure we all enjoy a more peaceful living environment in and at home.

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| <p>BLINDS RULE: To match the overall appearance of the building, all units must have either horizontal or vertical blinds similar to the color of “Alabaster White” from MBF Interiors installed.</p> |
| <p>WINDOW COVERINGS RULE: Coverings such as decals, frosted or opaque film are prohibited. Anyone desiring to install a window covering must receive permission in advance from the Board. Additionally, all windows that are designed to have screens must have screens installed in a clean and presentable condition in order to preserve a uniform appearance to the outside of the building.</p> |
| <p>NO COOKING ON PATIOS OR BALCONIES: No barbeques or cooking equipment may be used on the patios or balconies.</p> |
| <p>YARD SALES ARE NOT PERMITTED: Yard sales are prohibited at the Association. This includes balcony sales, courtyard sales, garage sales, parking lot sales, patio sales, and yard sales.</p> |
| <p>EXCESS TRASH AND DUMPING: Any Resident found to have filled the dumpster with excessive boxes, cartoons, furniture, etc. such that it is necessary to order an extra trash pickup and/or have someone remove the offending refuse will be fined \$50, or charged the cost for the extra trash pickup and/or removal of refuse, whichever is greater. This also applies to the removal of items such as furniture or mattresses abandoned in the common area.</p> |
| <p>NO ITEMS OUTSIDE OF UNIT DOORS: Residents are prohibited from placing and/or keeping items outside of their unit door. This includes items such as plants. There is too high a possibility of discoloring or cracking the decks, which could lead to costly repairs.</p> |
| <p>PET RULE: Residents are allowed only one pet, which is not to weigh more than thirty pounds.</p> |
| <p>NOISE FROM CONSTRUCTION/REMODELING. No construction/remodel work allowed before 8am or past 5pm Monday through Saturday. No construction/remodel work to be done on Sundays. Emergency repairs to prevent damage to any part of the building are an exception.</p> |
| <p>NEIGHBOR CONFLICT. The Board expects that any problems between other units shall be discussed between those units, and that the Board need to be involved until all reasonable attempts at reconciliation have been exhausted. After that, the Board of Directors will vote to impose fines upon a unit if the violation is found to be substantiated at the time of occurrence by a Board Member, the SDPD, Management, or two or more units. It will be necessary to record and submit in writing the date(s), time(s), duration(s) and nature of the violation(s).</p> |
| <p>NO LEAVING TRASH OUTSIDE. Leaving trash or other items outside of a unit in the common areas is prohibited. This includes leaving trash next to the dumpster and leaving recyclables out for trash collectors. A fine will be levied for each occurrence.</p> |
| <p>LOCKBOXES. Listing realtor/agent shall attach a lockbox to the chain link fence on the Southeast corner of the building. No lockbox shall be attached anywhere else outside.</p> |
| <p>PARKING IN REAR OF BUILDING. The parking spaces in the rear of the building are for guest and vendor parking as well as for Residents. Any vehicle that remains unmoved for more than 72 hours will be classified as an unauthorized vehicle, and may be towed away at the complete expense of the Owner of that vehicle. All vehicles parked at the rear of the building must display a Windemere Court Guest Parking Permit. Any vehicle parked in a guest/vendor parking space for more than 24 hours without a Guest Parking Permit may be towed away at the complete expense of the Owner of that vehicle.</p> |
| <p>BICYCLE STORAGE: No bicycles are to be stored in the common area courtyard/balcony areas, nor anywhere in the garage except in your storage unit or on the first-come-first-serve racks on the West wall. All bikes on the racks must remain operable at all times or will be subject to removal and donated in order to allow for others to use the racks. You must also display a name tag and unit number on the bike stall you have your bike attached to. Items are stored at your own risk.</p> |
| <p>SCREEN/SECURTIY DOORS: To preserve a uniform appearance, homeowners are not allowed to install security doors or screens that are visible from the outside.</p> |