

Tall Oaks Estates Homeowners Association

RULES & REGULATIONS

THESE RULES AND REGULATIONS ARE BEING PROPOSED FOR ADOPTION WITH THE FINALIZED VERSION PLACED INTO EFFECT ON JUNE 1ST, 2010.

**TALL OAKS ESTATES HOMEOWNERS ASSOCIATION
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Preface

These Rules & Regulations have been adopted with the intent of providing the residents of Tall Oaks Estates with a practical plan for day to day living. Its goal is to maintain our community as a first-class association and to provide residents with common sense guidelines for living together as neighbors. A successful Association is a community of owners who exhibit a pride of home ownership and share a common vision as to what constitutes a desirable neighborhood.

Membership in the Tall Oaks Estates Homeowners Association runs with the property. Each buyer of property within Tall Oaks Estates is bound by the governing documents of the Association that include the By-Laws, Declaration of Covenants dated January 7th 1991 and the Rules and Regulations effective June 1st 2010. Homeowners who oppose a particular rule or regulation are asked to keep the following points in mind:

Living in an Association means one must adhere to certain Rules and Regulations due to the necessity for architectural conformity and the demands of the Declaration and By-Laws, which exist for the benefit of our community and helps to maintain our property values.

You have the right to petition the community to change a regulation if you feel that a particular regulation no longer applies or is unduly restrictive of the majority.

If you are found in violation and are fined, remember this action is taken because the majority of homeowners in Tall Oaks Estates consider it to be just and proper.

Effective Rules & Regulations requires the cooperation of all residents of the Association. The best approach to resolving a difference with a neighbor is to talk to your neighbor directly. However, should this not resolve the problem, an official complaint can be filed with the Tall Oaks Estates Board of Directors or Property Manager if appointed by the Board. Each resident's cooperation and participation is encouraged. This is your Association and these are your rules.

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SECTION I – INTRODUCTION

- 1.1 The following Rules & Regulations flow from the Declaration of Covenants dated January 7, 1991. It is not the intent of these Rules and Regulations to be a substitute for the Declaration and By-Laws but an amended update with clarifications and enforcement provisions relevant to this current date in time.
- 1.2 To the extent that the provisions of applicable law (federal, state or local), the Declaration, By-Laws or the Rules & Regulations are in conflict, the provisions of applicable law shall first control followed by the provisions of the Declarations, the By-Laws and the Rules & Regulations, in that order.
- 1.3 These Rules & Regulations are binding on all Home Owners, Residents, their Families and Guests. The Home Owner is responsible for communicating the Rules & Regulations to occupants and guests and will be liable for fines incurred and/or damages caused by occupants and guests.
- 1.4 The provisions of these Rules & Regulations can only be amended by vote of the Board of Directors in an open meeting following notice to the community of a pending change and allowing for a minimum of 30 days for public comment.
- 1.5 Architectural Review – Plans for any modification to the exterior of any home to include additions, decks, pools, fences, Driveways, Basketball Hoops, Play equipment, yard decorations etc. must be submitted to the Tall Oaks Estates Homeowners Association Board of Directors or Property Manager if appointed by the Board for approval by use of Exhibit C, Modification/Variance Request Form.

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SECTION II - DEFINITIONS

- 2.1 **Association**
Refers to Tall Oaks Estates Homeowners Association.
- 2.2 **Assessments**
The amount due from each owner to fund Common Expenses.
- 2.3 **Board of Directors “Board”**
Consists of seven members of the community elected by the Association. They are responsible for the direction and administration of the Tall Oaks Estates Homeowners Association. Each member of the Board shall be an owner and shall reside on the property. All communications with the Board of Directors for consideration should be written and mailed to a current Board member or Property Manager if appointed by the Board.
- 2.4 **By-Laws**
Contains regulations for the administration and management of the Association. It is recorded along with the RULES AND REGULATIONS with DuPage County against all properties within Tall Oaks Estates.
- 2.5 **RULES AND REGULATIONS or Declaration**
Abbreviation which refers to the Declaration of Covenants, Conditions, and Restrictions that has been recorded with DuPage County against all properties within Tall Oaks Estates. The legal document that creates the plan for the Association, provides for restriction of owner's rights, deed covenants/restrictions. It sets up the owners/association relationship and binds property owners both present and future.
- 2.6 **Common Area**
Includes the berms surrounding the properties, the entrance ways and parkways, certain open areas around and including the retention ponds.
- 2.7 **Property Manager**
A professional hired by the Board of Directors to manage the day-to-day affairs of the Association.

Contact a Board Member for the current property manager name and address.
- 2.8 **Properties**
All real property, common and private, within the Tall Oaks Estates Homeowners Association as defined in the RULES AND REGULATIONS.

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SECTION III - GENERAL RULES

3.1 Air Conditioning Units

Window air conditioning units are not permitted to be installed on any home or detached structures.

3.2 Antennas

No exterior antennas, aerials or other apparatus (except as expressly permitted by FCC regulation) for the transmission of television, Internet access, radio or other signals of any kind are allowed. Where such installation is expressly permitted by FCC regulations, the installation may not encroach on common areas. (*RULES AND REGULATIONS, Page 9*)

3.3 Basketball Hoops/Play Equipment

Basketball hoops may be portable basketball standards or permanently installed pole standards. Standards must be properly maintained, no visible rust, and no missing or torn nets.

Portable standards are not to be located in the street. Portable standards must be upright at all times. Portable standards must be located on or adjacent to the owner's driveway and must not encroach on your neighbor's lot line. Portable standards should be properly weighted according to manufacture's guidelines to prevent tip-over. The use of sand bags or other items piled on the base is not permitted.

For permanent standards, Exhibit C, Modification/Variance Request Form must be submitted to the Board of Directors or Property Manager for approval showing the proposed placement if other than along the property line side of the homeowner's driveway. In no case may it be attached to the house.

If a sleeve system is used, the sleeve of the permanent standard must be cemented into the ground with the top of the cement below grade surface and covered with earth, stone or grass. A gravel layer is necessary to aid in drainage for the sleeve's open bottom. A bolt shall be installed to secure the pole from spinning. The sleeve should not be more than 2 inches above ground in order to accommodate a cap. It must not be a trip hazard or be able to cause harm if fallen upon. When the pole is not in the sleeve, the sleeve must be capped.

No play equipment (swing sets, trampolines, etc.) can be placed in plain view of the roadway. It may be necessary to screen in equipment that is in view from roadway or adjacent properties with landscaping.

3.4 Clotheslines

Laundry drying equipment of any kind shall not be erected or used outdoors.

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3.5 Contractor Working Hours

Residents who employ contractors to perform services shall not allow the performance of such services weekdays before 7:00 a.m. and weekends before 8:00 a.m. All such contract services must terminate each evening no later than dusk. Contract services include, but are not limited to, general construction activities, lawn maintenance and automobile repairs. Services such as snow plowing, snow removal, emergency repairs to your home and new home construction are excluded. Contractor trucks, trailers and all other equipment or materials must be removed from streets each evening. Construction site clean up must be conducted on a daily basis leaving a safe, clutter free, and clean appearance. The entire period of construction may not exceed 90 days.

3.6 Fireworks

Fireworks are prohibited in Tall Oaks Estates and are illegal in Illinois.

3.7 Garage Sales

One (1) GARAGE SALE per home is permitted per year. Signs measuring 2 ½ feet by 2 feet will be permitted for the duration of the sale not to exceed 3 days and must be removed by sundown on the last day of the sale. The sign should be no more than 3 feet high when mounted in the ground.

NOTE: The above signs are permitted only on member's property and no other sign(s) may be erected or posted in any other location in Tall Oaks Estates to advertise or give direction to the garage sale.

3.8 Garbage

All rubbish, trash, and garbage shall be regularly removed from the properties and shall not be allowed to accumulate thereon. Between scheduled pick-ups, garbage cans, recycle bins, regular landscape waste and other similar items must be stored in your garage. Seasonal tree and bush trimmings too large for landscape waste bags may be stored no longer than seven days in the rear only of your home. Sealed garbage bags, hard containers, recycle bins and/or seasonal tree and bush trimmings may be placed outside for collection no earlier than 6:00 pm the night before collection day. Empty containers are to be removed from the curb by 6:00 am on the day following collection. No waste of any type may be deposited in the common areas.

Please check with the Village of Carol Stream for the current regulations regarding refuse collection. Highlights of the regulations in effect at the time of publication are as follows.

Village of Carol Stream single-family residences are currently served by Flood Brothers Disposal & Recycling Systems Co. of Oak Brook Terrace, Illinois, which has a multi-year franchise agreement with the Village to collect general refuse, yard waste and recycling from single-family residences through December 31, 2012. Flood Brother's service fleet is orange, white and green striped with Flood Brother's name detailed on the side of the collection trucks.

The Village's residential solid waste collection program is classified as a flat rate program that requires residents to pay a flat amount per month for unlimited weekly refuse disposal and recycling collection service.

Please call Flood Brothers at (630) 261-0578 if you have any additional recycling questions or needs.

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3.9 Guns

The discharge of firearms within the properties is prohibited. The term "firearms" includes "BB" guns, pellet guns, bow and arrow, and other firearms of all types regardless of size.

3.10 Lighting & Holiday Decorations

All exterior lights must be approved in accordance with the Declaration of Covenants with the exception of seasonal holiday lights that are subject to the following restrictions.

- a. Holiday lights and decorations may be displayed from November 1 through January 31. The take down date may be extended at the sole discretion of the Board of Directors in response to weather conditions.
- b. Lights and decorations for holidays falling outside the above dates may be displayed from 3 weeks prior to the holiday to one week after.

3.11 Noise

It shall be unlawful for any person within the Association to make, continue, or cause to be made or continued, any loud, unnecessary or unusual noise which either annoys, disturbs, injures or endangers the comfort, repose, convenience, health, peace or safety of others, within the limits of Tall Oaks Estates . **Fireworks are illegal and prohibited.**

3.12 Nuisance

No portion of the properties shall be used, in whole or in part, for the storage of any property or thing that will cause it to appear to be in an unclean or untidy condition or that will be obnoxious to the eye; nor shall any substance, thing, or material be kept upon any portion of the properties that will emit foul or obnoxious odors or that will cause any noise or other condition that will or might disturb the peace, quiet, safety, comfort, or serenity of the occupants of surrounding property. There shall not be maintained any plants or animals or device or thing of any sort whose activities or existence in any way is noxious, dangerous, unsightly, unpleasant, or of a nature as may diminish or destroy the enjoyment of the properties.

No outside area may be used for storage. Ladders, bags of fertilizer, lawnmowers, tools, garbage cans, etc., must be stored in garage. Normal patio/deck items such as lawn furniture and BBQ grills are allowed in the rear yard. Firewood may be neatly stacked on the side or rear of the home.

No compost piles may be created on any properties.

3.13 On-Site Fuel Storage

No on-site storage of gasoline, heating or other fuels shall be permitted on any part of the Properties except that up to five (5) gallons of fuel may be stored at each home for emergency purposes and operation of lawn mowers and similar tools or equipment.

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3.14 House Numbers

Must be in accordance with the Village of Carol Stream and clearly visible to emergency and official vehicles.

3.15 Parking

Parking

Vehicles shall be parked only in the garages or in the driveways, serving the homes but may not block sidewalks. Cars will not be permitted to park on the lawn. No stored vehicles covered or otherwise will be allowed outside of the home for more than 48 hours. Vehicles displaying advertising placards or signage, commercial vehicles, tractors, trucks, vehicles higher than Class B, trailers, campers, camper trailers, boats and other watercraft and boat trailers may only be parked in garages with the exception that recreational vehicles may be parked in your driveway for no more than 4 days in preparation for use or for routine maintenance, with the restriction that the RV may not be parked outside for more than 20 days per year. In no case may recreational vehicles be used as living quarters within the Properties.

On Street Parking

No parking is permitted on village streets between the hours of 2:00 a.m. and 6:00 a.m. per the Village of Carol Stream.

3.16 Pets

No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any portion of the properties except dogs, cats, or other usual and common household pets. The breeding of dogs and cats is forbidden and a maximum of 2 dogs and or 2 cats is permitted per lot. The Village of Carol Stream requires that pets be leashed when taking walks and your pet should also have a collar with Carol Stream licensed I.D. tags.

Pets which roam free, or in the sole discretion of the Association, endanger the health, make objectionable noise, or constitute a nuisance or inconvenience to the owners of other homes shall be removed upon request of the Board after notice and opportunity for a hearing. If the owner fails to honor such request, the Board may remove the pet.

All pet owners must immediately clean up after their pets when walking on common and private grounds within Tall Oaks Estates.

3.17 Ponds, Lakes and Retention Areas

All water elements on common areas within the Properties shall be aesthetic amenities only. Children of all ages are required to be supervised by an adult. The Association shall not be responsible for any loss, damage, or injury to any person or property arising out of any authorized or unauthorized use. Ponds shall not be contaminated by anything other than water from the storm drains. Items such as garbage (of any type), grease, motor oil, etc. are prohibited from being disposed of into the ponds or any common area.

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3.18 Tree Removal

Prior to the removal of any tree for any reason the homeowner is required to submit a completed Modification/Variance Request Form to the Board of Directors or Property Manager for approval. Diseased and/or dead trees or shrubs must be removed to promote the growth of other trees and for aesthetic and safety reasons. Fines will apply for the removal of a mature oak tree that does not have documented record of disease or safety concern from a certified arborist along with prior approval from the Board of Directors or Property Manager. Removal of a large tree must be replaced with a tree similar in size but in no case less than 6" diameter trunk and of similar species.

3.19 Satellite Dishes

Per FCC guidelines, a "dish" antenna that is one meter (39.37") or less in diameter and is designed to receive direct broadcast satellite service, including direct-to-home satellite services may be installed for your exclusive use on your private property without prior approval of the Association. In no case may satellite dishes be installed on common property or common elements. To preserve the aesthetic look of our community, you are requested to observe the following preferred location guidelines:

1. On the rear wall of the house at or below the top line of the tallest first floor windows but less than 10 ft above grade (measured from the top of the dish).
2. On a deck or patio located in the rear yard not more than 4 ft above the deck or patio floor, but less than 10 feet above grade measured from the top of the dish.
3. Freestanding in the rear yard not more than 4 ft above grade (measured from the top of the dish).
4. Higher on the rear wall of the house.
5. On the sidewall of the house as far to the rear as possible.
6. Out of sight from curb.

If you are unable to obtain a clear signal from these locations, the dish may with Board or Property Manager approval be placed in a location as unobtrusive as possible. Locating the dish on the front of the house or the peak of the roof is strongly discouraged. (Exhibit C, Modification/Variance Request Form)

Only one dish per type of service from the same provider is allowed.

Dishes must be gray in color or painted to match the -field color of the house.

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3.20 Signs

No sign of any kind shall be erected within the properties without the written consent of the Board of Directors or Property Manager if appointed by the Board.

The following provisions constitute written consent for certain limited applications:

1. "For Sale" signs are limited to one standard type "Realtor" or commercially available "By Owner" sign per-home placed on the front lawn only.
2. Special occasion signs such as Birthdays, Birth, etc. supplied by a sign rental company may be displayed for no longer than one week and may exceed standard size limitations.
3. Political signs may be displayed on your private property only and are limited to one per issue or candidate and must be removed within 24 hours of the election. The sign must not be placed in any public right of way and must conform with the guidelines set by the Village of Carol Stream.
4. Garage Sale signs are limited to one per home on your private property.
5. Signs are not allowed on common areas.

Signs, flags, banners or similar items advertising merchandise, business services, or providing directional information to activities/events outside of Tall Oaks Estates are expressly prohibited on both private property and common areas.

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3.21 Sight Distance at Intersections

All property located at street intersections shall be landscaped so as to permit safe sight across the street corners. No fence, wall, tree, hedge, or shrub planting shall be placed or permitted to remain where it would create a traffic or sight problem.

3.22 Trailers, Sheds, and Temporary Structures

No utility shed, shack, trailer, or structures of a temporary nature shall be placed upon any part of the properties.

3.23 Unsightly and Unkempt

It shall be the responsibility of each owner to prevent the development of any unclean, unhealthy, unsightly, or unkempt condition of his/her home. The pursuit of hobbies or other activities including specifically, without limiting the generality of the foregoing, the assembly and disassembly of motor vehicles and other mechanical devices which might tend to cause disorderly, unsightly, or unkempt conditions, shall not be pursued or undertaken on any part of the properties.

Lawns must be regularly maintained and be reasonably free of weeds as defined by Carol Stream Village Ordinance. Trees and bushes must be trimmed of dead branches. Property must be regularly cleared of trash and debris.

Exterior of all dwellings including, but not limited to, the painting thereon, the shutters and screens attached thereto, roof shingles, garage doors, gutters, windows, and driveway must be kept in good order and repair. Board approval is required for any change of color to the exterior of your home. Changes will be restricted to natural earth tones in keeping with the upscale spirit of the neighborhood.

When the Association declares a property unsightly, the homeowner will be sent a written notice that will give a reasonable length of time for the owner to bring the property up to standards. If the owner fails to bring the property up to standards, the Association may have the work performed and will bill the expense to the homeowner.

3.24 Vandalism

Any acts of vandalism to common areas should first be reported to the Carol Stream Police Department and then to the Board of Directors so that the necessary repairs may be completed.

Charges incurred to repair damages made by a Home Owner, Tenant, Family Member and/or Guest will be billed to the Home Owner.

3.25 Fences

Fences are prohibited except around swimming pools or hot tubs (as required by the Village of Carol Stream). All other fences are in violation and must be removed.

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3.26 Yard Decorations

No artificial vegetation shall be permitted on the exterior of any portion of the properties. Exterior sculptures and fountains and similar items must be approved by the Board of Directors or Property Manager if appointed by the Board. (Exhibit C, Modification/Variance Request Form)

3.27 Business Use

No trade or business may be conducted, in or from any home, except that an owner or occupant residing in a home may conduct business activities within the home so long as: (a) the existence or operations of the business activity is not apparent or detectable by sight, sound, or smell from outside the home; (b) the business activity conforms to all zoning requirements for the properties; (c) the business activity does not involve persons coming onto the properties who do not reside in the properties or door-to-door solicitation of residents of the properties; and (d) the business activity is consistent with the residential character of the properties and does not constitute a nuisance, or a hazardous or offensive use, or threaten the security or safety of other residents of the properties, as may be determined in the sole discretion of the Board.

The terms "business" and "trade", as used in this provision, shall be construed to have their ordinary, generally accepted meanings and shall include, without limitation, any occupation, work or activity undertaken on an ongoing basis which involves the provision of goods or services to persons other than the provider's family and for which the provider receives a fee, compensation, or other form of consideration, regardless of whether: (i) such activity is engaged in full or part-time; (ii) such activity is intended to or does generate a profit; or (iii) a license is required therefore.

3.28 Pools

The construction, operation or maintenance on any dwelling lot of an above-ground swimming pool or above ground water facility having the capacity of more than 50 gallons is prohibited. Hot tubs are allowed if properly screened. In-ground pools require Exhibit C, Modification/Variance Request Form.

3.29 Rental Property

It is highly suggested that Homeowner acquire a background check on all prospective renters. It is the responsibility of the homeowner to make each renter aware of the Rules and Regulations to which they will be required to follow with signed acknowledgement of the RENTER NOTIFICATION FORM "EXHIBIT D" prior to renting the property. Homeowner will be ultimately responsible for payment of any fines that result from infractions to the Rules and Regulations. Homeowner is required to notify renter in advance of renting with signed acknowledgement that an immediate eviction notice will be served if violations go unresolved for more than 30 days. Homeowner is responsible for any legal fees Tall Oaks Estates Homeowners Association might incur should the Board of Directors find it necessary to involve additional legal representation to enforce these provisions.

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SECTION IV - VIOLATIONS AND FINE POLICY

4.1 Resident Cooperation

Unless the Board of Directors or Property Manager if appointed by the Board is notified of rules infractions by homeowners that witness them, the rules cannot be enforced. While the Board does not serve as a police department or referee between disputing homeowners, each resident's cooperation and participation is encouraged.

4.2 Written Warnings & Violation Notices

Written Warnings and Violation Notices are issued by the Board of Directors, or persons authorized by the Board to do so, to the party allegedly committing the violation or allowing his family members, tenants, guests, invitees or pets to commit a violation when one of the following occurs:

- 1) The Association receives a Witness Violation Complaint. A sample Complaint form is attached as Exhibit "A" to this publication or can be obtained from a Board member or Property Manger.
- 2) The Association receives a letter of complaint which includes 1) the name, address and phone number of the complaining witness, 2) the owner's name and/or address where the alleged violating person resides, and 3) the specific details or description of the violation including date, time, and location where it was alleged to have occurred.
- 3) A Board Member or the Property Manager issues a witness statement based on his or her own observations.

4.3 Written Warnings

Written Warnings for the first offense of a particular rule will be sent by U.S. postal service certified mail to the owner of record, within 10 business days of the report of the alleged violation. The warning will include specifics of the alleged violations as well as steps that must be taken to rectify the situation and/or the consequences for subsequent violation of that rule. Request for a hearing to protest the written warning must be made within 10 business days after receipt of the Written Warning.

4.4 Notice of Violation (N.O.V.)

If subsequent violation complaints are received in regards to the same rule within one year of a previous complaint, or if the steps outlined in the written warning to rectify the situation have not been taken, a Notice of Violation will be sent, by U.S. postal service certified mail to the owner of record within 10 business days of the report of the alleged violation or lack of compliance. The notice will include the specifics of the alleged violation along with the amount of fine to be imposed by default unless a hearing is requested within 10 business days after receipt of the Notice of Violation.

4.5 Hearings

Provided the N.O.V. recipient has properly requested a hearing, that person will be given a written notice informing him or her of a time and place where the Board of Directors or its duly authorized committee will conduct a hearing to review the complaint. At that time, the N.O.V. recipient will have the opportunity to defend him or herself. All hearings will proceed with or without the presence of the accused owner. The person signing the Witness Statement Alleging Violation may be present. The decision of the Board or its duly authorized committee shall be rendered in writing within 5 days after the hearing and such decision shall be binding upon all parties.

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4.6 Penalties / Fines

A. RULES & REGULATIONS VIOLATIONS

- 1) 1st offense - Written Warning
- 2) 2nd offense - \$ 50 fine
- 3) 3rd offense - \$100 fine
- 4) 4th offense - \$ 250 fine
- 5) Subsequent offenses - \$500 weekly cash fine
- 6) Legal action and/or forcible entry and detainer (eviction) for homes with unpaid accounts of \$500 or more.

B. ARCHITECTURAL VIOLATIONS

- 1) Failure to submit a required modification/variance request - \$100 per occurrence or modification.
- 2) Failure to submit a required modification/variance request within two weeks after being fined per step one - \$100 per month until the modification is submitted and approved.
- 3) Installations that are not in compliance with the declarations or Rules and Regulations will result in a fine of \$100 per month until it is in compliance with an approved submittal.
- 4) Legal action and/or forcible entry and detainer (eviction) for homes with unpaid accounts of \$200 or more.

C. TREES AND SHRUBS

After notice from the Board of Directors, Homeowner will be given 30 days to remove or treat diseased trees and/or shrubs. Removal of a large tree must be replaced with a tree similar in size but in no case less than 6” diameter trunk and of similar species.

As part of our Tree Protection Program, the removal of a mature oak tree without prior Board approval will result in a \$2,000 fine per tree.

D. COSTS

In the event of any violation of the Rules & Regulations, Declaration or By-Laws of the Association, the Board of Directors or Property Manager reserves the right to pursue any and all legal remedies to compel enforcement, legal and equitable. Any and all costs and attorney's fees shall be assessed back to the account of the offending owner.

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SECTION V - ASSESSMENTS

5.1 Bi-Annual assessments are currently billed in January and July.

If you do not receive your assessment statement please contact the Board of Directors.
It is your responsibility to pay the invoice on time.

5.2 Special assessments are billed as directed by the Board of Directors.

5.3 There is an additional late charge of \$10 per month for all unpaid assessments..

5.4 The Association's managing agent will issue a second statement following the initial payment statement of 30 days, to any delinquent homeowner past the due date for receipt of the annual and/or special assessment(s).

5.5 At the end of the sixty-day period and upon review/approval by the Board at its next regularly scheduled meeting, a homeowner shall receive a thirty-day payment demand notice letter from the association lawyer.

5.6 Upon lack of any payment(s) or communication with the association lawyer from the homeowner Re: above demand notice, the association lawyer will prepare legal action and/or forcible entry and detainer paperwork pursuant to possession and monetary damages for the association.

5.7 Under appropriate circumstances, the Board shall have the authority to credit back any late charges, which may have been added to a Home Owner's account.

5.8 Home Owners have the right to request a hearing of the Board to protest any charges added to their account within 30 days of the charge being added. Provided a hearing has been properly requested in writing, the owner will be given a written notice informing him or her of a time and place where the Board of Directors will conduct a hearing to review the protest. All hearings will proceed with or without the presence of the owner. The decision of the Board shall be rendered in writing within 5 days after the hearing and such decision shall be final.

SECTION VI - TRANSFER OF OWNERSHIP

6.1 The Selling Owner must supply the New Owner with copies of the Declaration, By-Laws and Rules & Regulations of the Association so that they are aware of the provisions contained therein.

6.2 The Selling Owner must supply the Board of Directors or Property Manager if appointed by the Board with the names and addresses of the new owner, as well as a forwarding address and telephone number for themselves.

6.3 With 15 days notice and upon written documentation that paragraphs 6.1 and 6.2 have been complied with, the Selling Owner may request a closing statement setting forth the amount of any unpaid assessments, violations against the property and other charges due and owing from said Owner from the Board of Directors or Property Manager. Should a Property Manager be authorized to represent the Board of Directors, the Property Manager is authorized to collect a fee of \$50.00 for this service. *See Exhibit "B"*.

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RULES & REGULATIONS**

SECTION VII - PETITIONING FOR CHANGE

- 7.1 The Board of Directors has adopted these Rules & Regulations in the belief that they reflect the requirements of the Declaration of Covenants and the will of the majority of residents. Requests for changes can be made in writing or in person to the Board of Directors. The Board on at least an annual basis will consider all requests for changes in good faith. Please remember that most of the requirements in the Rules & Regulations are simply restatements or clarifications of provisions in the Declaration of Covenants or By-Laws and therefore may not be changed without amending the governing documents. Amendment of the RULES AND REGULATION requires an affirmative vote by The Board representing 75% of the total Homes in the Association.
- 7.2 Residents may also call for a Special Meeting of the Association to consider either a Rules & Regulation change or an Amendment to the Rules and Regulations by collecting signatures of at least 10% of the homeowners (only one signature per residence) in the Association on a petition that states the particular change(s) sought and presenting it to the President of the Board. At such a Special Meeting a Rule & Regulation can be overruled, cancelled or modified by a vote of the members of the Association.

**TALL OAKS ESTATES HOMEOWNERS ASSOCIATION
RULES & REGULATIONS**

**EXHIBIT "A"
WITNESS VIOLATION COMPLAINT**

ALLEGED VIOLATOR: Name: _____
Address: _____
Telephone: _____

VIOLATION DATE: _____ VIOLATION TIME: _____

SECTION OF RULES AND REGULATION, BY-LAWS OR RULES VIOLATED:

WITNESS' OBSERVATIONS:

WERE ANY PHOTOGRAPHS OR RECORDINGS MADE? Yes _____ No _____

Include all tapes, photographs and details, i.e. vehicle model, color, license number with this form or forward as soon as possible. Include the name of the person who made the tape or photograph, the date it was made and the name of anyone else that was present.

I HAVE MADE THE ABOVE STATEMENTS BASED ON MY PERSONAL KNOWLEDGE AND NOT UPON WHAT HAS BEEN TOLD TO ME. I WILL COOPERATE WITH THE ASSOCIATION AND ITS ATTORNEYS TO PROVIDE ADDITIONAL STATEMENTS OR AFFIDAVITS AND, IN THE EVENT A HEARING OR TRIAL IS NECESSARY, I WILL APPEAR TO TESTIFY AS A WITNESS.

Signature: _____ Date: _____

Address: _____

**TALL OAKS ESTATES HOMEOWNERS ASSOCIATION
RULES & REGULATIONS**

**EXHIBIT "B"
NOTIFICATION OF SALE**

Seller must submit this completed form 30 days prior to the closing date. The processing fee is \$50.00.

Date: _____ Property Address: _____

SELLER

Name(s): _____

Current _____

Forwarding _____

Address _____

Address _____

Phone _____

Phone _____

BUYER

Name(s): _____

Current _____

Address _____

Phone _____

email _____

DATE OF CLOSING: _____

DATE OF OCCUPANCY: _____

SEND CLOSING LETTER TO:

Purchaser(s) hereby state that they will abide by the Declarations, By Laws and Rules & Regulations that govern the Tall Oaks Estates Homeowners Association.

Purchaser's Signature

Date

Purchaser's Signature

Date

**TALL OAKS ESTATES HOMEOWNERS ASSOCIATION
RULES & REGULATIONS**

EXHIBIT "C"

Modification/Variance Request Form

Date: _____

From: Homeowner Name(s): _____

Property Address: _____

Phone number: _____

Subject: **Circle all that apply**

- Tree Removal
- Change painted/stained color of home
- Installation of Pool/hot tub
- Fence/Blinds
- Additions
- Decks
- Basketball Hoops
- Play equipment
- Yard decorations
- Other

Additional Details or Description of Request:

Attachments: Plot of Survey showing location of variance to scale for structural requests

Other Attachments: _____

Homeowners Signature

Date

**TALL OAKS ESTATES HOMEOWNERS ASSOCIATION
RULES & REGULATIONS**

**EXHIBIT "D"
RENTER NOTIFICATION**

Home Owner must submit this completed form to the Tall Oakes Estates Board or Property Manager no later than one week prior to the new renter moving in.

Date: _____

Home Owner Name: _____

Phone : _____

RENTAL PROPERETY:

Address _____

RENTER: Name(s): _____

DATE OF OCCUPANCY: _____

Renter(s) hereby state that they have read and will abide by the Declarations, By Laws and Rules & Regulations that govern the Tall Oaks Estates Homeowners Association.

Home Owner Signature

Date

Renter's Signature

Date