

# **LA QUINTA TENNIS VILLAS HOMEOWNERS ASSOCIATION**

## **RULES AND REGULATIONS**

**EFFECTIVE NOVEMBER 1, 2016**

### **I. PURPOSE**

The following Rules and Regulations were established to govern the use of the La Quinta Tennis Villas Homeowners Association common area and facilities, and to define standards of personal conduct for all members of the Association. These Rules and Regulations are a summary of the Association's Covenants, Conditions, Restrictions, By-Laws and Articles of Incorporation, and are not intended to violate, supersede or replace them in any way. Compliance to these Rules and Regulations is deemed in the best interest of the Association and all its members.

### **II. ADOPTED RULES AND REGULATIONS**

- A. Use Restrictions --- All homeowners are encouraged to review the CC&Rs, which identify specific use restrictions for private properties within the Association. Strict compliance to these restrictions and the Rules and Regulations is expected and action will be taken on all violations.
- B. Homeowner Responsibilities
  1. Each homeowner is responsible for the actions of all their family members, as well as the renter/tenants and guests. Furthermore, the homeowner is responsible for informing them of all the Rules and Regulations of the Association. Homeowners must promptly provide any and all tenants with copies of the Rules and Regulations at the homeowner's expense. Place copies in highly visible areas, such as the refrigerator, bathroom, garage, etc.
  2. Common Areas, garage areas and patios shall not be used in any manner that will limit access or detract from the neat appearance or décor of the complex.
  3. All parties within the Association shall conduct themselves so as not to disturb others' peaceful enjoyment of their property and /or the common area. This would include: no excessive noise, including excessive motorcycle noise, and no physical activity, which would threaten, endanger or intimidate others. No tennis balls, basketballs, handballs, etc., may be bounced against any garage or structure.
  4. Skateboards and hoverboards are not allowed to be used in or on any of the common areas of the HOA; this includes the enclosed pool areas, cul-de-sacs, driveways, and all walkways.
  5. Hotel "Room Service" tableware must be picked up promptly and **MUST NOT** sit in front of your residence.

### III. SPECIFIC RULES AND REGULATIONS

- A. Architectural --- No exterior alteration, addition or deletion of any kind can be made without architectural approval from the Board of Directors.
- B. Animals
  - 1. No animals shall be kept or maintained for commercial purposes.
  - 2. Pets must be leashed at all times in the common areas. Pickup and proper disposal of feces is a must.
  - 3. Pets are not allowed in the pool area or any area where their presence would be a nuisance or create a health problem.
  - 4. Owners are responsible for keeping animal noise from bothering other residents.
- C. Family Members --- Each owner or occupant shall be accountable to other owners and occupants for the conduct of any family member or guest while within the property.
- D. Commercial Use --- Except as permitted by Section 6.7 of the CC&Rs, no portion of the property, including the interior of individual units or garages shall be used or caused to be used or allowed or authorized in any way, directly or indirectly, to be used for any business, i.e. commercial, manufacturing, mercantile, storing, vending or any other non-residential purposes.
- E. Electronic Equipment/ Satellite Dishes --- The Association has the legal authority to regulate the placement of satellite dishes/antennas under the Federal Communications Commission's (FCC) Over the Air Reception Device (OTARD) Rule, which was adopted by the FCC in October 1996. The OTARD Rule provides that the Association may prohibit satellite dishes/antennas on the common Areas. Owners and residents are allowed to place satellite dishes/antennas in areas completely under the exclusive use and control of the owner or residents (i.e., the units, patios or decks). The Association wants to avoid any confusion as to where to place the satellite dishes/antennas, and needs to make sure that installations do not damage our Common Area roofs, parapets, fascia, stucco and other Common Areas that would be very expensive to repair. The following rules will apply to all satellite dishes and antennas currently installed and to any dishes and antennas that may be installed in the future. Please read and follow all rules carefully.
  - 1. Satellite dishes must be less than one meter (39.37") in diameter.
  - 2. Satellite dishes/antennas may be placed on the resident's patio or deck on a tripod stand which is set on the patio or balcony. No portion of the satellite dish/antenna or tripod stand may extend past the interior boundary of the patio or deck. A proposed installation of a satellite dish/antenna that would involve exterior wiring or cable, or drilling through the Common Area wall of the Owner's deck or patio requires the prior written approval of the Architectural Committee.
  - 3. No Satellite dishes or antennas may be installed on any portion of the Common Area including, without limitation, the roof, parapets, fascia, eaves, patio walls, fences, gates, and the exterior of buildings.

4. The Association may, upon installation of any FCC permitted satellite dish/antenna, regulate placement and indicate a preference for installations that are not visible, or minimally visible, as long as the preferred placement allows for an acceptable quality signal and does not unreasonably increase the cost of, or unreasonably delay, installation.
- F. External Laundering --- External laundering and/or drying of clothing in public view are prohibited.
- G. Exterior Holiday Décor --- Holiday décor may go up after Thanksgiving and must be removed by January 10<sup>th</sup>.
- H. Garage Doors
1. Garage doors must remain closed except when in use.
  2. There are a few homeowners who still have the original one piece garage doors which flip up to open. The Board of Directors is encouraging these homeowners to change their doors to a four panel, flush surface garage door which rolls up on a track. The board is encouraging replacement of these original garage doors in order to maintain consistency of style throughout the complex. The new type of door also stays cleaner because it closes completely vertical, rather than at a slight angle, as the one piece doors close.
- I. Non-Owner Occupied Units --- If you are an owner who rents your unit or delegates your “Right of Enjoyment” to others, the following rules apply to you:
1. You are required to promptly provide your tenant(s) and/or occupants with copies of these Rules and Regulations of the Association. Place copies in a highly visible area such as on the refrigerator, bathroom, or garage entry door.
  2. You will be held responsible for the actions of your tenants and/or occupants including any penalty assessments for violations of the Rules and Regulations, as well as any cost for repairing damage to the common area or other property caused by them.
- J. Parking
1. **VEHICLES BREAKING ANY OF THE PARKING RULES & REGULATIONS ARE SUBJECT TO TOWING!**
  2. Double parking, blocking access to garages or mailboxes is prohibited.
  3. No unlicensed vehicles, unlicensed motorcycles, motor bikes, mopeds, or skate boards, may be operated anywhere within the Association, except for electric golf carts. Any of these items must be stored out of sight of occupants of other homes.
  4. No commercial trucks, work vehicles or recreational vehicles, including boats, trailers, campers, motor homes, recreational vehicles, or any off road vehicles, shall be parked upon the property of the Association for any purpose other than loading or unloading for not more than four (4) hours, or for service calls.
  5. Authorized vehicles, defined in Section 6.14(a) of the CC&Rs as standard passenger vehicles, sport utility vehicles, motorcycles and

noncommercial trucks weighing not more than one ton belonging to guests of La Quinta Tennis Villas residents may be parked in the driveways, or guest parking spaces for a period of 72 hours while visiting the La Quinta Tennis Villa resident, as long as they exhibit either a La Quinta Tennis Villas parking hang tag permit on their mirror, or a blue La Quinta Tennis Villas parking pass on their dashboard. No over night parking is allowed on Avenida Fernando or Calle Mazatlan, and violators will be cited and fined by the Santa Rosa Cove Security Patrol.

6. Owners and residents needing additional parking other than their garages are allowed to park in parking spots designated for La Quinta Tennis Villas "Owners and Residents"; owners and residents are NOT allowed to park in parking spots designated as "GUEST PARKING".
7. No vehicle may be stored in any parking spot in the complex, whether licensed or not. All parking spots are for vehicles which are consistently used at least every 72 hours.
8. Under no circumstances may owners, residents, or guests of any one unit occupy more than two parking spaces of either type, at any given time.
9. Vehicles that are non-operational and/or not properly registered are not to be parked or stored outside of a garage.
10. Any staining spill (i.e., gas, coolant, oil, etc.) caused by any vehicle must be cleaned up within forty-eight (48) hours. The offending vehicle must be parked inside a garage until it has been properly repaired.

#### K. Patios

1. Only patio items are allowed on the patio areas. No gym/workout equipment, towels, articles of clothing, motorbikes, off road vehicles or motorcycles may be stored on patio areas.
2. Any addition or alteration to the exterior area of any units must have prior written permission from the Board of Directors.
3. No rubbish, debris or unsightly materials or objects of any kind shall be allowed to remain within the patio areas.
4. In order to maintain a consistent appearance, all garden hoses should be stored out of sight inside garages. All potted plants should be kept on private patios, and not placed on walkways leading to front doors.

#### L. Decks

1. Section 7.2(a) of the Association's CC&Rs states that homeowners are responsible for the drain pipes that serve their units. This includes the drain pipes that service the garage roof top decks. These drains are at the front corners of the garage roof decks and are located under the actual deck. They drain water from the roof through drain pipes in the garage walls and exit the buildings on either side of the garage doors. Owners must keep the drains clear and are responsible for repairing the drains, and for any water damage to interior or exterior garage walls and personal property in the garage that is caused by leaks from

these drain pipes. For clarification, this responsibility includes cost associated with repairs that need to be done to the drains by accessing them through ceilings and walls.

2. If a homeowner believes that a leak below a roof deck is caused because of a failing roof (as opposed to a failing drain pipe), it is the Homeowner's responsibility to notify the HOA of the leak, and why they believe the leak is caused by a failing roof.
3. If a Homeowner would like to replace, repair or upgrade a wood plank deck at their own expense, they do not need to seek any approval from the HOA to complete such work, so long as the work is completed in a professional manner by a licensed and insured contractor. If a homeowner would like to replace a wood plank deck with any other material (not consistent with the original design and finish of the deck), they must first seek approval of such from the HOA. For garage roof decks, the HOA will approve only replacement materials which do not negatively impact the structural components of the condominium buildings. For overhang decks, the material must remain a wood (or wood substitute, such as Trex material) plank consistent with the original design and finish.
4. If a wood plank deck has been replaced by any other material (such as ceramic tile) which is more difficult to remove for accessing a roof for repairs, then it is the responsibility of the Homeowner to pay for any removal and replacement of such deck, in order for the roof repairs to be completed.
5. Section 7.1(b) of the Association's CC&Rs states that the HOA is responsible for the "periodic structural repair, resurfacing, sealing, caulking, replacement or painting" of the decks. The HOA's level of such "periodic" upkeep for the decks shall be one of safety, attractiveness when viewed from the Common Areas, and to preserve the integrally related structural components of the condominium buildings. Any periodic upkeep of an aesthetic nature which is only seen by the homeowner, is considered to be a homeowner responsibility.

M. Signs --- No commercial sign of any kind shall be displayed to the public view, on or from any unit, or in the common area, without the written permission of the Board of Directors, except as provided below:

1. One professional "For Sale" sign may be placed on a La Quinta Tennis Villas property. That sign must be no larger than 20 inches wide by 18 inches tall and must be dark lettering against a tan background. The only wording allowed on the signs is the company and agent's name, phone number, and the words "For Sale". These signs must be in good condition, and must be placed within 2 feet of the front door, or at the edge of the rear patio. They cannot be placed in the common areas where they will interfere with landscaping machinery.
2. "For Rent" signs of any kind are NOT ALLOWED.

3. Security company signs must be placed within 2 feet of the front door or small window stickers may be placed directly on doors and windows.
4. An "Open House" sign may be placed at the entry of the complex during Open House hours only.
5. Noncommercial signs, posters, flags, or banners may be displayed on an owner's unit, except that the Association may prohibit any posting or display what would threaten the public health or safety or if the posting or display would violate a local, state, or federal law. The noncommercial sign, poster, flag or banner must be made of paper, cardboard, cloth, plastic, or fabric. Noncommercial signs and posters more than 9 square feet and noncommercial flags and banners that are more the 15 square feet are prohibited.

N. Swimming Pools & Spas

1. **USERS DO SO AT THEIR OWN RISK!**
2. All users must wear appropriate swimming attire to the pools and spas. "Thong" type swimming attire is not considered appropriate for the pools and spas.
3. Pool area gates must be kept CLOSED at all times.
4. The swimming pools and spas are for the use of residents and their guests only.
5. Observe the posted safety and sanitation rules at all times.
6. Every child under the age of 14 must be accompanied by an adult responsible for them. This does not mean observing a child from a doorway or through a window. The responsible adult must be in the pool area with the child.
7. Please keep the pools and spas sanitary, healthful and clean. No incontinent persons, or person using diapers or swimming diapers or persons who are not toilet trained, are allowed in the pools or spas.
8. No pets are allowed in the pool/spa areas.
9. No skateboards or hoverboards are allowed to be used in the pool areas, or in any of the common areas of the HOA, including the pool areas, cul-de-sacs, driveways, or walkways.
10. NO SMOKING is allowed in the pool areas.
11. No glass is allowed in the pool/spa areas.
12. Owners and guests are to pick up their own trash, i.e. cans, newspapers, etc., and personal articles including towels, and pool toys.
13. Please arrange the pool furniture back to its original position when leaving the pool areas.
14. Pool Hours are 8:00 am to 10:00 pm daily.
15. Stereos, etc. should be used at noise levels that will not disturb other residents. **Residents should call Security at 760-564-0367 or 760-564-2738 if they believe noise is at an objectionable level at the pools.**
16. Metal objects that may stain, corrode or chip the pools or spas are not permitted.

17. No additives of any kind (i.e. bubble bath, soaps, etc.) shall be added to the pools or spas.
  18. The Board of Directors reserves the right to deny use of the pools/spas, and/or pool/spa areas to anyone for infractions of these rules, for maintenance reasons, or for health reason.
  19. Residents are not permitted to change or adjust in any way, the timing devices or heaters for the pool or spa equipment.
- O. Trash --- La Quinta Tennis Villas follows the La Quinta Municipal Code with regard to trash collection: “No bin, cart, roll off box or other container shall be placed adjacent to or in a street or public right-of-way for collection service more than twenty-four hours prior to the normal collection time, and all containers so placed shall be removed from the street or right-of-way within twelve hours after collection.”

## LA QUINTA TENNIS VILLAS HOMEOWNERS ASSOCIATION

### NON-COMPLIANCE ASSESSMENT SCHEDULE

Failure to comply with the above Rules and Regulations will be considered a violation and will be subject to actions by the Association as outlined below:

FIRST ACTION	Written Warning
SECOND ACTION	Final Warning Letter
THIRD ACTION	Hearing before the Board for a \$500.00 Non-Compliance Assessment
FOURTH ACTION:	Hearing before the Board for a \$1,000.00 Non-Compliance Assessment
FIFTH ACTION:	Hearing before the Board for a \$1,500.00 Non-Compliance Assessment
FURTHER ACTION:	Hearing before the Board for a \$2,000.00 Non-Compliance Assessment

Any violation of the Rules and Regulations which involve the safety of owners or residents will be handled by the Board of Directors as is deemed necessary and will not be restricted to the "Actions" as outlined above.

Any violation of these Rules and Regulations which involve the destruction of Association property by an owner, their tenants, or their visitors will be handled by the Board of Directors as is deemed necessary, including prosecution under the appropriate criminal and/or civil laws of the State of California, and will not be limited to the "Actions" outlined above.