



OCTOBER 31ST, 2019

PROPOSED RULES AND REGULATIONS

Notice of Proposed Change. Before adopting or amending an Operating Rule or changing the [fine schedule](#), the board must provide notice of a proposed rule change at least 28 days before making the rule change. ([Civ. Code §4360\(a\)](#).)

Comments by Members. A decision on a proposed rule change must be made at a board meeting, after consideration of any comments made by association members. ([Civ. Code §4360\(b\)](#).) The board must consider comments by members but is not required to adopt them.

Notice of Adoption. Within 15 days of making the rule change, the board must deliver general notice pursuant to [Section 4045](#) of the rule change. ([Civ. Code §4360\(c\)](#).)

Article I. COMMON AREAS DEFINED

Section 1.01 Common Area includes the restaurant, pro shop, golf course, tennis courts, pool area, lake, and courtyards as well as the landscaping and fencing in or surrounding the aforementioned areas.

Article II. COMMON AREA MAINTENANCE

Section 2.01 Maintenance of the Common Areas is the exclusive responsibility of the Association.

Section 2.02 Owners and/or residents may not interfere with work being performed by authorized personnel in the Common Areas.

Section 2.03 Owners or residents who have concerns with the Common Areas should direct their concerns to the Management Agent.

Article III. ALTERATIONS/DAMAGE TO THE COMMON AREA

Section 3.01 Owners and/or residents are not permitted to install any item, nor modify any existing items or installations, in the Common Area without the prior written approval of the Board of Directors.

Section 3.02 Owners and/or residents are not to engage in activities that may result in damage to the Common Area. Owners and/or residents engaging in such activities will be held liable for any damage incurred.

Section 3.03 Owners are responsible for the damage they or their residents, tenants, and/or guests cause to Common Areas or to the property of others.

Section 3.04 No signs may be posted in the common area without the prior written approval of the Board or the managing agent.



Article IV. POOL AREA

Section 4.01 Pool hours are from 7:00 A.M. to 8:00 P.M. Monday through Saturday and 9:00 A.M. -10:00 P.M. on Sunday.

Section 4.02 All rules and regulations posted at the poolside must be followed. Pool rules and regulations can be found on the Association website.

Section 4.03 The pool is open to the public for a fee.

Section 4.04 No pets are allowed in the pool area.

Section 4.05 Owners will be billed back for the cost to repair and/or clean up any damage caused by the actions or presence of themselves, their residents and/or their guests.

Article V. TENNIS COURTS

Section 5.01 Tennis courts are open from 7:00 A.M. to 9:00 P.M. year-round.

Section 5.02 Tennis courts are reserved for exclusive use by owners, residents, their accompanied guests, and tennis professionals and student's.

Section 5.03 No pets are allowed in the tennis courts.

Section 5.04 The Board of Directors, Management Agent and staff reserve the right to shut down the tennis courts for repairs, improvements, etc. at any time.

Article VI. LAKE

Section 6.01 Lake Lindero is for exclusive use by owners, residents, and their accompanied guests.

Section 6.02 No boats are allowed on lake unless registered by the Lake Lindero HOA.

Article VII. DRIVING RANGE AND GOLF COURSE

Section 7.01 Driving range and golf course are open from 7:00 A.M. to 9:00 P.M.

Section 7.02 No pets are allowed in the driving range or on the golf course.

Section 7.03 The Board of Directors, Management Agent and staff reserve the right to shut down the tennis courts for repairs, improvements, etc. at any time.

Section 7.04 Golf course equipment, including but not limited to mowers, greens rollers, golf carts, weed whackers, and chemical sprayers, shall only be operated by trained Association employees.



Article VIII. MEMBERSHIP CONDUCT

Section 8.01 Owners or residents may ONLY contact the Board of Directors via email through the Association website or by contacting the management agent. No owner or resident should contact any member of the Board other than through the email address provided on the LLHOA website.

Section 8.02 No owner, resident or guest should disturb any member of the Board at their homes. (whether by telephone calls, email, or knocking on their door.) Any violation of this rule is grounds for an immediate disciplinary hearing and a monetary fine of \$500.00.

Section 8.03 Any questions, complaints and/or requests for repairs should be made in writing to the Management Agent.

Section 8.04 In effort to support the volunteer members of the community and expedite all requests all maintenance, accounting and document requests be sent directly to management.

Section 8.05 All request for documents should be made in writing to the management agent.

Section 8.06 Owners and/or residents must keep all contact information current with the Association.

Section 8.07 Owners or residents are not to interfere with work being performed in the Common Areas by authorized personnel, association employees and/or the Association's contracted vendors. This will result in an immediate hearing and a fine of \$500.00. Any concerns should be addressed to the Management Agent

Section 8.08 Open Board Meetings all meetings of the Board shall be open for observation by all owners. The Board will provide a period at each open Board meeting for owners to provide input to the Board on matters of concern to them (an "Open Forum"). Outside of the Open Forum, persons who are not on the Board shall not be allowed to participate in Board discussions unless specifically invited to do so by the Board.

Section 8.09 Any owner who the Board considers to be disruptive of the business of the Board shall be warned by the Chair of the meeting to cease his or her disruption and a written notice of warning shall be delivered by mail or email by the Board or managing agent. If he or she again disrupts the meeting, he or she will be expelled from the meeting by the vote of the Board.

Article IX. PETS

Section 9.01 shall be allowed in the Common Area only when they are leashed or held and are otherwise under the supervision and restraint of someone capable of restraining such pet.

Section 9.02 No pet shall be left chained or otherwise tethered in front of a home or in the Common Area.

Section 9.03 Each person bringing or keeping a pet on the property shall be solely responsible for the conduct of that person's pets.



Section 9.04 Each owner and/or resident shall be absolutely liable to each and all remaining owners and/or residents, their families, and guests for any damage to person or property caused by any pets or animals brought upon, kept upon or in the property by an owner or resident or by members of such owner's family.

Section 9.05 The Association, its Board, officers, employees and agents shall have no liability to any owners, residents, their family members, guests or invitees for any damage or injury to persons or property caused by any pet.

Section 9.06 Owners and/or residents will be called to a disciplinary hearing to discuss the Any pet causing or creating a nuisance, obnoxious odors or unreasonable disturbance or exhibiting dangerous behavior permanently removed from the property, after notice and hearing is afforded to the owner.

Section 9.07 Owners are responsible for all clean-up of their pets and should not allow their pets to defecate or urinate on the common area grounds.

Article X. SCHEDULE OF FINES AND ENFORCEMENT

Section 10.01 The Board has the right, after notice and a hearing, to levy fines for non-compliance with the rules and regulations. Violations of any item contained in these Rules and the Association's other governing documents will result in the following:

- a) **First violation: Written warning.**
- b) **Second violation, same offense: \$100.00 fine.**
- c) **Third violation and subsequent violations, same offense: \$250.00**
- d) **Continuing violations: Fines up to \$25.00 per day may accrue until the violation is cured.**
- e) **In addition to levying fines in the amount levied above, if the Association incurs attorney's fees in connection with, as a result of, or in response to a violation of the governing documents, such fees may be levied against the owner.**

Article XI. NOTICE AND HEARING PROCEDURES

Section 11.01 Violations The Board through the managing agent will send a written warning/notice to the owner identifying the nature of the violation and a time frame for correcting the violation (if applicable); stating that he Board intends to impose a monetary penalty against the owner; and specifying the date, time and location of the hearing concerning such violation. The notice shall include the Boards right to impose penalties or fines per the association's fine policy. The hearing date will be at least ten (10) days from the date of notice. The owner has the right to attend the hearing and address the Board regarding the matter. If an owner fails to attend the hearing or to submit any written evidence on his or her behalf to the Board at the hearing, the monetary penalty may, nonetheless, then be imposed against the owner. The Board will provide the owner notice of the disciplinary action taken against him or her within fifteen (15) days after the hearing.

- (a) **Ongoing Violations** For an ongoing violation, the Board may assess a monetary penalty daily. The Board will send written notice to the owner identifying the nature of the ongoing violation and a time frame



**LAKE LINDERO
HOMEOWNER'S ASSOCIATION**

for correcting the violation; stating that the Board intends to impose a monetary penalty against the owner; and specifying the date, time and location of the hearing concerning such violation. The notice shall identify the amount of the proposed monetary penalty for each day on which the violation remains uncorrected. The hearing date will be at least ten (10) days from the date of notice. The owner has the right to attend the hearing and address the Board regarding the matter. If an owner fails to attend the hearing or to submit any written evidence on his or her behalf to the Board at hearing, the monetary penalty may, nonetheless, then be imposed against the owner. The Board will provide the owner notice of the disciplinary action taken against him or her within fifteen (15) days after the hearing. If an ongoing violation continues after the hearing and first monetary penalty stage, another monetary penalty may be automatically assessed for each day on which the violation remains uncorrected.

- (b) Non-monetary fines** *The Board may suspend the voting rights and/or Common Area privileges of any owner after notice and a hearing as provided herein. Any such suspension shall be for a period not to exceed thirty (30) days for any non-continuing violation but may continue until the violation is cured for any ongoing violation. The right to suspend Common Area privileges may include, without limitation, the right to use recreational facilities. If a violation continues, the Board may refer the problem for alternative dispute resolution, initiate legal action and/or declare the owner in default of the terms and conditions of the governing documents.*