

**MARINER HOUSE COUNCIL OF CO-OWNERS
P.O BOX 16498
GAVLESTON, TEXAS 77552**

RULES AND REGULATIONS

Adopted: April 20, 1978

Revised: May 21, 2009

Revised: December 1, 2014

The Mariner House Council of Co-owners Board of Directors, (BOD), by authority of the Condominium Declarations and By-laws may establish, make and enforce compliance with reasonable Rules and Regulations as may be necessary for the operation, use and occupancy of the project with the right to amend same from time to time. The BOD has revised and amended the following rules governing the Mariner House Condominiums. Owners, tenants and guests by virtue of their membership in the council are obligated to observe all the rules and regulations listed hereunder. **LESSORS ARE DIRECTLY RESPONSIBLE FOR INSURING THAT THEIR TENANTS AND GUESTS OBSERVE THESE RULES.** Owners will be notified in writing or email of tenant violations. If violations are not resolved after (2) two warnings to the owners, a fine will be levied against the owner for repeated infractions of the rules. If owners fail to pay the fines within 60 (sixty) days of notification, the collection thereof will be sent to the Mariner House attorney for collection. Owners will then be responsible for all legal fees incurred in addition to the fine.

THE PROPERTY MANAGER IS EMPOWERED TO ENFORCE THESE RULES AND REGULATIONS AND TO TAKE ANY LEGAL ACTION NECESSARY TO ENFORCE THESE RULES IN ORDER TO PROVIDE FOR THE SAFETY AND COMFORT OF ALL MARINER HOUSE RESIDENTS.

ASSESSMENTS

All owners are obligated to pay monthly assessments imposed by the BOD to meet common expenses. The assessments shall be made pro-rata according to percentage interest in and to the general common elements. Assessments are payable on or before the first day of each month and past due if not received by the 15th day of the month. **PAYMENTS RECEIVED AFTER THE 15TH WILL INCUR A \$25.00 LATE FEE AND 8% INTEREST UNTIL PAID IN FULL. UNITS IN EXCESS OF 60 DAYS PAST DUE FROM THE 15TH OF THE MONTH WILL BE TURNED OVER TO THE MARINER HOUSE ATTORNEY FOR COLLECTION AND OWNER WILL BE RESPONSIBLE FOR ATTORNEY FEES IN ADDITION TO LATE FEES AND INTEREST. THERE WILL BE NO EXCEPTIONS MADE TO THIS RULE.**

MAINTENANCE AND USE OF UNITS

1. ALL UNITS SHALL BE UTILIZED FOR SINGLE FAMILY RESIDENTIAL PURPOSES ONLY. FINE \$1500.00
2. An owner/ tenant shall not make any structural modifications or alterations to his unit without prior Board of Directors (BOD) approval in writing. No owner shall install ceramic tile or hardwood flooring in any second unit without prior written approval of the BOD. Fine: \$2,500.00
3. All repairs of internal installations of the unit, such as water, lights, sewage, telephone, air conditioners, sanitary installations, doors, windows, glass, electrical fixtures, and all other accessories, equipment and fixtures belonging to the unit area including limited areas shall be at the owner's expense.
4. An owner shall be obligated to reimburse the MH Council of Co-Owners promptly upon receipt of its statement for any expenditure incurred by it in repairing or replacing any general or limited common element damaged by his negligence or by the negligence of its tenants, agents or guests. Fine: \$250.00 per occurrence.

OWNERS MUST SEEK BOD AND PROPERTY MANAGER APPROVAL PRIOR TO ANY WORK THEY CONTRACT IN WHICH MARINER HOUSE IS RESPONSIBLE FOR THE REPAIRS THEREOF.

USE OF GENERAL COMMON ELEMENTS AND LIMITED COMMON ELEMENTS

5. Each owner may use the general common areas and the limited common areas in accordance with the purpose for which they were intended without hindering or encroaching upon the lawful rights of the other owners. **No** unit shall be used or occupied in any way that would interfere with the enjoyment or safety of other residents. No business may be operated in any unit. Fine: \$250.00

GENERAL RULES AND REGULATIONS

6. **ALL OWNERS ARE RESPONSIBLE FOR THEIR TENANTS AND GUESTS. ALL TENANTS AND OWNERS ARE RESPONSIBLE FOR HAVING A SIGNED COPY OF THE RULES AND REGULATIONS ON FILE WITH THE PROPERTY MANAGER. Fine: \$250.00 per occurrence.**
7. **ALL OWNERS ARE RESPONSIBLE FOR THEIR TENANTS HAVING A COMPLETED TENANT INFORMATION FORM ON FILE WITH THE PROPERTY MANAGER. Fine: \$250.00 per occurrence.**

ALL UNIT LOCK OUT CALLS IS \$50.00 AND PAYABLE IN CASH AT TIME OF LOCKOUT.

Owners are urged to advise tenants that they have an alternate location where residents can obtain additional keys in case of lockouts. There will be times that lockouts cannot be facilitated and a locksmith must be called. Some lock smiths charge \$200.00 to provide this service.

8. No unit shall be used or occupied in such a manner as to obstruct or interfere with the enjoyment of occupants or other residents of adjoining units, nor shall nuisance or immoral or illegal activity be committed or permitted to occur in or on any unit upon any part of the common elements. Fine: \$250.00 per occurrence
9. Owners, tenants and guests shall at all times exercise care to avoid making or permitting to be made loud or objectionable noises in such manner as may disturb or intend to disturb owners, tenants or other occupants of condominium units. Fine: \$50.00 per occurrence.
10. Common and/or visible areas shall not be used for storage purposes, (i.e., bicycles, mopeds, lawn chairs, motorcycles, etc.) Fine: \$50.00 per occurrence
11. No items may be attached or affixed to common elements except as authorized by the property manager. This includes **LOCK BOXES** affixed to fences. They will be removed without prior notification to the owners/tenants. **LOCK BOXES** will be kept in the office and retrieved with payment of a \$25.00 fine
12. No owner or tenant shall post any advertisements, signs or posters of any kind in or on Mariner House property. Fine: \$25.00 per occurrence
13. It is strictly prohibited to hang garments, rugs and/or any materials from windows, any façade, patios, fences, porches or balconies. It is prohibited to hang clothing items or other materials on lines from any exterior parts of the condominium complex with the exception of the American Flag. Fine: \$25.00 per occurrence
14. No owner, tenant or occupant of any condominium unit shall make any alteration, modification or improvement such as awnings, patio covers or other devices to the common elements of the condominium complex. No removal or additions to the plantings, structures, furnishing or other equipment or objects there from without prior written consent of the BOD. Fine: \$250.00

15. No owner or tenant shall place, erect, or install any items (electrical or otherwise) on exterior surfaces, through walls, out of windows, balconies, patios, porches, or on a roof except that which is authorized prior, in writing by the BOD.
16. Balconies, patios and porches MUST be kept clean and free of all trash at all times. Mops, brooms and cleaning equipment is prohibited from all balconies, porches and patios. Nothing can be kept or stored on any balcony, porch, or patio that is visible to others. No individual lighting on balconies, patios or fences except for Christmas lights during the period from Thanksgiving through New Years Day. Fine: 25.00 per occurrence
17. Potted plants may not be placed on balcony or porch railings. A drip pan must be placed under pots on the floor of balconies or porches. Fine: \$25.00 each occurrence
18. Feeding birds is prohibited and grocery carts are not allowed on the property.
19. No storage of any kind is permitted in the hall closets. Items will be removed and discarded without prior notification.
20. It is prohibited to throw any trash, garbage or cigarette butts from balconies, windows, porches or doorways. Fine: \$100.00 per occurrence.
21. It is prohibited to throw or otherwise leave garbage bags or discards OUTSIDE the dumpster. All discards must be placed INSIDE the receptacle. Fine: \$100.00 per occurrence
22. Trash cans located in the laundry rooms are strictly for litter created while using the washers and dryers. Fine: \$250.00
23. Cigarette/vapor smoking is strictly prohibited in all common areas of the Mariner House complex. Common areas where it is prohibited includes parking areas, walkways, pool, laundry rooms and entry halls. Discarding cigarette butts in flower beds and from balconies, patios and porches is prohibited. Fine: \$100.00 per occurrence
24. Smoking is only permitted within the confines of your individual unit, its balconies, patios and porches.
25. **GATE ENTRANCES, LAUNDRY ROOMS AND BUILDING ENTRANCES must be kept LOCKED at all times.** Fine: \$250.00
26. No solicitation is allowed on Mariner House grounds except for condominium business. Fine: \$250.00
27. No outdoor flame grills, including charcoal grills are allowed on the premises. **ELECTRIC GRILLS ONLY ARE PERMITTED.** Fine: \$250.00
28. Children under the age of 13 must be supervised at all times. Fine: \$25.00 per occurrence.
29. **OWNERS ARE RESPONSIBLE FOR INSURING THAT THE PROPERTY MANAGER HAS KEYS TO OBTAIN ENTRANCE TO ALL UNITS IN CASE OF EMERGENCIES AND GENERAL MAINTENANCE. A WRITTEN OR EMAIL REQUEST TO OWNERS FOR KEYS WILL BE SENT 2 (TWO) TIMES. IF OWNER FAILS TO COMPLY A \$250.00 FINE WILL BE IMPOSED PER REQUEST THEREAFTER.**
30. ***IT IS REQUIRED THAT WHEN LEASING UNITS THAT THE OWNER OR TENANT PROVIDE THE PROPERTY MANAGER WITH A TENANT INFORMATION FORM. IT IS VITAL THAT THE PROPERTY MANAGER HAVE EMERGENCY CONTACT INFORMATION. IT IS THE OWNERS RESPONSIBILITY TO INSURE THIS FORM BE ON FILE.*** A written or email request will be sent to the owners 2 (two) times. If owner fails to comply, a \$50.00 fine will be imposed with each request thereafter. =

PARKING REGULATIONS

31. Parking of automobiles, motorcycles and mopeds shall be only in the spaces designated as parking spaces for each unit. Each unit is allowed one assigned covered parking space. Fine: \$250.00
32. The parking spaces provided were never intended to accommodate large SUV's or pickups. It is the owner's responsibility when interviewing prospective tenants to insure they understand that if their vehicle's size prohibits those on either side from having reasonable clearance to open their vehicle doors that tenants who own any large vehicle must park in the street. Owners will be notified twice (2) either by email or in writing of the situation and corrective action necessary. Fine: \$50.00 per occurrence
33. Visitor covered parking spaces will not be used by owners/tenants who own more than 1 automobile. Visitor spaces will be monitored and cars will be towed at owner's expense.
34. Unattended vehicles may not be parked in such a way as to obstruct any entry or exit to a parking space. Fine: \$50.00.
35. All parking spaces and other common areas must be kept free of all personal property, rubbish and flammable materials. Fine: \$100.00
36. Abandoned or inoperable vehicles will be towed at owner's expense.
37. Storage of boats, trailers or other personal property in any parking space is prohibited. This includes bicycles chained to support posts. Bicycle racks are available. Fine: \$100.00 per occurrence
38. No car washing or repair work may be done in any parking areas. Fine: car washing, \$25.00. Repair work: \$250.00 for each occurrence
39. Motorcycles are only allowed in parking lots and designated parking spaces.
40. Bicycles are not to be ridden or parked on sidewalks, flowerbeds, in the courtyard or tied/anchored to drainage downspouts, gates or fences of Mariner House. This includes riding toys for children, roller skates and skateboards. Fine: \$50.00 per occurrence. **Bicycles are prohibited from being stored on any exposed balconies and/ or visible area. Fine: \$25.00**
41. Bicycle racks are provided for parking and storage of bicycles. Bicycles will be removed and discarded from racks if rusted, have flat tires or otherwise appear to be abandoned. Bikes are to be registered with property manager.

RULES CONCERNING PETS – EFFECTIVE 1/01/15

42. No more than two (2) small dogs, cats or other small household pets, (dogs, cats), 1 lb. – 25 lbs each may be kept in any unit. Fish, hamsters, gerbils and birds (in cages) are permitted. One (1) medium sized dog is allowed (25lb. – 40 lbs), or one (1) large dog not to exceed 70 lbs. is permitted. Service dogs are exempt but certification must be provided to the property manager. Fine: \$150.00 per each notification until animal is removed from premises.
43. No other livestock, birds or poultry shall be brought within the condominium or kept in or around any unit thereof. No exotic pets such as snakes or reptiles are allowed. Pets must be listed on Tenant/Owner information sheet and on file with the property manager. Fine: \$150.00 per each notification until removed from premises.
44. Vicious dogs will be evaluated on a case by case basis by the property manager. It is the owner's responsibility to ensure that tenants have dogs that are not a threat to other animals or humans. Owners will be responsible for the removal of pets that are determined by the property manager and BOD to be a danger. Fine: \$500.00 per notification until animal is removed from the premises.
45. No pet breeding is allowed in any unit.
46. No pets are allowed in the pool area at any time. Fine: \$50.00
47. Pets are not allowed to be left unattended on balconies, porches or patios for extended periods of time. An extended Period of time is defined as longer than 2 hours. Fine: \$50.00

48. **Current owners of pets are grandfathered as of 1/1/15.**
49. Pets must be kept on a leash at all times in or near the common areas of the condominium. Fine: \$25.00
50. **PETS ARE NOT ALLOWED TO RELIEVE THEMSELVES ANYWHERE ON MARINER HOUSE PROPERTY.** In case of accidents, pet owners are obligated for cleaning it up. Fine: \$250.00

POOL REGULATIONS

NO LIFEGUARD IS ON DUTY. ALL INDIVIDUALS SWIM AT THEIR OWN RISK

51. The pool is open from 9:00 am to 10:00 pm everyday.
52. **ABSOLUTELY NO SMOKING OF CIGARETTES OR VAPOR DEVICES IS PERMITTED WITHIN THE FENCED ENCLOSED AREA SURROUNDING THE POOL AT ANY TIME. THIS IS A COMMON AREA/ ELEMENT THAT SMOKING RESTRICTIONS HAVE BEEN ADDRESSED PREVIOUSLY IN THIS DOCUMENT. FINE: \$100.00**
53. The consumption or possession of any alcoholic beverage within the fenced enclosed area surrounding the pool is strictly prohibited. No glass containers or food or any kind are allowed in the enclosed pool area. Beverages must be kept away from the edge of pool. No litter is to remain in the pool area. Please take it with you. Fine: \$100.00
54. Pool furniture must be left as found. Broken or misused furniture will be replaced at owner's expense.
55. You must shower or rinse off prior to entering the pool. It is not acceptable that the pool is used to remove sand after swimming at the beach. No tanning oils are allowed in the pool. Fine: \$50.00
56. If failures of pool equipment are observed, the property manager must be notified and repair personnel will be contacted.
57. An adult must be at the pool at all times when children under the age of 16 are swimming. Children are to be supervised to avoid excess noise and unsafe play. Fine: \$50.00
58. No diving or running is allowed in the pool area. Floats, water toys and games are discouraged during times of high pool use, weekends and holidays. Fine: \$25.00
59. Two (2) adults and two (2) children are allowed in the pool at one time. If during periods of slow pool usage, like weekdays, additional guests will be allowed with special permission and knowledge of the property manager. During times of increased pool usage like weekends and holidays, please be aware that pool is small and allow all to enjoy it.
60. Music devices are to be played for the individual only and must not disturb other persons or residents of nearby units. All persons who use the pool are expected to be courteous and respectful of others. Any violations of pool regulations are to be reported to the property manager who will resolve and levy fines at their discretion.
61. The pool is closed to anyone with open sores, wounds or illnesses.
62. State and County regulations concerning the pool are posed on signs as you enter the pool area. Regulations must be adhered to.

These Rules and Regulations are designed to insure all owners, tenants and guests of Mariner House have a pleasant and safe place to reside. All owners, tenants and guests have a responsibility and obligation to abide and follow these rules. It is the owner's responsibility to insure all tenants and their guests are made aware of these rules and regulations and ultimately it is the owners who are responsible for the violations and fines as set forth in this document. All owners will be notified in writing or email of the violations of their tenants. After two (2) such notifications and violations are not

*corrected and resolved, the Council of Co-Owners Board of Directors and the property manager **WILL** levy fines. **These Rules and Regulations will be strictly enforced.***

SIGNED, OWNER: _____, **UNIT #** _____ **DATE:** _____

SIGNED, TENANT: _____, **UNIT#** _____ **DATE:** _____