

**La Buena Vida Two Townhouses Association
Clubhouse and Common Rules and Regulations
(Revised February, 2023)**

Introduction

The mission of the Board of Directors and its committees is to maintain the Common Areas, promote the safety, property values and peaceful enjoyment of all residents. The Board, from time to time, revises and updates its rules as provided for in Article VI, Section 2 of the Bylaws of La Buena Vida Two Townhouses Association.

The following Common Rules and Regulations have been established by the Board of Directors of the La Buena Vida II Townhouse Association. This document replaces any and all prior versions of La Buena Vida Two Townhouses Association Common Rules and Regulations.

These Rules and Regulations are intended to be of benefit to the homeowner and tenant residents alike. Though these policies may seem restrictive in nature, these Common Rules are designed for the benefit of the entire community. Each member subscribes to these Common Rules and Regulations by virtue of the member's ownership of a unit or a valid rental agreement.

Changes to these Rules and Regulations may be made by Board action or through a meeting of the membership of the Association. Violation of these Rules and Regulations may result in the imposition of monetary penalties to the homeowner or tenant, the suspension of voting rights, and/or the suspension of Common Area privileges.

Your Board of Directors hopes that these policies will facilitate a better understanding of each member's obligations and make your residential community an area to be proud of as an owner.

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Assessments

1. Monthly assessments are due on the first (1st) day of each month and are considered past due on the last day of the calendar month in which they are due.
2. The late fee is \$15.00 per month to be assessed to any Homeowner who has not paid the monthly assessment by the last day of the calendar month it is due.

Monetary Penalties

1. Monetary penalties will be assessed for the repeated violation of the Rules and Regulations of La Buena Vida Two Townhouses. A notice of violation will be mailed to the homeowner. If the violation continues, or is repeated at a later date, a second notice will be mailed to the homeowner and a monetary penalty assessed. At that time, the homeowner has the right to request a hearing with the Board of Directors to discuss the violation and the assessment of the monetary penalty.
2. Should the monetary penalty not be paid within thirty (30) days from the date of notice, the Association may pursue legal action to compel the Owner's compliance, a lien will be placed upon the property of said owner for the amount of the fine plus lien fees and will remain in place until the lien is satisfied.
3. The amount of the fine will be determined by the Board of Directors at the time of the violation.

Clubhouse

1. The clubhouse will be available to members or residents for social activities only. No business, commercial, political, or organized groups of controversial nature will be allowed to reserve and use the clubhouse facilities.
Private HOA political events, specifically related to Association business or activity and not open to the general public, are permitted.
2. Normal hours of clubhouse use are from 10:00 AM to midnight. Additional hours can be arranged for through the Board of Directors or their duly designated representatives.
3. Residents may entertain guests in the clubhouse. The host resident will be held responsible for the conduct of their guests, as well as for any damages to the property or facilities.
4. Reservations for private functions may be made by owners or renters through the Board of Directors or their duly designated representatives. A refundable deposit of \$200.00 and a non-refundable deposit of \$150.00 must be paid at the time a reservation is made. The refundable deposit will be returned providing the clubhouse is left in good condition by noon on the day following date of use. If the clubhouse is not in good condition, the refundable deposit will be forfeited and all damages will be the sole responsibility of the Homeowner.
5. Reservations may be made by resident adults only and will be considered on a first-come basis. Reservations may be made online or by phone with the designated community representative and should be made at least two (2) weeks in advance. Private functions must end no later than midnight. Residents using the clubhouse for such functions are expected to require their guests to conduct themselves in a way so as not to disturb other residents.
6. Alcoholic beverages are permitted at private functions only and under the following terms and conditions:
 - a. No person under twenty-one (21) years of age is to be served alcoholic beverages.
 - b. Resident host agrees to indemnify and hold harmless La Buena Vida Two Townhouses Association Corporation and La Buena Vida Two Townhouses Association from any legal actions, claims, or suits arising from the serving of said alcoholic beverages.

7. All scheduled activities for individuals under the age of 18 years must be adequately chaperoned by responsible resident parents/guardians at all times.
8. Residents and guests wearing wet swimming pool attire are prohibited from using the clubhouse facilities.
9. Air condition should not be set below 75 and heat should not be set above 68 degrees.
10. Smoking and vaping in the clubhouse are prohibited.
11. No animals, except trained service animals, are permitted in the clubhouse without prior approval. A non-refundable fifty dollar (\$50.00) fee will be required at time of approval.

EACH RESIDENT, OR GROUP OF RESIDENTS, USING THE CLUBHOUSE AT ANY TIME WILL BE HELD RESPONSIBLE FOR LEAVING THE PREMISES AND FACILITIES IN A NEAT AND ORDERLY CONDITION, SEEING THAT ALL LIGHTS AND HVAC ARE TURNED OFF AND ALL DOORS AND WINDOWS ARE SECURELY LOCKED.

Pool: These rules are consistent with City of Scottsdale and Arizona State Laws

1. **NO LIFEGUARD on duty. All persons use the pool at their own risk.**
2. Pool hours are 6:00 AM to Midnight
3. Pool gate must remain closed and locked at all times. A key is required. Residents may not loan out their pool key to others. Replacement keys are available at \$25.00/ key.
4. Children under the age of 14 years must be accompanied by parent or responsible adult.
5. Guests must be accompanied by an adult resident. No more than 4 guests per household.
6. Smoking and vaping are prohibited in the pool area.
7. No glass containers, bottles, or other glass objects are allowed in the pool area.
8. No animals, except trained service animals, are permitted inside the pool area.
9. To help prevent ants, birds, rodents, etc., NO food is permitted in the pool area. No cooking or barbequing is allowed.
10. Drinking alcohol in the pool area is discouraged. Persons under the influence of alcohol and/or drugs should not be in the pool area for their own safety and the safety of others. Any intoxicated people, and those acting in a disorderly manner, will be removed and banned from using the pool.
11. Persons with sore or inflamed eyes, nasal or ear discharge, boils or other acute or obvious skin or body infections, or cuts are not permitted in the pool.
12. All incontinent persons must wear tight fitting rubber or plastic swim pants. Babies must wear swim diapers.
13. Swimsuits are required. Street clothes, shirts and cut-off shorts are not permitted in the pool.
14. Please remove suntan lotions and oils before entering the pool.
15. Swim equipment, flotation devices, and toys must not interfere with swimmers.
16. Non-swimmers and children 6 years old and younger must be within arm's reach of a responsible person (14 years or older) at all times.
17. No loud music, noise, or abrasive language in the pool area.
18. No diving, horseplay, running, pushing, shoving, wrestling, dunking, etc., is permitted.
19. No bikes, rollerblades, skateboards, etc., are allowed in the pool area.
20. No sitting on, climbing on or climbing over the pool gate or fence.
21. Furniture must be kept on the pool/cool deck and off the grass.
22. Use of extension power cords from the clubhouse to the pool area is prohibited.

23. VIOLATORS OF THE ABOVE SWIMMING POOL RULES WILL BE SUBJECT TO DENIAL OF POOL PRIVILEGES AND/OR IMPOUNDING OF THEIR POOL KEY AND POSSIBLE MONETARY PENALTY.

Driveways and Walkways

1. Pedestrians have absolute right of way.
2. Maximum authorized speed for all types of vehicles in driveways or alleyways is ten (10) miles per hour.
3. The running of small motorized vehicles on the property is prohibited. This includes, but is not limited to, go-peds, golf carts, motor scooters, ATV's, and dune buggies. Skateboarding and rollerblading/rollerskating on the interior Common Areas is prohibited.
4. Obstructing streets, driveways, or walkways in any manner is prohibited.

Parking

1. Parking any type of motor-driven vehicle in alleyways, driveways, behind sheds, and/or fire lanes is prohibited. Violators will be reported to local police/fire-marshals and subject to monetary penalties, ticketing, and/or towing at their own expense.
2. All vehicles on the premises must be operable and have a current registration. An inoperable or unregistered vehicle not moved within thirty (30) days will be reported to the City of Scottsdale for violation of a city ordinance and subject to towing at owner's expense.
3. Each resident has two (2) assigned parking spaces. Residents are to park in their assigned spaces unless they can negotiate additional space from neighbors.
4. Parking facilities for guests and/or visitors are provided in front of the clubhouse and at the ends of the townhouse buildings. These spaces are not to be used by residents without prior approval from the board or their duly designated representatives.
5. Parking of recreational vehicles including, but not limited to, boats, mobile homes, travel trailers, car haulers, campers, utility trailers, ATV's, golf carts, rental bikes and scooters, etc., is prohibited in all carports and all guest/visitor parking.
6. No storage of any kind is permitted in any parking area. No mechanical repair or car washing is permitted. The use of carpeting, rugs, or remnants in parking areas is prohibited.
7. No alterations to carports, including the hanging items, should be done without prior approval from the Board of Directors or their duly designated representatives. Drilling holes into the carport structures is prohibited. Homeowner will be responsible for any damage resulting from such actions.

Architectural Control

The La Buena Vida Two Architectural Guidelines document provides specific standards and procedures for homeowners wishing to make exterior changes or improvements. The Guidelines are consistent with the CC&R. Some frequently violated restrictions are discussed below.

ALL changes to the exterior of the lot/unit require written approval of the Board of Directors or their designated representatives via an Architectural Application. Any work performed without prior approval will be found in violation of the CC&R's, subject to monetary penalties, and possible removal/ restoration to original condition at homeowner expense.

1. Front Doors:

- a. All front doors must be painted using the community paint scheme. (See Architectural Guidelines or contact Board of Directors or their duly designated representatives.)
- b. Replacing a front door requires prior approval via architectural application. Only specific door designs and materials are permitted. (See Architectural Guidelines).

- c. Architectural Committee will notify homeowners with doors in disrepair. Repair or replacement will be homeowner's expense.
- 2. **Security doors, storm doors, screen doors:** Prior architectural application approval is required.
- 3. **Front Stoops & Steps**
 - a) Painting or carpeting of front stoops/steps is NOT allowed.
 - b) Any alteration to front stoop/steps requires prior architectural application approval.
- 4. **Windows and Window Coverings:**
 - a. Homeowners are responsible for maintaining windows. Older windows should be replaced to avoid damage. Damage caused by ineffective windows is homeowner responsibility.
 - b. When replacing windows, prior architectural application approval is required. See the Architectural Guidelines for acceptable design and size. White, cream, or aluminum frames are the only acceptable colors.
 - c. Only dark brown/charcoal screens or other colors approved by the Board may be installed on windows.
 - d. No sheets, blankets, towels, cardboard, paper, foil, or other such material should ever be used in windows in place of drapes or shades.
 - e. Window air conditioner units are not allowed.
- 5. **Back Fences**
 - a. Back fences of 2-story units can be replaced using solid blocks or chain link with cream or putty colored slats. Prior approval via architectural application is required.
 - b. Block walls must be painted immediately per current community paint scheme.
 - c. Homes with fences in disrepair will be required to replace or repair them at homeowner expense.
- 6. **Heating and Air Conditioning**

Homeowners are responsible for their heating and cooling system. Use of licensed and bonded specialists for service and repair is required. Any damage to the roof or exterior from service persons or malfunctioning units is homeowner responsibility to repair at their own expense.
- 7. **Satellite and Cable Installation**
 - a. Satellite dishes and antennas shall be installed on the building roof in a manner as to cause the least structural damage. Satellites are NOT permitted on the sheds. Architectural application is required.
 - b. Satellite dish installation requires a slip sheet be placed between the stand and the roof system to protect the foam roof surface. The slip sheet must be held in place with cinder blocks and NOT attached to the roof membrane or the stand. Contact the Board of Directors or their duly designated representatives before installation.
 - c. Cables and wiring must be properly attached and painted to match the exterior of the building. Old, unused cable, wires, and equipment must be removed. This is the responsibility of the homeowner.
- 8. **Lighting**
 - a. Patio light bulbs and other patio lighting must be white.
 - b. Front door light bulbs must be "daylight" white.
 - c. Motion security lights in car ports must be white or yellow.
 - d. Stringing lights requires architectural application. Light strings must be attached with clips or hangers in a manner that does not damage building exteriors or metal carports. Cost of repair for any damage shall be sole responsibility of the homeowner.
 - e. Replacement of the front door exterior light fixture requires prior architectural application approval.

9. **Solar Energy Devices:** Installation of any solar energy device requires approval via Architectural Application.

Patios

1. Patios must be kept clean and free of trash, storage, debris and animal waste.
2. No visible latticework or chicken wire is allowed in the patio area.
3. Propane grills, charcoal grills, fire pits should not be under covered areas.
4. Any materials affixed to the building and/or carport to block sun, such as sunshades, pergolas, & awnings require architectural application approval prior to installation.
5. No bicycles, plants, or other items should be stored by hanging from the patio overhangs.
6. Do not hang towels, rugs, blankets, etc., on patio walls or gates.
7. No clotheslines, garbage cans, equipment, or storage piles should be visible.
8. Homeowners are responsible for patio plants and all cost to repair roof or structural damage caused by trees, limbs, roots, vines, or bushes in the patio area.
 - a. Plants should not extend over walls, into driveways, into a neighbors patio or any parking area.
 - b. Trees must be kept trimmed. No plant foliage should extend to, or be in contact with, the building exterior, windows, gutters, soffits, sheds, or extend beyond the roof.
 - c. All plants must have a neat appearance or homeowner will be asked to remove them. Dead trees and shrubbery must be removed.
 - d. Homeowners are responsible for any damage resulting from individual patio irrigation.
 - e. Homeowners are required to harvest existing fruit trees on patios prior to fruit dropping on carports or into common areas. All fallen fruit must be picked up immediately from roads, carports, and common areas. Plants with dead fruit will result in violation.
 - f. As of 02/01/2023 & moving forward, no planting of fruit bearing trees in the patio is permitted.

Holiday Display

Holiday lights and decorations may be reasonably displayed using clips or roof hangers only. Visible decorations are permitted 14 days before and 14 days after the holiday then must be entirely removed. No holiday decorations are permitted in the common areas. HOA is not responsible for any damage to decorations placed anywhere in Common Areas.

Roofs & Roof access

Contact the Board of Directors or their duly designated representatives with any roof issues immediately. Foam roofs are subject to damage from too much foot traffic and repair persons causing small punctures, holes, cracks and splits. Simple rules to follow:

1. Use only qualified, experienced service people and installers.
2. Avoid roof access unless absolutely necessary. Use extreme caution to not cause damage.
3. If roof access is required notify the Board of Directors or their duly designated representatives. All roof access should go through the Community Management Company.
4. For their protection and too avoid possible roof damage, children should NEVER be on the roof.
5. Non-resident homeowners must be certain tenants are aware of roof access restrictions.
6. If damage to the foam roof is done by a homeowner, renter, or a repairperson hired by a homeowner/renter, the cost of repairs will be the sole responsibility of the homeowner.
7. Never allow ladders to be placed against the gutter when accessing the roof. Gutter damage and cost of repairs will be the responsibility of the homeowner.
8. Trees, plants, or foliage should not encroach on any part of the roof, gutters, or soffits.

Pets

1. Residents with animals must follow all State of Arizona, Maricopa County, and City of Scottsdale pet and animal control laws/ordinances. Violations are subject to fines levied by the City of Scottsdale and/or monetary penalties levied by the Association.
2. Pet waste must be picked up and bagged immediately by the pet owner and properly disposed of.
3. Tethering or chaining of dogs in the front or side of the townhouse buildings or any Common Area is prohibited.
4. Out of respect for your neighbors and the safety of the animals, no animals should be left on the patio unattended. Pet waste on patios should be cleaned up within 24 hours.
5. Loose dogs, litter left uncollected, and barking dogs are subject to monetary penalties being levied by the association.
6. Breeding, raising, keeping, or maintaining any animal for commercial purposes is prohibited.

Trash

1. Dumpsters are provided at the end of main entryways.
2. Trash must be placed **inside** the dumpsters. Lids must be closed. Do not leave anything outside the dumpster.
3. Paper boxes must be broken down and placed inside the dumpster.
4. To dispose of large items contact a refuse removal company or do it yourself. Old water tanks, sinks, bathroom stools, cabinets, old carpet, etc., must be disposed of by your serviceman and not placed at the dumpster.
5. Contact charitable companies such as Goodwill or Salvation Army to pick up items for donation. Do not leave these at the dumpsters.
6. No trash should be left in the carport or in front of a unit at any time. Do not leave trash on patios or in Common Areas.
7. Leaving items outside the dumpster will result in a violation notice and imposition of a monetary penalty.

Insurance

The Association maintains limited insurance on all buildings and public liability in the common areas. Homeowners are to present any insurance claim to the Board of Directors or their duly designated representatives, who will then contact the Insurance Company.

Homeowners are responsible for maintaining adequate homeowner and/or renter insurance for their personal property, liability, and the interior of the townhouse unit.

Signs and Flags

1. One (1) "For Rent" or "For Sale" sign per unit is permitted in the window. This sign must not be more than five feet (5') square. No post should be placed in the Common Area, including the planter.
2. No personal or advertising signs or billboards are permitted.
3. Political signs are permitted 71 days before an election and must be removed no later than 15 days post-election. Maximum total dimensions of all political signs must not exceed nine square feet.
4. Flags
 - a. The following flags can be displayed on homeowner property. The American flag and all military flags must be displayed in a manner consistent with the federal flag codes.
 - American flag
 - Military flag of the United States Army, Navy, Air Force, Marine Corps, or Coast Guard.

- The POW/MIA flag
 - An Arizona Indian Nations flag
 - The Gadsden flag
 - Specific law enforcement, fire department, paramedic, and EMT flags
 - Blue Star and Gold Star military flags
- b. No more than two (2) flags may be displayed at once. No more than one (1) flag at a time may be displayed in the front of a unit.
 - c. All flags must be in good condition and not faded or torn.
 - d. Flagpoles in the patio area must not exceed the height of the rooftop of that particular townhouse. Flags are not permitted in the front planter or any other Common Area.

Rentals

1. Per A.R.S. 33-1902 all owners leasing or renting their townhouse must register the property with the Maricopa County assessor. This includes both short and long term rentals.
2. All rental agreements must be in writing and for a period of at least one (1) year or longer.
3. Homeowners must provide the Board of Directors or their duly designated representatives with a completed tenant registration form for each new tenant prior to move-in date. The registration form must include all of the following: (i) the names of all adult tenants, (ii) a description and license plate numbers of all vehicles, (iii) the contact information of all adult tenants, and (iv) a beginning and end date of the tenancy. A \$25.00 fee is charged for each new tenant form.
4. Homeowners must supply every new tenant with a copy of the association rules and regulations.
5. Any tenant violation of the association rules is the homeowner's responsibility to remedy.

General

1. **Noise and Enjoyment:** All residents have the right to the quiet enjoyment of their property. Excessive noise is considered inappropriate and a violation.
 - a. Keep pets quiet. Barking dogs should not be left outside disturbing others.
 - b. Keep noise level down. Per City of Scottsdale ordinance, keep parties quiet or move inside after 10:00 pm.
 - c. Be aware of smoke, cooking smells, and other noxious odors that float into neighbors' patios. Complaints will be addressed by management.
 - d. Common Areas are for the enjoyment of all residents. Please show respect for the property of others and be courteous.
2. **Business:** No homeowner or tenant shall conduct a business or enterprise from the premises.
3. **Marijuana**
 - a. Smoking marijuana is prohibited in all Common Areas, including, but not limited to, carports, roads, pool, club house, parking and grassy areas.
 - b. Cultivation of marijuana must strictly follow the conditions of Arizona Proposition 207 (also known as the Smart and Safe Arizona Act).
4. **Yard Sales:** Residents are encouraged to limit yard sales to twice a year in front of the clubhouse. This will maintain the privacy of the residents and prevent neighbors from being inconvenienced by increased traffic. If any resident is interested in coordinating a community or individual yard sale, please contact the Board or their duly designated representatives. The clubhouse may be used to store yard sale items overnight for safekeeping.
5. **Property Damage:** Any person observed damaging the property of the Association will be held liable and billed for expenses to cover repair or replacement. Owners are financially responsible for

damage incurred by or because of their guests, licensees, their residents, their children, or their children's guests. Owners are responsible for damages caused by their tenants or tenant guests. Owners are responsible for damage incurred by service persons visiting the property.

6. **Common Areas/Play:** Obstructing any Common Area in any manner is prohibited. Climbing or playing in the trees or shrubs in the Common Areas is prohibited. Damaging, destructive, and disruptive activity is prohibited.
7. **Fireworks:** Due to fire hazard, no incendiary or explosive devices (fireworks) are permitted anywhere in the community.