

NOTICE OF PROPOSED RULE CHANGE

THE COMMUNITY ASSOCIATION OF BERNARDO HEIGHTS

Cal. Civ. Code § 4360

Date: July 29, 2025

Dear Members of The Community Association of Bernardo Heights:

All Members and residents of The Community Association of Bernardo Heights (“**Association**”) are bound to comply with the restrictions and requirements contained in the Association’s governing documents. The governing documents include, among others, the Association’s operating rules (“**Rules**”) including those rules and standards for architectural guidelines and requirements. The Rules are adopted and amended by the Association’s Board of Directors (“**Board**”) pursuant to its authority under the Association’s governing documents and California law.

The Board has proposed changes to the Rules as described below (collectively, the “**Proposed Rule Change**”). This notice is being provided to all Members pursuant to *Civil Code* section 4360.

BRIEF DESCRIPTION OF PURPOSE AND EFFECT OF PROPOSED RULE CHANGE

**Note – the entire text of the Proposed Change is enclosed with this notice.*

1. ARCHITECTURAL COMMITTEE RULES AND STANDARDS | APPLICATION FOR HOME IMPROVEMENT

Purpose: The purpose of the Proposed Change eliminates the requirement for Members to submit applications for repairs or replacements that do not alter the appearance, materials, or color of existing improvements (e.g., repainting a fence the same color or replacing dead plants with the same species). It also removes the requirement to fill out and submit a Notice of Completion after approved improvements are completed. Owners should check with their Sub-Association’s Management to see if written notice of completion is required for their improvement. Lastly, the requirement to complete approved improvements within one year of receipt of the notice of approval remains in force and effect.

Effect: If adopted, the Proposed Change will change the scope of when home improvement applications are required to be submitted and no longer require a Notice of Completion after approved home improvements are completed.

UPCOMING BOARD MEETING WHERE ADOPTION OF THE PROPOSED RULE CHANGE WILL BE CONSIDERED

Pursuant to *Civil Code* section 4360(b), a decision whether to adopt the Proposed Rule Change will be made at the Board’s upcoming meeting scheduled for **August 27, 2025, at 5:30 PM**. That decision will be made after consideration of any comments made by Members.

The decision whether to adopt the Proposed Rule Change is made within the sole discretion of the Board. However, if you have any comments regarding the Proposed Rule Change that you would like the Board to consider when making its decision, please bring them to the Board’s attention at the above-referenced meeting, or in advance via email to the Association’s managing agent at:

Frank Squires, Community Manager
Professional Community Management
frank.squires@associa.us

If a decision is made to adopt the Proposed Rule Change, general notice of the same will be posted/provided within fifteen (15) days following the above-referenced meeting.

Enclosures:

Proposed Application for Home Improvement



THE COMMUNITY ASSOCIATION OF BERNARDO HEIGHTS

APPLICATION FOR HOME IMPROVEMENT

- Application approval is required for all exterior changes and improvements before any work is performed.
- Pictures, plans and color samples of the project are required with the application.
- Please complete all sections of this application

Date: _____

Applicant Phone Number: _____ Applicant Email: _____

Homeowner Name; _____

Homeowner Address: _____

Name of Neighborhood Association: _____

I would like to be notified by: (check that apply) Mail: _____ Email: _____

Description of Proposed Improvements: Do not use "See Attached." Attach a copy of the plans/sketches/diagrams, including an elevation drawing, showing type of construction, measurements, and location of improvement (if applicable). Also include a list of materials to be used. Provide a current photo of your property with this application before work commences. (refer to the attached "Process & Instructions" sheet)

NOTICE TO OWNERS: Your improvement may require a permit from the City/County Building Department. No work shall be done which may change the existing drainage patterns. Neighbor notification is required for all applications prior to submitting them to your Neighborhood Architectural Committee. **OBTAIN THREE** signatures of adjacent neighbors indicating improvement plans are acknowledged.

Last Name

Address

Signature

NEIGHBORHOOD STAMP

CABH STAMP

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THE COMMUNITY ASSOCIATION OF BERNARDO HEIGHTS

APPLICATION FOR HOME IMPROVEMENT

Proper Disposal of Construction Waste/Trash

All construction debris or trash is to be removed or collected and placed in the dumpster or waste receptacle at the close of each workday. Please mark the sections that apply to your project.

- | | |
|--------------------------|--|
| <input type="checkbox"/> | I am planning to use a dumpster or other trash receptacle to remove the construction debris and the dumpster will be removed within 30 days of the start of the project. |
| <input type="checkbox"/> | I plan to have the trash removed from my property daily. |
| <input type="checkbox"/> | I do not anticipate any trash or debris from this project. |
| <input type="checkbox"/> | This project will only create a minimal amount of trash which will be taken away by the contractor each day. |
| <input type="checkbox"/> | Some debris, not in dumpster, may accumulate on-site but must be removed within 48 hours. |

Location: _____

Temporary Restroom

If you plan to use a portable restroom on your site, it must be serviced at least two times per week. Please mark the sections that apply to your project.

- ☐ I am planning to use a portable restroom for my project.
- ☐ I plan to have the restroom serviced at least two times per week.
- ☐ My construction crew will use the restroom in my home during construction.

☐ This project is of short duration and will not require a portable restroom.

☐ My contractor plans to use public restroom facilities.

Location: _____

Temporary Storage Containers

☐ I am planning to use a Temporary Storage Container for my project for no more than 30 days.

The storage container will be placed on the:

- ☐ Driveway
- ☐ Street
- ☐ Yard

I will assume the responsibility for any work under the above proposed improvements that I or my contractors accomplish which may in the future adversely affect the common area. I assume responsibility for all future maintenance of this addition or improvements.

Homeowner Signature: _____ Date: _____

APPLICATION FOR HOME IMPROVEMENT

PROCESS & INSTRUCTIONS

A CABH APPLICATION FOR HOME IMPROVEMENT is not required for Like Kind in Quality ("LKQ") improvements. Like Kind in Quality improvements are repairs or replacements that do not alter the appearance, materials, or color of existing improvements (e.g., repainting a fence the same color or replacing dead plants with the same species). For all residential and landscaping improvements that change design, color, materials, location, or is otherwise not in Like Kind in Quality, these improvements must abide by the following steps when filling out and submitting the CABH APPLICATION FOR HOME IMPROVEMENT. Please note that all exterior alterations are to follow your neighborhood association guidelines. "When neighborhood association guidelines are more restrictive than the CABH guidelines, the neighborhood guidelines take precedence." CABH Architectural Guidelines, Section I-E, page 7.4 (attached)

Step 1: Obtain a copy of the current form of "Application for Home Improvement" (outdated forms will not be accepted). The form is available on the CABH [Website. Bernardoheights.org](http://Bernardoheights.org)

Step 2: Complete the form entirely. Be clear and descriptive of what the improvement entails. For any questions regarding the application, please see the front desk or call (858) 451-3580. When describing the proposed improvements, attach plans, concepts, diagrams, or measurement (if applicable) to the application. Furthermore, if the improvement regards:

Landscaping: include a colored diagram of the proposed changes and write down dimensions of the desired landscape. If you are installing artificial grass, include the dimensions of the area it will cover.

Windows/Doors: indicate if it is a *partial* or *complete* window/door improvement (not LKQ replacements but new architecture) will be performed. Include pictures of the type of window/door and the color with the application. Take a picture of the windows/doors you plan to replace.

Painting: indicate *what paint color* will be used and *where it will placed* such as trim or stucco. Include swatches of the paint color with your application. (Note: check with your HOA for their list of approved color swatches.) If LKQ painting, no need to submit an ARCH application to CABH.

Step 3: (1st Level Approval) Send your entire application to your local neighborhood's management company, or *whoever* oversees Architectural Approval in your community.

Step 4: (2nd level Approval) Upon 1st level approval, the local neighborhood's management company (or ARC Committee Chairperson) will stamp inside the box, "Neighborhood Stamp." The application will be submitted to the CABH Architectural Committee for the second level of approval.

Step 5: Upon approval from the CABH Architectural Committee, the homeowner will receive an *Approval Letter* within 72 hours of the approval, indicating the application has been approved and work can now commence. A NOTICE OF COMPLETION DOCUMENT CONFIRMING THE WORK IS COMPLETED IS NO LONGER REQUIRED TO SUBMIT TO THE CABH ARCHITECTURAL COMMITTEE. OWNERS SHOULD CHECK WITH THEIR SUB-ASSOCIATION'S MANAGEMENT COMPANY TO SEE IF IT IS REQUIRED BY THEM.

For any questions, please call (858) 451-3580 regarding the home improvement process.