

**A Guide and Rule Book
for
Terrace Village
3688 First Avenue
San Diego, CA 92103
2009**

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As of 8/18/2009

These rules are not complete, but are meant to supplement or to clarify the provisions included in the CC&R's of the Association.

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Introduction

This booklet was written to aid Terrace Village owners and residents in understanding how the building operates and explain some of the rights and responsibilities of each member of the Homeowners Association. When you buy a unit in the building you automatically become a

member of the Homeowners Association (I-IOA) and agree to abide by and obey the covenants, conditions, and restrictions (CC&R's), the by-laws and the rules and regulations of the building. The information in this booklet relies, for its authority, on those legal documents, state law, and/or rulings made by the Board of Directors as reflected in the meeting minutes. However, this booklet cannot cover all of the material in the governing documents and members should familiarize themselves with those documents also.

Condominium Life

When you buy a unit in a condominium, what you buy is the area inside the walls of your particular unit and the right to use personally, certain exclusive use common areas, (Ex: parking space or balcony) and the right to use with other owners the remaining common areas (Ex: entry and exit ways, workout room, pool). In many respects condominium living is much like large family life. You have your own "space" and the rest is "shared." The "sharing" needs the same care and consideration for others that you might give to members of your family living with you. This "caring" is necessary because we are living in close proximity to others with perhaps, varying life styles and different standards and needs. So, we must have a few rules. In all you do, consider others, and should you find a rule irksome; recognize that it is there to try to improve the quality of life for all residents. Condominium living differs from renting because we each have a personal financial interest in the entire building. An investment.

A. These Rules and Regulations are designed to help the Board of Directors implement the Covenants, Codes and Restrictions (CC&R's) and Bylaws. Homeowners and tenants are reminded that the Rules and Regulations do not supersede the CC&R's and the Bylaws.

1. No homeowner shall permit anything that will interfere with the rights, comfort, safety or convenience of other homeowners or residents.
2. No obnoxious or offensive activity shall be conducted, nor shall any be done which may be an annoyance or nuisance to any homeowner or resident.
3. Homeowners are responsible for the behavior of their tenants and guests. Personal belongings, such as entertainment and sports items, are not to be left in the common areas.
4. Tenants: Owners must notify the Board if a unit is rented: the names, home (for directory) and emergency telephone number of the tenants; and the address and telephone number where the owner can be reached.
5. No homeowner can paint, decorate, remodel, landscape, alter or adorn any part of the common area without the express written permission of the Board of Directors.
6. All proposed changes or additions to the deck, patio, balcony or other exterior features of any unit must be submitted to the Board of Directors for review before any construction or other change may be made.

7. Any proposed changes to flooring, with regards to sound-proofing, must be submitted to the Board of Directors for review before any construction or change may be made. This is to ensure that installation meet Association and city guidelines for sound proofing.

All proposed changes to the interior of any unit, subject to building or fire permit requirements from the City of San Diego, shall be submitted to the Board of Directors before any construction may begin.

The purpose of the Board of Directors review is to ensure that the appearance, safety and enjoyment will not be compromised for all residents and that changes will not negatively affect the structural, plumbing, mechanical, water supply, sewer, fire suppression and detection systems of the building and that proper permits are obtained for such work.

Care of the Building

A cared for building protects our investment Maintenance and repair of all common area and exclusive use common area items are normally the responsibility of the association and are funded in the annual budget and; therefore, included in the members' annual assessments. An exception to this would be where a specific member, having caused the loss or damage, is required to pay.

Correction or repair of damage within the walls of a unit is the responsibility of the owner. This includes plumbing fixtures entering the inside of the unit (for example; bath, shower pipes, and faucets).

Exclusive use common areas (for example; balconies, pal-king spaces) may not be used as storage areas and no additions or changes are permitted.

Please notify management if you notice any evidence of wood destroying insects.

Blinds, drapes or curtains visible on the outside of the building must conform to the standard color white or neutral, to keep the exterior all the same).

Any proposed construction or maintenance, which is externally visible or penetrates the walls of a unit, must receive prior board approval.

In cases where owners choose to rent out their unit, the owner remains responsible for the conduct of the renter. It is recommended that this point be included in the rental lease.

COMMON FACILITIES

1. Common facilities include the fire-control system (smoke detectors, sprinklers and alarm), plumbing, electrical (outside of unit), telephone security door, hallways, exterior landscaping and lighting.

2. Smoke alarms are required in each unit and they must be kept operable. Smoke detectors and alarms are part of the building's fire-control system, and as such are under the jurisdiction of the association. Replacing batteries in smoke detectors is the responsibility of the occupant, as is any damage caused by the unit's occupant. Any problems with the fire control system should be immediately reported to the Board and the Board will direct any action to the management company.

COMMON AREA CONDUCT

1. Security gates and doors into the complex from the street and garage must be kept closed and locked at all times.

2. The board may reset the garage door code and re-key common area doors at any time. Advanced notice will be provided when the situation permits.

However, in the presence of an impending security risk as may be determined by the board, an advanced notice may not be possible. If doors are re-keyed, two new keys will be distributed to each owner. Reprogramming of garage door openers is the responsibility of owners.

3. All exterior doors and gates must be kept closed at all times as required by the San Diego Municipal Code.

4. No storage of items is permitted so as to interfere with the building's fire control system, water, drainage or sprinkler system.

3. No storage of items is permitted in, on or around common areas without the written permission of the Board of Directors.

6. Anything spilled, dropped or broken in the common area is to be cleaned up immediately by the responsible party. Items left in the common area will be removed at the homeowners' expense and a fine may be assessed.

7. Bottles, cans or any glassware are not allowed on railings or balcony ledges. Glassware is prohibited in the pool areas. Any beverage consumption in the pool area is limited to plastic glasses or cans.

8. Alcohol consumption is prohibited in the pool area.

9. No resident may deposit any waste or debris in the common area, or do anything that would be in violation of any law, ordinance, or governmental rule or regulation.

10. The use of gasoline or other highly flammable materials inside a unit or stored within the complex (other **than** in the gas tank of a vehicle in the garage) is strictly prohibited.

11. At no time should a homeowner, acting on his own behalf attempt to personally make repairs to any common area property. Common area maintenance and repairs must be reported to the property management company.

12. Requirements for turning off building water: Non-emergency turn-off of building water is only from 9a.m. to 3p.m., Monday- Friday 48 hours before turnoff. Notices **must** be posted at elevator buttons on all floors, including parking level, and on mailbox area bulletin board. Notices must state work date, time, unit number, homeowner name and appropriate contact numbers. Responsible party is to remove notices after completion of work. Emergency turn-off

of the building water is to be facilitated through the management company. As the situation permits, similar notices should still be posted.

13. Posting of signs, including real estate or rental signs, in the common areas or on the common grounds is not permitted. Only one real estate or rental sign can be posted in the unit's window, deck or balcony.

14. Real estate lock boxes in the common area can only be installed after the Association is notified in writing. The lock boxes must be removed within one week of the close of escrow on the unit for sale or one after a rental agreement is signed.

PETS

Pets are permitted with a limit of two per unit, not to exceed 40 lb weight combined. Dogs must be leashed when on the property. Fouling the walkways and grassy areas must be avoided. Owners of pets are responsible for cleaning up all pet excrement in and around the complex, including but not limited to personal patios, any common areas and landscaped areas outside the complex. Excessive noise from any animal will be dealt with as a "nuisance." Breeds of pit bulls, rottweillers and aggressive dogs are not permitted

NUISANCE

What is a "nuisance?" For this building a "nuisance" can be defined as a noise, smell, behavior, or activity, which adversely affects another resident's quiet enjoyment of the accommodations. Items, generally, considered a "nuisance" include:

- (a) Excessive noises - turn the stereo/television down; lower the bass on the stereo, move the equipment.
- (b) Smells - close the door or windows, use the extractor fan.
- (c) Leaky oil from cars -fix the leak, clean up oil.
- (d) Garbage/trash - Seal it and put it in the trash room, not in the corridor or elevator.
- (e) Inappropriate items on balcony - bedsprings, etc.
- (f) Unsuitable or no window blinds - must conform (see Care of Building).
- (g) Smoking - obey the "No Smoking" signs in the elevator area and the laundry room.

This list is not comprehensive, but illustrates common sense rules. If, as a resident, you are faced with a neighbor's "nuisance," ask politely for correction. If this fails, try to get confirmation of the "nuisance" from a neighbor, preferably a Board Member. If the "nuisance" is confirmed, make a written report to Board and the matter will be addressed at a regular Board or Special Meeting. The Board of Directors has wide powers in dealing with "nuisances" to insure that the comfort of all residents is protected. The Board does, and will, after proper investigation, impose monetary penalties where "nuisances" are proved and repeated. Members cited for "nuisances" are always offered a Board hearing before any decision is made.

COMMUNICATIONS

Communication, particularly between association members, management, and the Board of Directors is important.

There are a number of ways to accomplish this communication and a few are listed here:

- (a) Direct verbal contact with our Board. Names and telephone number have been distributed to all occupants.
 - (b) Write to a board member or the property manager.
 - (c) Attend the monthly Board meeting. Details of times and location have been provided to all occupant's and off-site owners.
 - (d) Attend the annual meeting of members held in August each year.
- Board meetings are open meetings and all members are encouraged to attend.
The meeting agenda always provides for non-board members to speak. If you have a problem, or idea, let the board members know.

SECURITY

Although Terrace Village is not a secured building in the strictest sense, the Board of Directors, with the assistance of the Security Committee, has instituted a number of features to assist in the protection of lives and property within the building. You will note external and internal security lighting, secured exterior doors with latch guards, and a secure entry to the elevator from the garage. Garage door openers are coded.

A few simple rules will help insure greater security for all of us:

- (a) Do not leave garage door openers in the car in the garage. Keep them on your person or in your unit. Report the loss of an opener to a Board member.
- (b) Secure your storage area with a chain-and padlock.
- (c) Politely question strangers as to their right to be on the property.
- (d) Avoid leaving portable valuables in the garage area.
- (e) Be sure that all external doors that you use are properly secured after you enter or exit.

MOVES IN OR OUT OF THE BUILDING

A non-refundable fee of \$200 is required for any moves into a Unit. This will cover the move out. Management or a Board member should be notified 5 days prior to the move in or out in order to have the elevator protective pads placed in the elevator.

AMENITIES

Terrace Village provides four principal amenities; pool, exercise room, common area (lobbies) on each floor, and under-ground garage with individual storage areas. The following rules apply:

POOL

1. The pool is for exclusive use of Terrace Village homeowners and residents. Guests are permitted only if accompanied by a homeowner or resident.
2. Pool hours are to 9am to 10pm daily.
3. No alcohol
4. No glass items
5. No pets in the pool areas.
6. No charcoal grills

7. No parties shall exceed 5 persons without advance express written consent of the Board of Directors.
8. No excessive noise or music at any time.
9. All pool rules are posted in the pool area.
10. Gates to the pool area must remain closed at all times.
11. The pool area is to be kept clean and clear of any hazards at all times.
12. No children are to be left unattended at any time while in the pool area.

EXERCISE ROOM

1. Exercise room is for exclusive use of Terrace Village homeowners and residents. Guests are permitted only if accompanied by a homeowner or resident. No children under the age of 12 permitted in the exercise room.
2. The exercise room is to be kept clean and clear of any hazards at all times.
3. If using the exercise room, you must have a clean towel with you at all times in order to wipe down the equipment. Exercise equipment is to be wiped down after every use.
4. The door to the exercise room is to remain closed if not in use.

COURTESY TO YOUR NEIGHBORS

Due to Terrace Village Condominiums design, construction and placement of the units, noise of any kind can be an issue/annoyance to your neighbors.

Therefore, please be aware of simple things such as:

- walking (especially 2nd & 3rd level)
- Guest and/or parties after reasonable hours
- any conversation outside of your unit
- construction/remodeling/home repairs
- washer/dryer usage time
- pool hours
- gates slamming/doors shutting
- music

All these can create a noise level that can be disruptive to your neighbors. Being courteous with a heightened awareness of how easily noise carries/amplified would be appreciated by all.

PARKING & GARAGE AREA

1. No owner or tenant may park anything in the garage that is disabled, unsightly, not currently registered or drips oil excessively.
2. Parking is limited to your own designated parking space. Guests must use street parking.
3. Repairing or washing vehicles in the garage or common area is prohibited.
4. No more than one vehicle per parking space.
5. All damage to walls of garage areas caused by any car will be repaired at the expense of the assignee of that space. Owners are responsible for recovering any expenses themselves.
6. Owners are responsible for damage and for rule violations in their space.
7. Parking Space Responsibility
 - a. Assigned spaces must be kept free of oil, *grease* and debris.

- b. Loose drying material is not permitted to absorb oil or grease.
- c. Drip pans must be adequate to cover leak area.
- d. Violators are subject to fines and clean up at assignee's expense.
- e. No flammable materials can be stored in parking spaces.
- f. Individuals may choose to store bicycles and/or surfboards at the front of their space against the adjacent wall so long as their parked vehicles do not extend beyond the limits of their assigned space. These items must be secured and are stored at the owner's risk. Storage of miscellaneous items, boxes, etc. is not permitted except within the confines of a secured storage unit.
- g. Anyone storing unsecured items in the parking area is inviting a break-in. Please remove all unsecured items.

DECKS, PATIOS, BALCONIES & WINDOWS

Only patio furniture, plants, barbecues and bicycles are permitted on patios or balconies.

Drying or airing of towels, swimwear or any other articles is not permitted on patio railings.

Shaking carpets, rugs, tablecloths or any discharge of solids or liquids off patios, balconies or stairway areas is prohibited.

Window coverings are to be of conventional drapes, curtains, blinds or shades of white or neutral color.

TRASH

All garbage must be tied in plastic or sealed in paper bags and placed in the dumpster on the parking level.

No cardboard boxes of any kind (pizza boxes, shoe boxes, moving boxes, etc.) or unusually sized items are to be disposed of through the trash chute on any level.

The Board of Directors must approve any use of the common area as a recycling location in advance.

The dumpster or recycling areas are for disposal of non-hazardous waste only. Items identified by the City of San Diego as hazardous materials, such as paint and motor oil, should be disposed of in the proper manner, not in the dumpster.

The dumpster is not for large items, such as furniture and appliances, or for construction debris. These items must be disposed of directly by the unit owner or tenant, for example hauled to the City landfill.

NOISE

1. No living unit or exclusive use area can be used in such a manner as to obstruct or interfere with the "quiet enjoyment" of other owners. No obnoxious or offensive activity can be committed or permitted neither in any unit nor on the common area.

2. Noise hours: Quiet hours in the complex are from 10 p.m. to 7 a.m., in keeping with the City of San Diego Municipal Code. Owners and tenants requesting clarification are referred to Section 59.5.0401 of the City of San Diego Municipal Code, which specifies noise level limits of 60db from 7 a.m. to 7 p.m., 55db from 7 a.m. to 10 p.m. and 50 db from 10 p.m. to 7 a.m. According to reference sources, 50 db is the sound level produced by the use of a typewriter.

Emergencies and Disasters

Each unit is equipped with a personal smoke detector system fed by the main electric circuit. It is individual owner's responsibility to maintain this device. Test it frequently.

Also, the building is equipped with fire extinguishers and alarm stations in glass cases. You should familiarize yourself with their locations and how they function. Activating the fire alarm sounds a siren in each unit **it does not call the fire department.**

If you discover a fire:

- (a) try to put it out if you can
- (b) activate the alarm
- (c) call the fire department (91 1) You can call 91 1 from the front door telephone.

In the event of an incident (fire/earthquake), which prompts evacuation of the building, use the stairs, if possible and assemble across the street in the Diseases & Surgery of the Skin parking lot to facilitate a roll call.

Following a major incident, the Board of Directors will, as soon as possible, appoint a committee to coordinate action, communicate with management, insurance advisors, city officials, etc.

Emergencies in individual units (for example; water leaks, drain blockages) must be reported to the Board or management because they are often likely to affect another unit Management can usually suggest a speedy solution or help with obtaining professional help. In case of emergencies, protect your investment; call the appropriate professional help as soon as possible. It is recommended that each unit on the second and third floor maintain a strong length of rope, flexible fire ladder, etc. suitable for an emergency exit via the balcony.

COMPLAINTS & PROBLEMS

1. Complaints should be registered in writing with the Board of Directors and the property management company. However, emergencies with-in your unit are the responsibility of the owner. Emergencies in common areas should be immediately reported to a Board member, so that they may direct the management company.
2. All cases of theft, break-ins (actual or attempted), assaults, fires and other accidents affecting the common area should be reported immediately to the police or the fire department and then to the Board of Directors and the property management company. Common area keys (entry, garage door openers) are controlled items. Requests for additional keys or notification of lost or stolen keys or garage door openers must be reported to the Board, who will direct the property management company.
3. Emergencies affecting common area service (broken pipes, no hot water, sewer backup, etc.) should be reported to the Board for follow up with the property management company.
4. Emergencies affecting the interior of a unit are the responsibility of the owner. When such emergencies stand to potentially impact the common areas and/or neighboring units, it is the responsibility of the homeowner to inform the Board and neighboring units. The Board will direct the management company as to the action taken.

FINES & PENALTIES

1. If a homeowner or tenant is found by the Board of Directors to have violated the CC&Rs, Bylaws or Rules and Regulations of the Association, the penalties are as follows:

First Violation: Costs plus written letter.

Second Violation: Costs plus \$25 fine.

Third Violation: Costs plus \$50 fine.

Subsequent Violations: Costs plus \$100 fine for each violation.

2. Homeowners can appeal any fine or penalty to the Board of Directors.

3. "Costs" refer to those expenses incurred by the Association in cleaning, repairing or replacing common interest property damaged as the result of a violation or negligence on the part of the a specific homeowner or tenant, or legal fees incurred in assessing the penalties.