



# Crofton Townhomes Association

P.O. Box 533, Auburn, WA 98071-0533

## Crofton Townhomes Associations – Policies, Rules and Regulations

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### **Important Note:**

This working document reflects the content of the original Board approved policies, rules and regulations and amendments. In the event of a conflict between this working document and the text from original documents, the original documents have control.

## **CROFTON TOWNHOMES – RULES AT A GLANCE**

The following rules are referenced from the Declaration of Covenants, Conditions and Restrictions. Updated March 15, 2020

These rules are designed to keep our community safe and clean. These rules apply to all residents of Crofton Townhomes and their guests. All items listed are subject to fines.

1. Crofton Townhomes has the sole responsibility to maintain the exterior of the units including the roof. Owners are not permitted to do any roof maintenance themselves.
  - a. Exterior changes (Architectural variances) to the buildings and/or roof must have prior Board approval. If work is not pre-approved, the Board may order the changes removed at the owner's expense and/or the owner becomes liable for any damage and repairs from that date forward.
2. All owners must submit a copy of their homeowner's insurance policy to the Board upon purchase of the home and update the Board upon renewal of policy.
3. Assessments (Monthly dues) are payable on the first of the month and are delinquent after the 10<sup>th</sup> of the month. Late fees will be assessed for late payments.
4. Dogs, cats and caged pet birds are permitted. In compliance with the Auburn leash law, all dogs must be on a leash in common areas at all times.
  - a. Owners are responsible for picking up after their pets.
  - b. Owners are responsible for securing animals within their unit and back yard. Any damage to the exterior of the building and/or fencing, occurred from animals, will be the owner's responsibility to repair.
  - c. Any owner with a concern or complaint are instructed to first, talk to the owner of the animal, if unsuccessful, then call animal control and also notify the Board in written form (email or letter) of any complaint and the measures taken, so that the owner can be notified and/or fined for safety

concerns after any additional complaints.

5. No street parking within Crofton Townhomes private streets and any violator is subject to be towed at the owner's expense. Due to the width of some of our streets, there is limited space for emergency, delivery and service vehicles to park or get by.
  - a. Each unit has four parking spaces. Two inside the garage plus two on the driveway in front of the garage. Additional vehicles must be parked on Elm Street.
  - b. No parking in front of the RV lot gate.
  - c. Only RVs, boats, trailers, and campers belonging to unit owners or resident may be parked in the RV parking lot.
  
6. No garbage of any kind may be left in the common or limited common areas, including the driveway and landscaping in front of any units. Owners/renters are responsible for cleaning up any garbage.
  - a. City of Auburn has requested that compostable items, including all food waste, and food contaminated cardboard boxes should be placed in the grey compost waste bins. For sanitation purposes and to keep insects down, please place food waste in either newspaper, paper bags, or compostable bags.
  - b. Yard waste is not to be dumped over the bank of the ridge or over a fence and left in any common area. It can be placed in the compost cart in the recycling area.
  - c. Recycling carts are only for approved items. These are listed on the stickers on the bins or go to Waste Management website. Recyclable boxes of any size must be broken down before disposal.
  - d. Refuse, woodpiles, machinery and equipment are prohibited on any lot unless out of view from adjoining lots and streets.
  - e. Appliances are not permitted to be dumped on any common area. Please dispose of the appliance at the transfer station or use a website to post your "free" items.
  
7. Quiet hours are after 10:00 p.m. and before 7:00 a.m. All audio equipment (in home or vehicle) should be tuned to a level which will not disturb other residents.

8. Children under the age of 10 must be within view of an adult when riding bicycles, tricycles, skateboards or any other wheeled vehicles. We also recommend children wear safety gear and shoes.
  - a. Riding bicycles, tricycles, scooters and skateboards is permitted on the private streets of Crofton Townhomes only. Do not ride through driveways, walkways or landscaped areas.
  
9. Signs and billboards may not be displayed unless preapproved by the Board of Directors.

## **DUES COLLECTION POLICY**

Policy updated February 19, 2021 – Original policy dated February 16, 2016

This Association is responsible for the operation and maintenance of the property. In order to carry out this responsibility the Association assesses all owners for their percentage interest of the common expenses as required by the governing documents and the laws of the State of Washington.

The common expenses are based on the Association's projection of the expenses necessary to conduct its activities as set forth in the budget adopted by the Association. This includes, but not limited to, water, sewer and garbage/recycle provided by the City of Auburn. Landscaping of common areas, routine repair to limited common areas (driveways and walkways). Routine maintenance of exteriors of building due to normal wear and aging (Roof, gutters and siding). It is necessary to assure that all owners pay their assessments promptly so that sufficient funds are available to fulfill the Association's obligations to all its members.

Failure of any owner to promptly pay assessments results in additional burdens on all owners. It is, therefore, this Association's policy to take such steps as are necessary to assure compliance by owners with their obligation to promptly pay assessments levied by the Association.

## **ASSESSMENTS**

Assessments are based on the budget adopted by the Association and are due in accordance with the payment schedule adopted by the Board. Assessments include periodic assessments, special assessments, the costs of collection (including attorney's fees, legal costs, and administrative costs), interest, late fees, fines, and other authorized assessments against an owner or the owner's property. Accounts are delinquent if payment in full is not received by the tenth of the month in which the payment is due.

## **LATE FEES**

This Association's governing documents authorize the Association to assess a late fee against owners who do not pay their assessments in a timely manner. The late fee reimburses the Association for the additional administrative costs associated with late payment. The initial late fee is \$15 if the assessment is not paid by the 10<sup>th</sup> of the month. An additional \$25 late fee is assessed if the full amount is not paid within 30 days. The

late fees are assessed each month where the account is delinquent, unless limited by the governing documents.

## **INTEREST**

As provided in the governing documents, assessments not paid within 30 days of the due date accrue interest from the first of the month at the maximum percentage allowable, which is currently 12% per annum. The interest is compounded monthly.

## **ATTORNEYS FEES AND COSTS**

As provided in the governing documents, should the Association be required to use the services of legal counsel and to incur costs in the collection of delinquent assessments, the delinquent owner shall be responsible for all attorney's fees and costs incurred.

## **APPLICATION OF PAYMENT**

Payments received shall be applied to amounts owed as follows: first to interest accrued; then to the administrative late fee; then to any costs and reasonable attorneys fees incurred in collection; and lastly to the delinquent assessment.

## **RESTRICTIVE ENDORSEMENTS**

Notwithstanding any restrictive endorsement, designation or instruction placed on or accompanying a payment, the payment shall be applied as indicated above.

## **OWNER'S RESPONSIBILITY**

Each owner has the responsibility to pay the owner's share of the common expenses to the Association so that the payment arrives on or before the payment is due. If any owner cannot pay the monthly assessment in full, the owner is encouraged to communicate the reason for late payment, in written form. Doing so will allow that Association and owner to establish a payment plan. When a payment plan is established any failure to pay or to communicate will result in legal action upon the owner and property.

## **COLLECTION STEPS**

The following steps are those the Association will typically take in collecting an unexcused delinquency. The Association is not required to take these specific steps nor to adhere to these specific time frames. The Association

may evaluate each delinquency on a case-by-case basis and determine which steps and what timing it believes will best achieve the payment of delinquent assessments.

- Day 10: Late fee assessed and letter to Owner requesting payment within 20 days
- Day 30: Letter to Owner requesting payment within 10 days
- Day 40: Matter Referred to Association's legal counsel by Assignment letter
- Day 50: Lien prepared and Demand letter from legal counsel with copy of Executed lien.

In the event of continued non-payment after affording the Owner an opportunity to respond to the Demand, legal counsel may commence suit or begin foreclosure proceedings against the Owner and the unit.

It is the intention of the Association to closely follow the above procedure and owners are strongly encouraged to make payments promptly to avoid additional costs and legal action.

Once assigned, all contacts regarding a delinquent account with a delinquent owner shall be handled through the Association's attorney. The Attorney shall have authority to settle the collection of the account directly with an owner after it has been turned over to the Association's attorney.

The Association reserves the right to vary from the policy adopted above where particular circumstances warrant such deviation in the reasonable business judgment of the Association or its legal counsel.

## NON-COMPLIANCE ENFORCEMENT POLICY

Adopted by the Board of Trustees on February 17, 2009

WHEREAS, Crofton Townhomes is a planned residential development governed by a Declaration of Covenants, Conditions and Restrictions (Covenants), and the Crofton Townhomes Association (Association) has duly elected a Board of Trustees (Board) to administer, and within the scope of its duties and discretion, enforce, the Covenants, Bylaws, Rules and Policies of the Association (Governing Documents);

WHEREAS, the Board is empowered under the Covenants and Bylaws to exercise on behalf of the Association all powers, duties and authority vested in or delegated to the Association in its Governing Documents;

WHEREAS, RCW 64.38, the Homeowners Associations Act (the Act), applies to the Association and RCW 64.38.020 generally confers on an association and its board the power to adopt and amend bylaws, rules and regulations unless otherwise prohibited in its governing documents;

WHEREAS, RCW 64.38.020(11) of the Act specifically provides that the Association, "after notice and an opportunity to be heard by the board of directors or by the representative designated by the board of directors...may levy reasonable fines in accordance with a previously established schedule adopted by the board...and furnished to the owners..."

WHEREAS, this policy with the attached and incorporated fining schedule (together, the Policy) comprise a rule adopted by the Board as an enforcement tool to be exercised in its discretion to enforce the Association's Governing Documents;

NOW THEREFORE BE IT RESOLVED, that the following Fining Schedule is hereby adopted by the Board of Trustees as set forth in the subjoined Exhibit A and as part of this Policy.

### NON-COMPLIANCE FINING SCHEDULE - Exhibit A

**Schedule of Fines and Board Discretion.** The Board may impose monetary fines for violations of Crofton Townhomes' covenants, bylaws, rules and regulations and adopted policies as set forth in the schedule below. Enforcement of this Board power under this Policy is not mandatory in all circumstances; the Board may exercise its discretion in determining whether and/or how much to fine an Owner on a case-by-case basis should



extenuating circumstances exist. The Board's decision not to impose a fine in one instance does not under any circumstance waive or otherwise undermine the Board's later or concurrent right to impose a fine for other or similar violations.

**These fines are cumulative.**

- **1<sup>st</sup> Notice: Compliance Request/Warning (no fine)**
- **2<sup>nd</sup> Notice (30 days): \$25.00**
- **3<sup>rd</sup> Notice (60 days): \$50.00**
- **4<sup>th</sup> Notice (90 days and each 30 subsequent days): \$100.00.**

**Continuous Daily Fines.** Each day of successive or continuous violation is a separate violation and may, in the Board's discretion, be subject to separate daily fines. An example of this would be an owner who commits a parking violation for several or more days in a row; each continuing day of the parking violation is a new and separate violation, subjecting the owner to escalating fines for each day of violation (in addition to the possibility of having the vehicle towed). After the fourth day of a continuing violation, each and every day thereafter may result in additional fines of **\$10.00 per day. These daily fines are cumulative.**

**Effective Date:**

This Fining Policy shall take effect on the 18th day of March, 2009.

## **Parking Policy**

Adopted 2016 – updated March 15, 2021

Due to the narrow streets of Crofton Townhomes, there is a serious concern for access by emergency vehicles and for the safety of our residents. When cars are parked on the streets it can make it difficult for people to get in or out of their driveways and it reduces visibility of any oncoming cars or people. These regulations were created to keep all our residents safe and accountable:

1. Residents must park in their garages or their driveways. Visitors may park on the street for up to 8 hours if insufficient room is available in the unit's driveway. Unit owners whose visitors will be staying for more than 8 hours must have written permission from the Resident Manager or any board member in advance of the visit.
2. Workmen and deliverymen may park in the street.
3. If work is being done or an emergency situation occurs which interferes with access to the unit's garage and driveway, unit owner's vehicles may be parked in the street for the duration of the work or emergency. The Board must be notified in this case to avoid getting the car(s) towed.
4. All vehicles must be registered with the Board of Directors. This will ensure that any fines are appropriately applied to the owners account as well as the opportunity to notify an owner before towing the vehicle.

**Vehicles in violation of this policy may be towed at the owner's risk and expense.**

Any violation of these regulations are subject to fines under the Non-Compliance Enforcement Policy adopted in 2009.

## **Monthly Board Meetings**

Updated by the Board via email - October 27, 2020, original adopted July 8, 2020 – Effective on July 20, 2020

Crofton Townhomes Association (CTA) holds monthly and annual board meetings. These meetings are open to all owners to attend. Every owner is a member of the association and will have a chance to voice any concerns.

These meetings should be under 1 hour. To ensure the meeting follows the agenda and is completed within a timely manner, the purpose, policy and procedures of the meetings are as follows. Every attendee is subject to the following rules and restrictions.

### **Purpose:**

The purpose of the monthly board meeting is to discuss the on-going business of Crofton Townhomes. This includes any business relating to the buildings, grounds, and common areas and non-compliance issues (parking, garbage, etc.).

### **Policy:**

Board meetings are not an open forum. If there is time at the end of the meeting, the floor may be opened. Anyone can talk about anything that involves any business relating to the buildings, grounds, and common areas and non-compliance issues. If there is a specific issue regarding a resident, owner or board member you must contact the board directly in writing. The matter will be followed up privately.

At the end of the meeting when the floor is open to attendees to speak their concerns, this will be done with respect for all owners. Attendees shall not engage in any abusive or harassing behavior, any form of intimidation or aggression directed at other members, residents, guests, occupants, invitees, or directed at management, its agents, its employees, or vendors. Each person wanting to speak will raise a hand and wait to be called on. Doing this makes sure that all concerns can be heard and recorded in the meeting minutes. Each person will be given up to 5 minutes to ask any questions. If the concern is specific to one owner the matter will be followed up separately by the board, if the matter concerns everyone it will be discussed amongst the board and put on the agenda for the next meeting.

If anyone violates this policy, they will be asked to leave the meeting (in person meeting) or they will be muted or removed from the meeting (Zoom meeting).

### **Monthly Board Meeting Procedure:**

The meeting has an agenda (the previous months minutes) to follow.

1. Attendance: to assure that we have the appropriate number of board members to have a quorum.
2. Read Treasurer's report and approve the minutes from the previous meeting.
3. Architectural Variances
4. Grounds
5. Buildings
6. New Business
7. Property Report
8. Old Business
9. Open floor for attendees to speak

### **Help the community, get items added to the agenda (New Business and Property Report):**

Residents are encouraged to notify CTA about items, when they happen, that affect the community. Anything that involves the buildings, grounds, and common areas and non-compliance issues. This must be submitted a minimum of 24 hours before the meeting to assure it is added otherwise it will be added to the following meeting.

If you as an owner need to report a request for service (building exterior, roof, driveway, walkways or common area) or a concern, question about the property or to report an issue with another owner, this will be done in written form via email ([crofton533@gmail.com](mailto:crofton533@gmail.com)) or a letter (either mailed to PO Box 533, Auburn, WA 98071 or dropped in the drop box located on the garage of Unit #2915). Doing any of these options allows the Association to track all concerns and make sure that all matters get resolved.