

CHATEAU BERNARDO HOMEOWNERS ASSOCIATION
OVERVIEW OF ARCHITECTURAL RULES & GUIDELINES FOR NEW HOMEOWNERS

The following list of Château Bernardo Home Owners association (HOA) Architectural Rules and Regulations are the most commonly overlooked, yet enforced rules of the Association. Your Board of Directors and Packard Management Group spends considerable time with these issues and hopes an increased awareness will decrease the occurrence of these issues.

Take time to consult our Association Manager at Packard Management Group before making any change to the exterior of your home. If your planned exterior changes require Board approval, our Association Manager will provide an application and assistance in completing it.

The time spent checking before making changes can eliminate the disappointment, expense and frustration having to undo changes not approved in advance by the Board and possible fines for non-compliance.

Among the items frequently brought before the Board are:

- **Vehicles stored in driveways or parked on the street more than 72 hours continuously.** Homeowner will receive a Board request to remove or garage the vehicle(s). Vehicles left on the street more than 72 hours will be cited by the San Diego Police for removal or will be towed.
- **Replacement of garage doors with rollup doors.** Doors must be painted the color of the homes stucco or trim and may not have windows.
- **Painting of homes (including front doors.)** Exterior stucco and trim colors must have Board approval, entry doors must be stained and may not be painted.
- **Payment of HOA fees.** Homeowners ignoring requests for payment of HOA fees will be subject to collection and/or having a lien placed on the property. In worst case scenarios, the Board of Directors may foreclose on your home for non-payment.
- **Replacement of outdoor lights.** One size/type is not required for all but; take time to submit your request to the Board before installing the lights.
- **Security/Screen Doors.** Submit an Architectural Application to the Board before installing the door.
- **Window Specifications.** Installation of new windows must have board approval, an architectural application must be filled out for Board review.

Chateau Bernardo Homeowner's Association
Architectural and Landscaping
Rules and Regulations
Updated May 6, 2005

Introduction

The Chateau Bernardo Homeowner's Association (CBHA) is one of several neighborhood associations of the Community Association of Bernardo Heights (CABH). This association is ruled by Covenants, Conditions, and Restrictions (CC&RS) of the CABH and of the CBHA. Therein, the establishment of the rules and regulations for control of the neighborhoods' architecture and landscaping are granted first to the CABH and then to the CBHA. Inasmuch as the CABH has deferred many items to the CBHA, the following materials are to guide the homeowners' actions in regard to adding, removing, improving and maintaining their properties so that the attractiveness of the neighborhood is enhanced.

CABH CC&RS

An interpretation of restrictions on homeowners from these CC&RS follows:

- Owners shall maintain their structures, including walkways and paving, in good condition, by making repairs and replacements as often as necessary.
- Owners shall maintain their landscaping in good condition by weeding and by watering and trimming their lawns, shrubs, and trees as often as necessary.
- Each neighborhood association (e.g.; the CBHA) shall abide by the rules and guidelines of the CABH in considering changes or improvements to houses.

CBHA CC&RS

An interpretation of restrictions on homeowners from these CC&RS follows:

- Trees, shrubs, and other plantings are to be trimmed and maintained at all times and no plantings are to encroach on walkways or neighbor's yards.
- Fences, hedges, and trellises are to be maintained in a manner that will not affect the views or appearances from a neighbor's house.
- No outside television or radio antennas are allowed (federal and state laws govern satellite dishes but these may not be visually offensive to neighbors).
- No clothes lines are allowed unless fully screened from neighbor's views.
- No cars, boats, campers, RVs, trailers, vans, etc. are to be stored anywhere other than the garage (exception – one day parking in preparation for use).
- No signs, other than those of realtors in accordance with the CABH rules, are allowed on the premises (exceptions are security warning signs).
- No "farm" animals can be kept and no "commercial" businesses are allowed.

CABH Architectural and Landscaping Rules and Guidelines

The specifics for the CABH are contained in a booklet amended in September 1999. That guide is maintained by the CABH committee and is to be used as a homeowner's basis for requesting approval of proposed actions.

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However, as many items have been deferred to or have been expanded upon by the CBHA Architectural and Landscaping committees, separate rules and guidelines are essential for the improvement and maintenance of the CBHA and these are summarized in the following section.

CBHA Architectural and Landscaping Rules and Guidelines

The following are in addition to the CC&RS and the CABH guide.

- All houses are to retain their original stucco and trim color schemes unless approved by the CBHA and the CABH Architectural committees. A policy, adopted in October, 1997, allows the trim of a house to be painted the same color as the stucco.
- Roll-up garage doors are allowed providing they are painted the same color as the trim or the stucco. The garage doors, and their surrounding trim, can be painted the same color as the stucco while retaining the eaves and other trim areas in their original color. No windows are allowed in the doors and no replacements may be made without prior approvals (including colors).
- Gutters and downspouts are to be painted the same color as the house trim.
- Mailboxes and their posts are to be maintained in good condition with the painting of both retained in the original colors.
- Entry doors are to be maintained as the original stained wood. Doors may be painted to match the homes stucco or trim but only with prior written approval from the Board of Directors. Replacement doors must be of equal or better quality as the original, and may be windowed; however, no replacements are to be made without prior approvals. No screen, or security, doors are allowed unless totally out of sight from the street and approved prior to installation.
- No permanent sports apparatus is allowed in the front of the house and portable units are to be stored out of view at the end of a day's use. No hose reels or hoses are to be left in front of the house except during current use. Storage is to be in the garage, on the side yard, or in the rear of the house and out of view from the street.
- House stucco and walls, including the walls bordering community property, are to be kept clean and in good condition. Fences, including gates, are to be maintained in good condition. Broken roof tiles are to be replaced and dirt and other accumulations on the roof are to be periodically removed. Lights and other holiday decorations are to be removed shortly following the event.
- Exterior house and landscape lights are to be maintained in good condition. Replacements must be of equal or better quality as the originals and prior approvals for alterations or additions are required.
- Windows may be vinyl, aluminum or fiberglass. The color of the frames may be white, bronze or match the stucco color of the home. Trim is not permitted. The installation must be wholly within the window framing and there must be a stucco reveal of at least one inch. Grids must be of the same size and style as original window installation – color to match frame. Although specifications are provided, all installations must still be pre-approved by the CBHA Board of Directors.

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- No vehicles are to remain on the street overnight (exception – RVs and similar items in preparation for use). Visitors should park in driveways to the extent space is available. No vehicles are to be stored for extended periods of time in the driveways.
- Driveways are to be kept free of weeds and grasses. Oil and rust spots are to be periodically cleaned. Severely cracked drives are to be repaired.
- Trees, shrubs, lighting, planting, etc. must be maintained in accordance with the originally approved or modified landscaping plans. Trimming must occur on a regular basis so as not to physically or visually affect a neighbor's yard. Replanting and other maintenance shall occur seasonally as necessary.

FINES AND VIOLATIONS POLICY CHATEAU BERNARDO HOMEOWNERS ASSOCIATION

Reporting Violations: Violations of Rules and Regulations may be brought to the attention of the Board of Directors or Property Management Consultants. Preferably, notification of violations should be in writing and be accompanied by supporting documentation, photographs, etc. when appropriate.

Violation and Fines Policy: Fines for offenses will be levied as defined below. Fines will be paid promptly to Property Management Consultants. If a violation causes material damage or results in other costs chargeable to the Chateau Bernardo Homeowners Association, then these charges will be assessed in addition to the fine(s) imposed. A majority vote of the Board of Directors is required for the approval of fines and assessed charges.

- a. **First Offense:** Usually, the first offense will generate only a written notice and/or direction to correct the offense. However, failure to make the correction or to appeal the Board of Directors instructions within 30 days will be considered the willful disregard of those instructions. In that event, the Board of Directors may immediately levy a fine of up to the maximum of \$100.00 without additional notification to the offender.
- b. **Continued Non-compliance:** In the event that the violation remains uncorrected, a monthly fine of not more than \$100.00 may be levied up to a maximum of \$1000.00 per year.
- c. **Continued Willful Violations:** Continued willful violations may result in legal action at the sole discretion of the Board of Directors as provided for in the Association documents.

Right of Appeal: The recipient of a violation letter has the right to plead his or her case before the Board of Directors either in person or in writing before paying any fine or assessed charges. Any written plea or request for a hearing must be received not later than 30 days from the date of the notice of violation.

Appeal Procedure: All matters pertaining to fines and appeals will be handled in closed door sessions of the Board of Directors. At the conclusion of a personal appeal or the consideration of a written appeal, the Board of Directors will render a decision in private and notify the appellant in writing of the decision. Appeals will be automatically rejected if they are not received as specified in the preceding paragraph.

Wednesday, December 20, 1995

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