

PREPARED BY AND RETURN TO:
Evelyn Bordwell
1405 Malibu Circle NE
Palm Bay, Florida 32905
(321) 951-0641

CERTIFICATE OF RULE AND REGULATIONS
OF
MALIBU VILLAS PROPERTY OWNERS ASSOCIATION, INC.

WE HEREBY CERTIFY THAT, the attached Rules and Regulations Malibu Villas Property Owners Association Inc. and as subsequently amended from time to time, was duly adopted at meetings of the Board of Directors, in the manner provided for in the Association documents and per Florida Statute 720.

CERTIFICATE

I HEREBY CERTIFY that the attachments to this Certificate have been approved by the Board of Directors.

DATED this 25 day of March, 2019.

WITNESSES:

**MALIBU VILLAS
PROPERTY OWNERS ASSOCIATION, INC.**

Sheila Jarvi
Printed Name of Witness

By: Evelyn Bordwell
Evelyn Bordwell, President

Sheila Jarvi
Signature of Witness

Tammy Himmelfarb
Printed Name of Witness

Tammy Himmelfarb
Signature of Witness

STATE OF FLORIDA)
) ss:
COUNTY OF BREVARD)

I HEREBY CERTIFY that on the 25 day of March, 2019 before me personally appeared Evelyn Bordwell, as President of **MALIBU VILLAS PROPERTY OWNERS ASSOCIATION, INC.**, who is personally known to me and

who did not take an oath and who executed the aforesaid Certification as her free act and deed as such duly authorized officer; and that the official seal of the Corporation is duly affixed and the instrument is the act and deed of the Corporation.

WITNESS my signature and official seal, in the County of Brevard, State of Florida, the day and year last aforesaid.

NOTARY PUBLIC:

Sign: Kindra M. Vida

(SEAL)

My commission expires: Apr. 3, 2021



MALIBU VILLAS PROPERTY OWNERS ASSOCIATION INC.

RULES & REGULATIONS

General Resident Information

Malibu Villas is a deed restricted home owner association complex of 188 villa homes. There is a heated pool and clubhouse available for use by the residents of Malibu Villas and their guests.

Should a renter have any problems within their unit they should contact their rental agent or the owner of the property they are renting. Owners should contact a service person or company of their personal choice. If there is a problem of community concern or with a structural item (such as a roof leak), notify the property manager. If the problem is not corrected within a "reasonable time" please call the property manager again and tell them the problem still exists. An "Information Center" exists outside the office. This holds a variety of information available to owners/tenants. Also a request/complaint form is available for resident's to complete if they have a problem. Please complete the form and place it in the lock box located outside the entrance door to the vestibule. You will receive a written reply when the request/complaint has been dealt with or if we are unable to satisfy your request/complaint.

Spectrum/BrightHouse cable is available to all residents of Malibu Villas. The Association pays the charges for "Basic & Standard" services and internet. If you wish to purchase additional services they are available at your own expense. Basic and standard services of cable and internet maybe revoked due to non-payment of association dues. In addition, if you want to have a satellite dish you must complete a written form entitled "Satellite Installation Request Form". This form is available at the Information Center in the vestibule area of the clubhouse. Complete the form and place it in the lock box. Prior to any work being done the Board must approve the proposal.

The clubhouse is a community building where board meetings are held and where other community functions and special events are held. Residents may rent the clubhouse for private parties or events depending on availability. Renting of the clubhouse does not include pool privileges. For more information on renting the clubhouse contact the Property Manager.

The pond (lake) is for visible enjoyment only. NO wading, swimming, boating or fishing is allowed. The picnic tables placed around the pond are for the mutual use of all residents and their guests. They do not belong to any one family, nor do you need special approval to use them. However, please be certain to clean up after yourselves. Remove all garbage and debris from the area before you leave.

All owners that are interested in renting their home must have the prospective renters apply and be approved by the board prior to leasing the unit. There is a \$50.00 non-refundable application fee that must be submitted with the application. No guarantees of approval shall be intended or assumed prior to the board's approval. A fine will be imposed upon any Owner for leasing to non-Board approved tenants. All residents, resident's vehicles, and leases must be registered with the office. Renters must abide by all of the community's rules.

Please read this package carefully and thoroughly to acquaint yourself with the Community's rules and policies. PLEASE, AT ALL TIMES, RESPECT THE RIGHT AND PROPERTIES OF OTHERS.

General Rules and Regulations as of March 12, 2012

- 1) Speed limit on the property is **15-MPH**. Please drive carefully and slowly as there are children playing on the property.
- 2) Soliciting in any form is **FORBIDDEN**.
- 3) Window coverings, for e.g. curtains, draperies, blinds, etc. must be in place within 30 days of occupancy. Newspapers, metal foil, bed sheets, etc. are not allowed at any time. Backings of window treatments on the interior of the windows must blend harmoniously with the exterior colors of the home.
- 4) Loud music from any source on the property is not allowed. This includes your car radio, stereo, VCR, TV or anything that will disturb your neighbors.
- 5) No fence, wall, antennae, storm shutter, gate, shed, screen enclosure, or any other addition may be erected or installed without Board approval, in writing. Anything that will change the exterior appearance of the unit must be approved **FIRST**. Architectural structural change forms are available at the information center.
- 6) No changes may be made to the landscaping, sprinkler system, or outside area without prior Board approval in writing.
- 7) No **FOR SALE OR FOR RENT** signs may be displayed anywhere on the property. This includes vehicles.
- 8) Neither clotheslines, nor drying of rugs, etc. shall be permitted beyond the courtyard area. Drying of these items must be done in such a manner as to remain out of view from outside the courtyard. The items may not be visible from the common area.
- 9) Dogs must be less than 30 pounds when fully grown. Neither pit bulls, nor other aggressive types of dogs are permitted. Exceptions are for service animals only. Proof of service animal certification must be provided to the board.
- 10) Dogs and cats, when beyond the courtyard, must be on a firm leash held securely. The leash shall not exceed 8'. Retractable leashes are not permitted. Any animal running loose may be captured and turned over to the Animal Control Agency. Every animal must have a legal license, proper shots, and be attended when outside. No pet may be left unattended, by an adult, at any time. No chaining or tying up of animals is allowed outside your courtyard. Pet droppings must be picked up and disposed of **IMMEDIATELY**. Violations of this policy shall result in a citation being issued and possible fines being assessed against the resident. Renters and guests must abide by these same rules and have the owner's permission to have these pets on the property. No pets are allowed at the pool or clubhouse unless they are certified service animals.
- 11) An owner may call any service representative he chooses to do work at that owner's expense, if it does not require prior Board approval. The owner is responsible for any damages caused by said representative. All gates, screen enclosures, hurricane shutters, solar attic fans and satellite dishes must be approved by the Board prior to the owner making any commitment to the contractor. Nothing that requires being mounted to the outside of the unit may be installed without the Board first reviewing the proposal and granting approval
- 12) Trash pickup is on **TUESDAY** early mornings. **TRASH RECEPTACLES SHOULD BE PLACED AT THE CURB AFTER 6:00 P.M. ON MONDAY**. Two trash receptacles are provided by Waste Management. A blue lidded receptacle is for your garbage. Garbage must be in plastic bags with the bags tightly closed. The lids on the receptacles must be tightly closed also. Failing to abide by these rules shall result in you being cited and fined. This is also required to prevent rodents infestation and other wildlife problems. The yellow lidded receptacle is for recyclable items. The lid clearly identifies what is recyclable. If you do not have these two mandatory receptacles please contact Waste Management for delivery of the necessary receptacles. No other trash receptacle is allowed for these two types of pickup. A third regular plastic trash receptacle maybe used for yard rubbish. This is not furnished by Waste Management and is the responsibility of the owner/tenant to secure. We have a supply of yard waste containers that you may borrow. Please complete a request/complaint form and place it in the drop box and one will be delivered to you. All empty containers must be returned to your courtyard before 6:00 pm on Tuesday. Trash receptacles still left out on Wednesday morning will be picked up and placed in the shed area. Please contact the maintenance person for pickup of your receptacles. It is suggested that your trash receptacles clearly show your building and unit number.

- 13) No outside sales, yard sales, or solicitations are allowed at any time.
- 14) No personal items, toys, games or anything personal may be left outside of your courtyard area overnight.
- 15) Basketball nets, hockey goals, skateboard ramps, motorized scooters, etc. are not permitted anywhere on Malibu Villas property.
- 16) No climbing of trees or fences anywhere on the property is permitted.

PARKING RULES

1. All residents must have a Malibu Villas' parking permit within seven days of occupancy on all vehicles.
2. Guests visiting for more than two days must have a "Guest" parking permit issued by the office.
3. Parking is permitted only in designated parking places. NEVER on right of ways, lawns or sidewalks. Violators will be immediately towed away at the owner's expense.
4. Each unit is assigned ONE parking place as theirs and shows a coded number on the parking bumper. This number does not match your address for security reasons.
5. Vehicles improperly parked in someone else's place shall be towed away at the owner's expense, without prior notice or warning.
6. In addition, to having a Malibu Villa Parking Permit sticker, all vehicles must have a valid license plate, tag or valid temporary plate. All vehicles must be in operable condition or the vehicle will be considered abandoned and towed away at the owner's expense.
7. No major overhaul of vehicles is permitted. This includes vehicles on jacks, blocks or a hoist. No changing of oil, repairing of brakes, etc. is permitted at any time.
8. No travel trailer, motor home, boat, trailer, recreational vehicle, bus or camper is permitted to be on Malibu Villas property overnight. No truck larger than $\frac{3}{4}$ ton may be parked on the property overnight. No Commercial trucks or vehicles displaying a company Logo are permitted to be parked here overnight.
9. Vehicles with flat or missing tires shall be given a twenty-four hour notice to correct this condition or the vehicle will be towed at the owner's expense.
10. Motorcycles are considered motor vehicles and may only be parked in accordance with fire codes. Due to the gasoline tanks, they should only be parked in the parking areas, placing a block under the kickstand to prevent damages to the asphalt.
11. No vehicle may block the sidewalk.
12. You may wash your car in the parking areas only. Never in the Common area as that would block someone else's vehicle from coming or going to available parking places.
13. SPEED LIMIT HERE IS --- 15 MPH. Speed limit signs are posted. Please obey them for the safety of others.
14. Your vehicle, if left here covered, must retain valid plates, a Malibu Villas Permit, and be in your assigned parking place.

POOL RULES

1. Owners are issued an electronic fob for entry into the pool area during operational times upon completion of all required forms.
2. No additional fobs will be issued for any unit owner other than a replacement for a lost fob.
3. The first fob is free and a replacement will cost \$50.00. If a fob is lost it will be deleted from the system prior to issuing a new one.
4. A picture ID card is issued to each resident aged 14 or older.
5. A picture ID card is required to use the pool facility.
6. Guests are required to have a guest pass.
7. Guests are to be accompanied by a resident when using the pool, unless the resident has registered their guest(s) with the management company.
8. There is an Owner \$20.00 fee and Tenant \$50.00 fee charge for replacement of any lost or stolen ID card(s) or Guest pass(s).
9. An electronic "FOB" is issued only once to each owner. Only one "FOB" per unit. The owner is responsible to pass the "FOB" and guest passes on to any tenant. Every resident, age 14 or older

must have a "FOB" to enter the pool area. Minors under the age of 14 must be with an adult. No more than 4 minors or guests per unit. NO ONE WILL BE ALLOWED TO ENTER WITHOUT A "FOB".

10. There is a \$50.00 charge for lost or stolen "FOB'S". Please contact the office to obtain a replacement FOB. Renters must check with the owner for a "FOB". If one is not available the owner must request and pay for the replacement FOB.
11. Pool privileges can be revoked by deactivating your "FOB" if pool rules are not followed.
12. An adult resident must have a valid "FOB" in order to sponsor a guest. Only an adult with a "FOB" may sponsor a guest.
13. NO ONE is permitted in the pool area when the pool is closed or when it is covered.
14. NO DIVING (State Law)
15. Showers are required before entering the water (State Law).
16. Anyone using the pool does so at their own risk. There is NO lifeguard on duty at any time. Running, jumping, splashing, excessive noise or disruptive behavior is not allowed.
17. Children under the age of 14 are not allowed in the pool without adult supervision. Teens AGED 14 – 18 years of age may use the pool themselves but may not sponsor a guest or be considered an adult for someone under the age of 14.
18. No pets allowed in the pool area.
19. No bicycles, skates, skateboards or roller blades permitted.
20. Large floats, toys, balls, rafts, boogie boards, etc. are not permitted. Swimming aids for small children and pool noodles are exceptions.
21. Regular swimwear is required. Thong bathing suits are not permitted (Brevard County Ordinance). Infants must have tight fitting water proof bottoms (swimmers). Diapers are never allowed.
22. Battery operated audio equipment only. No disturbing others, earphones are recommended.
23. Pool furniture must remain in the pool area. Chairs and loungers must be covered with a towel when being used.
24. NO FOOD, ALCOHOLIC BEVERAGES, OR GLASS CONTAINERS are allowed in the pool area. Please eat in the clubhouse and clean up after yourself.
25. The shepherd hook and the life ring are not to be used or disturbed except in case of an emergency.
26. The gate to the pool area must be kept closed at all times.
27. People with open sores or children in diapers are not permitted in the pool.
28. Pool hours are from 9:00 A.M. to dusk during warm weather and until 5:00 P.M. when the pool needs to be covered with the pool cover.
29. The pool area must be closed when the pool cover is in use.
30. The pool area is closed if there is a thunder or lightening storm or any mechanical issue with the pool equipment.
31. The Association will not be responsible for the loss or damage to personal property.
32. Everyone must abide by the posted pool rules. Pool privileges are at the discretion of the pool monitors or the on-site staff. Pool privileges may be revoked at any time for violations of the pool rules. Pool privileges may also be revoked due to non-payment of association dues.

ENFORCEMENT POLICIES

1. Violation of Pool Rules:
 - a.) Verbal Warning
 - b.) 2nd Verbal Warning and request to vacate the pool facility.
 - c.) 3rd Violation is to be reported to manager whereby FOB will be turned off temporarily.
 - d.) Palm Bay Police Dept. will be requested to issue a Trespass Notice to Residents to prohibit further use of the pool permanently.
2. All residents are required to know and comply with the community rules and regulations. Failure to abide by these rules may result in your being fined.
3. The Board of Directors and onsite staff shall enforce these rules.

4. All residents are asked to report any violations of these rules to the on-site staff.
5. All residents, Owners, and or their guests must abide by these rules and the governing documents that pertain to this community. If you have any questions regarding these documents please feel free to contact the property manager or any on site staff.
6. Failure to comply with these rules and regulations will entitle the Association to seek relief by way of a restraining order, injunction, fine or other means as may be needed. In any such proceeding the prevailing party shall recover their costs (court, legal & etc.) from those who failed to abide by the rules. A violation of the Community Rules and/or Policies shall cause you to receive a citation. Failing to correct the condition creates a violation and you may be fined and/or suffer additional prosecution to the full extent of the law and our community documents.
7. Malibu Villas will evict any renters who do not follow the rules and regulations of the community. Owners will be sent violation notices and fined, if necessary.

MISCELLANEOUS

1. Only people who have completed the lease approval procedures may live in the unit. Additional people must be lease approved prior to moving in with approved tenants. The owner and leasing agent must agree to the additional residency prior to lease approval or moving in.
2. No one can install anything on the stucco walls. This results in a compromised structure that could let water into the unit. Any architectural changes must be approved by the board prior to the change. Forms specific for changes are available at the Information Center. Complete the appropriate form and place it in the drop box for board consideration.

Thank you for your compliance with these rules and policies as herein stated. Should you have any questions regarding this community or these rules, please do not hesitate to contact our community manager.