

WESTBROOK RESIDENT HANDBOOK RULES AND REGULATIONS REVISED 2019

Welcome to Westbrook Townhomes in Mesa, Arizona.

Welcome to Westbrook Townhomes Homeowners Association. As the owner of a townhome in Westbrook, you are a member of the Association. The Westbrook Board of Directors has prepared this manual for your use in understanding certain important aspects of the Homeowners Association operation.

Westbrook Townhomes are townhomes. Homeowners face certain restrictions that are necessary to maintain the continued attractiveness and uniform appearance of the Westbrook community.

This Manual/ Rules and Regulations is written to help owners understand some of the specific rules and regulations that govern the association and the procedures that must be followed when any change, modification, or addition to the buildings or grounds is considered. Each Homeowner's thoughtfulness, cooperation, and participation are essential ingredients to making our community an enjoyable place to live.

This document is not meant to take the place of the Declaration of Covenants, Conditions and Restrictions of Westbrook Townhomes recorded at Maricopa County or of the Westbrook Bylaws.

The Association

The Westbrook Townhomes HOA is a non-profit corporation chartered by the State of Arizona to provide for the maintenance, preservation, and architectural control of the community of 213 townhomes.

The affairs of the Association are administered by an elected Board of 3-5 directors who have a fiduciary responsibility to take appropriate action to uphold the common interests of the community. The Board of Directors is obligated to run the association according to its recorded legal documents: Articles of Incorporation, Declaration of Covenants, Conditions and Restrictions and the By-laws. At the time of purchase, Homeowners receive a copy of these documents, and they are encouraged to become familiar with their contents. Additional copies of the documents may be purchased from the Management Company. All corporate records are maintained by the Management Company and are available for Homeowner inspection by appointment.

Management Company

The Management Company is selected by the Board of Directors to manage the association. This company, at the direction of the Board of Directors, oversees the daily operation of the association. Duties include, but are not limited to, collection of annual association assessments (fees), payment of bills, preparation of financial statements, handling maintenance problems, monitoring contractors who are hired to work on the property, and attending monthly board meetings to discuss activities with the Board. The address and phone number of the present Management Company are:

Metro Property Management
150 E. Alamo Dr. Suite # 3
Chandler, Az. 85225
Jennifer Perkins- Property Manager
Phone: (480) 967 – 7182 Ext. 106

Emergency Answering Service

The Management Company maintains a 24-hour answering service for the association. This service is provided **for emergencies only**. An emergency is defined as *any condition on the common grounds or building exteriors for which the association is responsible that endangers life, limb, or property*. Emergency Answering Service 480 – 967 – 7182 Press 1

For all non-emergency questions, problems, or suggestions, please contact the Property Manager, Jennifer Perkins (480) 967-7182 Ext. 106 during regular business hours.

Owners need to contact the Property Management Company for a tenant registration form before renting out the unit. Owners will be asked to provide tenant names (18 years of age or older) and vehicle information.

Annual Membership Meeting

All Homeowners are encouraged to attend the annual corporate membership meeting of Westbrook held during the month of January/February. The meeting reviews the past year's activities of the corporation and the plan of action for the following year. The election of Directors also occurs at this meeting.

Directors Meetings

Meetings of the Board of Directors are posted on the Westbrook website, www.westbrookhoa.com. The Management Company prepares all agenda items. A Homeowner who wishes to have a matter put on the agenda is asked to notify the Management Company 10 working days prior to the meeting. All residents are welcome to attend the regularly scheduled monthly Directors meeting. Time is set aside at the beginning of each board meeting for discussion with Homeowners who are present.

Monthly Assessments (Fee)

All Homeowners are assessed equally in accordance with the provision of the Declaration of Covenants, Conditions and Restrictions and the Bylaws.

The monthly assessment fee covers the annual operating expenses of the association and an amount may be set aside in a reserve fund for the repair or replacement of major building components in the future.

There are various methods in which payments can be made – by check, Surepay (automatic deduction from your bank account by Metro Property Services), and automatic bill payment set up through your financial institution. You may also pay by electronic check or credit card through the management company's website – www.metropropertyservicesaz.com, (Management ID, 1022, Association ID- WBT, Property ID- Unit number) however there is an additional processing fee. Please make your check payable to Westbrook HOA. Post dated checks need to be mailed to Metro Property Services office at 150 E. Alamo Dr. #3, Chandler, AZ 85225.

The payments are due on the first of every month.

Westbrook Homeowners Association pays for water, sewer and trash each month as part of the homeowner's monthly assessment to the City of Mesa. If a unit owner becomes delinquent on his or her assessment at any time, Westbrook HOA has the right to restrict the unit owner's water, In the event of delinquency of payment, the Homeowner is responsible for any costs which may be incurred in the process of the water restriction, enforcement and collection of assessments.

Late Fee Policy

The monthly assessment fee is due on the first of each month. Any assessment not paid within (15) days after the due date shall have a penalty of \$15.00 per month, accumulating each month that this assessment remains unpaid. A lien can be placed on the property for delinquent assessments with all legal expenses charged to the Homeowner.

Grounds Maintenance

The Westbrook HOA contracts with a landscaping company to take care of plants, grass, trees, lawn mowing and maintenance and repair of the irrigation system in the Common Areas. All residents and members of their family have the right and privilege to use and enjoy the Common Areas.

Water/Sewer/Trash

The Westbrook HOA pays for water, sewer and trash through the monthly assessment of owners. Owners who become delinquent are subject to a water restriction if the owners HOA account is not kept current. Owners need to make sure the outside water valve is in good repair and is not leaking water. **Quarterly inspections will be done on the outside water valves. Owners who neglect to maintain the units outside water valve will be responsible for any costs to the Association for the repair or replacement of the outside water valve.**

Trash Removal and Recycling

Trash removal is every Monday and Friday. Recycling removal day is on Saturday. Check the local newspaper or City of Mesa website for holiday schedule changes. Trash is not permitted on patios. Owners need to take all trash to the community dumpsters.

Pets

Dogs shall be on a leashed at all times and animal wastes shall be picked up immediately. There are several animal stations around the Westbrook Community.

Pool

The Westbrook Pool is for the sole use of Westbrook owners, tenants and guests. No more than 6 guests per household at a time. Pool hours are daily 6am until 10pm. No pets are allowed in the pool.

Clubhouse

Reservations for the Clubhouse may be made a maximum of 60 days in advance on a first-come basis

The clubhouse is intended to serve as a social area for residents of Westbrook Townhomes. The secondary use is by residents for private social parties and functions. No business, commercial or unlawful activities may be held at the clubhouse. Permanent type reservations will be made for general resident functions only, those desiring repeat reservations for private functions should place reservations each time and each such reservation will again be on a first-come basis.

The clubhouse may be rented to owners with a \$200.00 (refundable) deposit check & an \$85.00 (non-refundable) use fee and a \$50 cleaning fee. The deposit will be returned if the clubhouse is found in satisfactory condition and no rules were violated. Violation of any of the rules listed below could result in additional fines and/or denial of future reservations. Owners who are delinquent in their assessment may not rent the clubhouse.

RULES

1. The owner whose name is stated on the rental form must be present at all times during the function.
2. Subleasing the clubhouse is not allowed.
3. All functions must end by 12:00AM, however, all loud noise must cease at 11:00 PM.
4. Clubhouse rental does not include exclusive use of the pool/spa or pool area.
5. Functions are limited to 100 occupants.
6. Social activities of teenagers/children must be adequately chaperoned at all times by adult residents. No liquor can be served to minors in accordance with local laws.
7. Guests must keep noise to a minimum while outside of the clubhouse.
8. Guests may park in the guest parking in front of the clubhouse. Guests may not park in the driveways of individual spaces of any units. Guest spaces must be utilized. Anyone violating this rule will be towed at his or her expense.
9. You must obey any and all local laws, rules or regulations. If the police should find you in violation of any law, rule or regulation, they have the right to immediately terminate your function.
10. Each resident or group of residents using the premises at any one time will be responsible for leaving the premises in a neat, clean, and orderly condition.
11. As provided in the CC&R's, should any resident or guest using the clubhouse damage or destroy any of the property, the owner will be fully responsible for the cost of repairs or replacement.
12. All clubhouse furniture and accessories must remain in the clubhouse at all times.
13. **The key must be returned by 10:30AM** on the day following the reservation unless other arrangements are made.
14. An inspection of the facility will be conducted prior to refund of the security deposit.

15. The Westbrook clubhouse is monitored in order to protect the HOA from any damage or theft.

Architectural Submittal Form

It is the duty of the Westbrook Board of Directors to maintain the uniformity and harmony of external design established within Westbrook. Each proposal submitted to the Board of Directors will be fully considered on its own merit.

It is the responsibility of the Westbrook Board of Directors to be familiar with the overall architectural plan to propose guidelines to preserve the overall plan and to review any proposed additions or alterations to the exteriors of the homes and the individual lots.

The ultimate and lasting beauty of our community over which the Westbrook Board of Directors has jurisdiction may only be attained by blending the natural terrain, building materials, and building design into the overall architectural design. Proposed changes must complement the overall design. Changes must retain the integrity of the community, be judged by their effect on the total community, and not cause unwarranted maintenance costs or problems for the Association.

Modifications to Building Exteriors

The Board of Directors must approve any changes, additions, or deletions to the exterior of your living unit or lot prior to beginning the project. Guidelines and procedures must be followed in seeking approval for any changes, additions, or deletions. Any Homeowner or resident doing alterations to the outside structure or lot without prior written approval from the Board of Directors will be required to restore the altered area to its original condition at the homeowners own expense. This shall include all doors, windows, wall hangings and window awnings.

Guidelines and Procedures for Architectural Modifications

1. All exterior building and lot changes are prohibited unless approved in writing by the Board of Directors.
2. Submission procedures:
Homeowners must submit the Westbrook HOA **Architectural Change Submittal Form** and supporting documents to the Property Management Company. After verifying all data is complete on the application, the request will be logged and sent to the Board of Directors. The Board has 30 days to approve or deny the Homeowner's application. If the application form is incomplete or more information is needed, the Property Management Company may return the application to the Homeowner.
3. An accurate drawing and detail specifications for the proposed modification must be included. The drawings and specifications shall include:

- a. Building elevations and sectional drawings drawn in such a manner that the Board of Directors can readily understand what the proposed modification will look like on completion.
 - b. Construction plans and specifications necessary to fully describe the proposal, including all materials to be used in construction.
 - c. The manufacturer's literature describing the product to be installed including warranty information.
 - d. The drawings and manufacturer's literature shall demonstrate that the proposed modification is consistent with existing building design.
4. The Homeowner, in submitting an **Architectural Change Submittal Form** for consideration, agrees to the following:
- a. To assume all liability for personal injury or property damage that may result from the modification during construction and thereafter. The owner agrees to indemnify and hold harmless Westbrook, its officers and directors, and all other Homeowners from any such costs or liabilities that might arise. The owner also acknowledges his obligation to obtain Certificates of Insurance from any contractors hired to perform the proposed construction.
 - b. To obtain a building permit (if required) from local government and provide a copy to the Property Management Company prior to the construction of the proposed modification. The owner agrees to abide by all local laws and regulations that may affect the proposed modifications in any manner.
5. The review of the Westbrook HOA **Architectural Change Submittal Form** shall consist of the following:
- a. The Board of Directors shall have the right to reject any application that it deems incomplete or that does not contain sufficient detail information for properly documenting the proposed modification. If an application is determined to be incomplete, the Homeowner will be asked to re-submit the application with the required information.
 - b. On receipt of a properly completed application form and sufficient supporting documentation, the Property Management Company will log the application before forwarding it to the Board of Directors.
 - c. Drawing and specifications will be reviewed by the Board of Directors and architect/contractor (when deemed appropriate by the Board), the cost of which is assumed by the Homeowner. The Board of Directors must find the proposed modification complies with the architectural standards for the community.
 - d. Final approval or denial shall then be determined by a majority vote of the Board of Directors. The applicant shall be notified of approval or denial in writing.

- e. The Property Management Company will log the resolution of the application.

GENERAL MATTERS:

1. **Holiday Lighting:** Temporary holiday decorations are permitted from no earlier or later than thirty (30) days of the date of the observed holiday.
2. **Parking:** Vehicles of all Homeowners, residents, guests and invitees are to be kept in covered or uncovered parking spaces only. Each owner is assigned one cover parking space per unit. The HOA owns the parking lot and the assigned space is not owned by the owner of his or her unit.
3. **Vehicles:** No automobile, motorcycle, motorbike or other motor vehicle shall be constructed, reconstructed or repaired upon any Lot, assigned parking spot or common area in the community and no inoperable vehicles, including but not limited to vehicles with flat tires may be stored or parked anywhere on Westbrook grounds.
4. **Satellite Dishes:** Satellite Dishes must be placed on the patio or attached to the perimeter brick wall enclosing the unit. No Satellite Dish is to be placed on any part of the Westbrook roofs or buildings without prior written consent of the Westbrook Board of Directors. Any dish now installed without approval shall be charged \$500 at the time of sale.

WESTBROOK FINE POLICY

Owners are ultimately responsible for actions of renters or guests that cause damage to the common areas. Owners are also responsible for the guests that their renters invite into the community.

Damages to any private or common property at Westbrook will result in the responsible party being required to pay for all damages. As mentioned above, tenants or tenant's guests that cause any damage to any common areas in Westbrook, is the responsibility of the owner and the owner will be responsible for the cost of all damages caused by their tenants and guests. This fine policy in no way changes the Westbrook Townhomes Declaration (CCRS, By-Laws, Articles of Incorporation) Owners are encouraged to educate themselves by reviewing Association Documents and Arizona Statues.

ENFORCEMENT

Under Arizona law, the Board of Directors may impose upon any owner who violates the CCRs reasonable monetary penalties.

Each owner has the right to be heard by the Board to contest any fine at the next scheduled Board Meeting. Request to appear before the Board must be given in writing upon the condition of the violation notice. Upon receiving such request, notice of the next scheduled meeting may be sent to the requesting owner, however it shall be the individual owner's responsibility to find out the date and time of such meeting to appear before the Board.

VIOLATIONS

1st notice- Courtesy notice

2nd notice and each subsequent violation

If the owner does not comply with fine notices within the time frame indicated on the third fine notice, the board has the right to seek legal counsel and all legal fees will be the responsibility of the homeowner.

VIOLATION	DESCRIPTION	FINE AMOUNT
Non- Approval of exterior changes (This includes any hanging, awnings and window awnings)	Architectural request for paint, building modifications. Owner is responsible to restore any exterior modification to its original state or modify the exterior change that is acceptable to the Westbrook Board of Directors. Any change must be removed until Architectural approval is obtained.	\$100
Inoperable Vehicle	Proper tags, License plate, no flat tires, no cobwebs. Inoperable vehicles may be towed.	\$150
Repair/Reconstruction of vehicles	Maintenance shall not be performed on any vehicle on any part of Westbrook grounds.	\$150
Leash Laws (Mesa) Picking up after pet	Pick up after pet and keep all pet wastes off patios. All dogs must be leashed at all times.	\$300
Landscape Maintenance/ Patio Maintenance	Weeds, trim trees inside patio area, patio not kept clean and orderly.	\$15
Holiday lights up 30 days before or after holiday	30 days before or after a holiday.	\$10

Storing of any items on storage roofs or any roofs.		\$50
Window Coverings	No sheets, blankets, towels, foil. Blinds must be kept in good condition.	\$50
Satellite Dishes	Satellite Dishes must be placed on the patio or attached to the perimeter brick wall enclosing the unit. No Satellite Dish is be placed on any part of the Westbrook roofs or buildings without prior written consent of the Westbrook Board of Directors. Any dish now installed without approval shall be charged \$500 at the time of sale.	\$500
Noise complaints- partying, screaming, dogs barking, arguing at any time.	Nuisance and interferes with the communities peace and comfort.	\$25
Climbing on Mailboxes and covered parking		\$15 plus the cost of repairs
Speeding, endangering pedestrians, children and pets	Speed limit is 10 mph in Westbrook. Read signs	\$25, plus the cost of any repairs
Tampering with any community property.	Locks on clubhouse, mailboxes etc.	\$25, police involvement
Damage to perimeter wall.	Do not climb or break perimeter wall	\$25 plus cost of repair

PARKING FINE/TOW POLICY

Inoperable Vehicles, Campers, trailers RVs etc. will be given a 48-72 hour notice and then towed at the owner/tenant/guests expense. Owners need to maintain vehicles at all times, making sure the vehicle or vehicles are not leaking oil, tires are not flat and the vehicle is free of cobwebs.

Owners are assigned to one cover spot only. Westbrook HOA owns the streets. Westbrook is a private property.