

# **CRYSTAL OAKS HOME OWNERS ASSOCIATION**

## **RULES AND REGULATIONS**

**Effective September 1, 2017**

### **General**

1. Monthly assessments are due on the 1<sup>st</sup> of the month, late after the 15<sup>th</sup> and subject to a \$5.00 per month late fee.
2. Owners are responsible for checking their units regularly and reporting any exterior or common area problems to the Crystal Oaks Management Company.
3. A current owner's information sheet must be on file with the management company as well as a copy of the owner's home insurance policy for emergency purposes. Owners are also to provide up-to-date information on renters to the Crystal Oaks Management Company.
4. Owners are responsible for the actions of their renters. Rental agents should be provided a copy of the Rules and Regulations for distribution with rental contracts.
5. Residents should avoid making or permitting loud or objectionable noises and shall not operate musical instruments, radios, television sets, etc. after 10:00pm in a manner that disturbs other occupants. Noise disturbances should be reported to the Durham Police Department at 919-560-4600.

### **Building Exterior**

1. Any replacement windows and doors must be in accordance with the covenants and must be pre-approved by submitting a change request to the board.
2. Patios are not to be used for storage. Reasonable amounts of patio furniture, potted plants, and decorative items are permitted as long as they are maintained and do not block path of egress.
3. No items shall be hung over the railings for drying. Clothes lines are not permitted.
4. There will be no construction which changes the exterior appearance without first requesting and obtaining written approval of the Board of Directors.

5. All cables for Satellite dishes must be properly installed, should not pose a tripping hazard and be hidden from sight. Satellite dishes must be installed at the rear of the unit and out of view from the front of the building unless the Installer deems it impossible for reception; in that case, prior written approval from the Board must be obtained.
6. **The Sherwin Williams exterior color scheme is:** Colonial Revival Stone for the siding in a satin finish. Classical White for the trim in a gloss finish. Tricorn Black for the shutters and doors in a gloss finish.

### **Common Area**

1. Personal property shall not be stored within the common area. Items left will be considered abandoned and discarded by the Association. Owners leaving items not picked up by waste management company will be assessed a fee for removal of items.
2. Yards, sidewalks, entrances, roadways and similar areas of the Common Elements shall not be obstructed nor used for any purpose other than for ingress and egress to and from the Townhome nor shall any carts, bicycles, carriages, chairs, tables, BBQ grills, toys, playground equipment or any other similar objects be stored thereon.
3. No vines of any species are permitted to grow on buildings or railings.
4. **No flammable, combustible or explosive fluids, chemicals or substances shall be kept in any Unit, storage unit or on the Common Elements.**
5. No firewood shall be kept on patios or in the storage area.
6. Hot tubs and outdoor pools of any kind are not permitted, including on patios. Temporary, inflatable pools designed for children are permitted but must not be left out overnight
7. To maintain a uniform and pleasing appearance of the exterior of the Buildings, no Unit Owner shall cause any improvements or alterations to be made to the exterior of the Townhome or the Limited Common Areas including painting or other decoration. Shutters, awnings, canopies, screens, glass enclosures, trellises, fences or projections shall not be attached to the outside walls, doors, or windows. Installation of electrical wiring, air conditioning units, or any other items which may protrude through the walls or roof or windows of the Townhome or in any manner alter the appearance of any portion of the exterior surface of any building is not permitted without the prior written permission of the Board of Directors. Landscaping changes must be requested in writing and approved by the Board of Directors. All modifications are the owner's responsibility to maintain at their expense.

8. No Unit Owner shall cause any object to be fixed or extend their patio area to the Common Property or to any Limited Common Area including the installation or construction of fences or the planting or growing of flowers, trees, shrubs or other vegetation or in any manner change the appearance of the Common area without the prior written permission of the Board of Directors.

### **Garbage**

1. All refuse, waste and garbage shall be disposed of in trash containers for pick up on designated day. All appropriate recyclable materials should be deposited in the recyclable waste bin. (See Recycle list available from Durham County website). Residents may not keep trash bags outside of their doors/on front porches and return trash cans/recycle bins from roadway to back of their unit no later than the next business day after trash pickup.
2. Construction waste is prohibited in trash cans and will need to be moved at owner's expense.
3. No littering shall be permitted. All litter, including cigarette butts and animal waste must be properly disposed of in owner's personal trash receptacles.

### **Safety**

1. The use of gas or charcoal grills is permitted at least 10 feet away from any structure within the Crystal Oaks community. All units should have working smoke detectors.
2. In accordance with NC law, all bicycle operators under 16 years of age must wear a bicycle helmet on public roads, public paths and public rights-of-way. All NC public safety laws must be followed.
3. Unit owners are asked to clean their dryer vents once per year to avoid fire hazards.

### **Vehicles**

1. A 15 mph speed limit within Crystal Oaks shall be adhered to by residents and guests.
2. Parking in designated parking spots only. Violators are subject to tow at the owners' expense.
3. Boats, trailers, trucks over  $\frac{3}{4}$  tons, campers, buses, or any other recreational or commercial vehicles not mentioned here may not be parked within Crystal Oaks without the written approval of the Board of Directors. Violators are subject to tow.
4. Unlicensed or inoperable vehicles are prohibited on the premises at all times, along with oversized, unconventional, loud, or unsightly vehicles. Violators are subject to tow.

5. No more than 2 vehicles per unit will be allowed for more than 72 hours. Guests may only park in designated visitor spaces or **adjacent** to (but not on) the grassy area in the middle of the property. If parking in these areas is unavailable, guests should use street parking outside of the neighborhood.
6. Storage containers (e.g., PODS) may not be stored for more than 72 hours on property unless authorized by the Board of Directors or Management Company.
7. No BBQ smokers are permitted in parking lot.

## **Pets**

1. Owners are responsible for their pets and are to abide by Durham County Ordinances. Renters are subject to rental lease agreement. No exotic pets such as snakes, insects, rodents, or reptiles are permitted. Livestock and poultry are prohibited.
2. Such pets shall not be permitted upon the Common Elements unless accompanied by an adult and unless carried or leashed.
3. Pets must remain indoors when confined. Animals are permitted on front and back patios only in the presence of the owner and are not to remain there unsupervised for any length of time. Gates/fencing of any kind are not allowed.
4. Pets may not be tethered nor enclosed in any outdoor container for any length of time, other than for transport purposes to and from the vehicle.
5. When outdoors, animals must remain on a leash.
6. All animal waste must be picked up immediately and properly disposed of in owner's personal waste receptacle. Animals should be walked away from shrubs and buildings.
7. The feeding of stray animals is prohibited. Bird feeders are permitted.
8. Excessive animal noises creating a nuisance are not permitted.
9. In addition to any violation of the Durham Country Leash and Nuisance Laws and consequences resulting, pet owners in violation of any of these rules may be subject to the permanent removal of the offending animal from the Property upon ten (10) days written notice from the Board of Directors. Any Unit Owner who keeps or maintains any pet upon any portion of the Property shall be deemed to have indemnified and agreed to hold the Crystal Oaks HOA free and harmless from any loss, claim or liability of any kind by reason of keeping or maintaining such pet within the Townhome.

## **Damages**

1. Any damages to the common elements or property caused by a unit owner, renter, or guest shall be repaired at the expense of the unit owner involved. All air conditioning, plumbing, and water leaks must be repaired immediately to avoid damages to other units.
2. Crystal Oaks maintains a master insurance policy on all buildings and common areas. Any applicable insurance deductible will be the responsibility of the party liable for damages. It is the owner's responsibility to ensure their unit is properly insured for all personal property, appliances (including heating and air systems), unit upgrades and any other general liability they may see fit.

## **Complaints**

Complaints should be sent in writing whenever possible. Nuisance complaints such as noise or animals will not be accepted unless in writing.

## **Resolution**

The Association shall have the power, acting through its Board of Directors, to require compliance or assess charges against any unit owner for any violation of the Declaration, By-Laws, or Rules and Regulations. Before any such charge may be assessed, the unit owner shall be given the opportunity to comply or be heard and to be represented by counsel before the Board of Directors. Notice of such hearing shall be at least 14 days in advance thereof, be hand-delivered or mailed by registered mail or United States mail, return receipt requested, to such unit owner at the address which the unit owner has designated in writing; if no such address has been so designated, at the address of the unit of such owner. Units in violation of revised Rules and Regulations will be required to become compliant before the sale and transfer of ownership of their unit

## **Notice of Right to Voluntary Mediation**

Pursuant to Section 7A-38.3F of the North Carolina General Statutes, all members are hereby informed that you have a right to initiate mediation pursuant to the terms of the statutes to try to resolve a dispute with the Association. Both the homeowner and the Association must agree to mediate the dispute, and each side is responsible for splitting the cost of the mediation, including payment of a professional mediator. The mediation process is an opportunity to reach an agreement to resolve a dispute- neither side gives up their right to go to court to have a judge resolve the dispute if the parties are not able to reach an agreement through mediation. The specific process to initiate voluntary mediation is outlined in Section 7A-38.3F of the North Carolina General Statutes.

CRYSTAL OAKS TOWNHOME OWNERS ASSOCIATION

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