Falcon View Condominiums
Home Owners Association

104 Colorado Ave.
Whitefish, MT 59937

RULES
&
REGULATIONS



Revised January 2009

PREFACE

Living in a condominium community can be a pleasant and rewarding experience, especially in as beautiful a location as Whitefish, Montana.

Consideration of your neighbors and good communications are the keys to the success of the Falcon View Condominium experience.

Please read carefully, and be sure your family, tenants, and guests understand the rules fully. If you have any questions, please contact the Home Owners Association at:

At Your Service Property Management
Falcon View Home Owners Association
331 Karrow Ave.
Whitefish, MT 59937
Tel (406) 862-5566
Fax (406) 862-2636

All owners should have been given a copy of the By-Laws and CC&R's of Falcon View Condominium Home Owners Association when they purchased their home. We urge you to read this important book which serves as our governing documents. In addition, it is the responsibility of the homeowner to provide their tenants with a copy of the document. If you do not have a copy, it can be provided. Please send your request along with a check for $10.00 to the address above.

ACKNOWLEDGMENTS

These Rules and Regulations were compiled by your Home Owners Association Board of Directors for the purpose of protecting Falcon View Home Owners Association assets and making Flacon View living a pleasant experience. Your cooperation is essential to accomplish these goals.

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GENERAL INFORMATION

FALCON VIEW PROPERTY MANAGEMENT SERVICE

The Falcon View Condominium building is managed by:

At Your Service Property Management
331 Karrow Ave.
Whitefish, MT 59937
Tel (406) 862-5566
Fax (406) 862-2636

The Property Management Service is responsible only for common areas and general building maintenance. They DO NOT respond to unit interior problems or emergencies unless and to the extent that the situation is caused by a common area facility or affects a common area.

An Owners Directory listing current owners contact information is available from At Your Service.

INSURANCE INFORMATION

The Board of Directors has arranged for property and liability insurance for the Association. The Association's master policy provides for liability and casualty protection for all structures including the garages and storage building. The policy covers exterior structure and all internal building structure. The policy DOES NOT provide coverage for damages inside of any individual unit (sheet rock to sheet rock). The Association master policy also DOES NOT cover the unit owner's personal property such as automobiles, property left in automobiles, furniture, clothing, etc. nor personal liability. Each individual home owner or renter must obtain insurance to cover these items.

Coverage under the Association's master policy includes:

1. Building coverage at $1,303,000 with a $1,000 deductible
2. Directors and Officers liability, $1,000,000

3. Sewer and Drain coverage is at $5,000
4. Liability, $1,000,000/$2,000,000
5. Blanket Unit Owners coverage for $159,000 with a $500 deductible

There are two basic types of Owner insurance exposures:

RESIDENT OWNER: The policy most often used by condominium unit Owner's to cover liability and casualty exposure is known as a condo owner's policy. This policy insures the unit Owner's personal property and provides personal liability, loss assessment and other coverage pertinent to unit ownership. The policy will need to endorse a building coverage when taken out because most only provide personal property coverage unless otherwise requested by the insured. The endorsed building coverage should cover building structures within the condominium unit from and including sheet rock to sheet rock as well as all floor coverings and all other interior works.

RENTAL: If an Owner rents his/her unit, they should purchase a landlord protector policy to cover personal property and personal liability. The unit owner's policy DOES NOT cover the property or liability of the renter. Owners should advise tenants to obtain separate insurance coverage for their own personal liability and personal property. With this policy as well, the insured will need to endorse the building coverage.

ARCHITECTURAL CONTROL

All proposed changes or additions to the exterior of the units, including doors, and some alterations to the interior of the units must be submitted in writing to the Home Owners Association Board of Directors for review and approval.

COMMON AREA PROBLEMS

To report problems related to the common area property:

- Call the Property Management Service (At Your Service) at (406) 862-5566

No personal items, containers, trash, recreational equipment, etc. are to be stored or placed in the Common Area hallways, entryways, stairs, and walks. Besides vehicles parking in identified spaces, no other personal items, containers, trash, recreational equipment, etc. shall be stored in the Common Area parking lot, landscape areas, or walkways.

FIRE SAFETY

Fire prevention is very important to the Falcon View home owners. The Property Management Service is responsible for ensuring that each unit has a functioning smoke detector and portable fire extinguisher. Fire extinguishers and smoke detectors will be provided to each unit and inspected annually. Replacement extinguishers and smoke detectors will be paid for by each individual home owner as required. The Property Management Service will schedule an annual inspection of fire extinguishers, smoke detectors, and sprinkler systems for all Falcon View units. All home owners and tenants are expected to cooperate in allowing timely access to the Property Management Service or Sprinkler Inspection Contractor as required.

PROPERTY ACCESS & KEY REPLACEMENT

All home owners are required to provide a set of keys to the Property Management Service for emergency access to the interior of the unit. In addition, each home owner is required to provide a signed **Property Access Release** form to the Property Management Service with the name and signature of all individuals who are allowed access to the unit. The **Property Access Release** form is available by contacting At Your Service at (406) 862-5566.

Access to the unit or replacement keys can be obtained from At Your Service for a fee of $15.00. Replacement keys and unit access will be denied to anyone not identified on the **Property Access Release** form on file with the Property Management Service.

HOME OWNERS ASSOCIATION

The Falcon View Home Owners Association is governed by a Board of Directors elected by the home owners. The five-member Board of Directors typically meet quarterly but may meet more frequently for Special Meetings. All home owners are invited to attend the HOA Board meetings. Meeting dates and times can be obtained by contacting the HOA Board by calling At Your Service Property Management.

GENERAL RULES AND REGULATIONS

1. INTRODUCTION

1.1 The General Rules and Regulations as contained herein are issued by the Board of Directors as authorized by the governing documents of Falcon View Condominiums. The Rules and Regulations are intended as a guide to the conduct and activities of all members, lessees and residents, and their guests, so that everyone living in Falcon View will enjoy the maximum pleasure without annoyance or interference from others.

1.2 Falcon View Home Owners Association falls under the jurisdiction of the City of Whitefish and Flathead County and all ordinances and codes apply.

2. PENALTIES

2.1 The Association has several practical ways of assuring compliance with essential regulatory provisions:

- Suspension of voting rights.
- Assessment of penalty fines.
- Towing of vehicles.

Each home owner is responsible for adhering to the rules, applicable ordinances, By-Laws, and CC&R's of the Association. A breach of these rules is subject to enforcement pursuant to the By-Laws and may include the imposition of a fine. Each home owner is also accountable and responsible for the behavior of their tenants and/or guests. Fines levied on guests or tenants are the responsibility of the unit owners.

3. PROPERTY DAMAGE

3.1 Individual home owners are responsibility for payment of all costs of repairs for all damage to Falcon View property caused by themselves,

members of their families, their guests, their tenants, their vendors/contractors, and their pets.

DESTRUCTION OF PROPERTY: As applied to the living units, the owner shall, in such event, reconstruct it as soon as reasonably practical in accordance with the original plans and specifications or approved modifications thereof. As to the common property, each owner is liable to the Association and shall reimburse for any expenditures incurred in repairing or replacing damage to items caused by the owner or any occupant of the owner's unit.

3.2 Proper padding and/or protective devices must be used to protect the floors, walls, steps, and carpeting of all community property when moving or transporting furniture, appliances, or other personal property.

3.3 Common property equipment, i.e., time clocks, watering systems, sump pumps, lighting, etc. are to be adjusted and set by authorized personnel only, **not** by residents.

4. TRASH REGULATIONS

4.1 Home owners are responsible for picking up their own trash spilled on common area property and disposing of it properly.

4.2 No trash or trash containers are to be placed or stored in the Common Area hallways, entryways, or stair ways.

4.3 Large cartons and boxes should be broken down and tied before placing in the trash area.

4.4 Large discarded items such as old furniture, mattresses, etc. may not be placed inside or around the dumpster. Large items should be

disposed of by the individual owner at the county landfill.

4.5 Any and all waste disposed of in the dumpster must be securely wrapped or in a closed sack.

4.6 No construction debris is to be placed in the dumpster. It must be taken off the property and disposed of properly.

4.7 Hazardous materials such as paints and solvents are not to be placed in the dumpster.

5. PETS

5.1 Domestic pets up to 40 lbs. are allowed in the Falcon View Condominiums. Each individual owner can determine whether or not they will allow pets in their condo. Renters must secure approval from the owner or property manager of the owner in order to have a pet.

5.2 Residents and tenants shall comply with all applicable laws, ordinances, and regulations pertaining to pets and the keeping and care of animals.

5.3 Pet owners shall immediately remove and properly dispose of any and all pet waste inside and outside the premises.

5.4 Dogs must be kept on a leash when outside of the condominium unit and on the Common Area property.

5.5 Pet owners shall prevent their pets from becoming an annoyance to, or source of discomfort or complaints from neighbors. Any and all urine, fecal matter, or other excretions from the pet shall be cleaned up by the pet owner immediately. Pet owners shall not permit the infestation of the

property by fleas, ants, or other vermin caused by the pet or pet food.

5.6 Pets shall not be watered or fed within the Common Areas of the Falcon View building. Pet food or water shall not be left outside of the premises, where it may attract other animals or insects.

5.7 Individual home owners are responsible for payment of all costs of repairs for all damage to Falcon View property caused by their pets.

6. NOISE

6.1 Radios, stereos, televisions, musical instruments, party activities, and other noise sources (including car horns and extended warming up of car engines) must be maintained at all times to levels that do not disturb other residents.

6.2 Excessive floor noise caused by exercise or aerobic activities must be maintained to levels that do not disturb other residents.

6.3 Owners will not be allowed to keep pets that create excessive noise which results in the chronic disturbance of other residents.

7. EXERCISE/WORKOUT ROOM

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8. VEHICLES AND PARKING

8.1 **All parking violators are subject to towing by the Home Owners Association. Towing is at the vehicle owner's expense and is done upon written complaint of a unit owner.**

8.2 All home owners are entitled to one (1) covered parking space. The covered parking spaces are not wide enough for a full size pick up. Therefore,

in times of full use covered parking spaces will be limited to compact and mid-sized vehicles only.

8.3 Parking is allowed in the designated areas only. VIOLATORS WILL BE TOWED!

8.4 Trailers and towed equipment of any kind, including boats, ATV's, snowmobiles, campers, motor homes, RV's, and commercial vehicles, are not to be stored or parked in the Falcon View parking lot.

8.5 Residents are responsible for their guest's parking so that common property and streets are not blocked. Guests are not allowed to park in covered spaces.

8.6 No vehicle shall be parked or operated on any sidewalk or common property.

8.7 No vehicle shall be stored or left in an inoperative condition on the property.

8.8 No vehicle shall be left in a condition that will constitute a fire hazard. This includes the presence of leaking oil or any other engine fluid.

8.9 Automobile repairs, oil changes and engine overhauls are not allowed anywhere on Falcon View property.

8.10 Nothing shall be chained to structural posts in the parking area.

8.11 Vehicles are not to be washed on the property.

8.12 Common area electrical outlets are not to be used by individual owner's, their tenant(s), or guests for engine block heating, battery charging, or other individual uses without the approval of the Home Owners Association.

8.13 Unit owners are responsible for the parking violations generated by their guests, tenants, agents, etc.

ANY VEHICLE IN VIOLATION OF THE PARKING RULES IS SUBJECT TO CITATION, FINES, AND TOWING AT THE VEHICLE OWNER'S EXPENSE.

9. STORAGE AREA REGULATIONS

9.1 The detached storage building has been subdivided with chain link fencing to provide individual storage areas for each resident. It is important for fire prevention purposes to keep this area free of clutter and combustible materials.

9.2 All flammable liquids such as paint, solvents, gasoline, etc. must be stored in sealed approved containers.

9.3 No oily rags or other readily combustible solids may be stored in the storage area.

9.4 Fire arms and ammunition are not allowed to be stored in the storage area.

9.5 No fertilizers, pesticides, or herbicides may be stored in the storage area.

10. ARCHITECTURAL CONTROL

10.1 The Association shall provide all maintenance of the common property. In addition, the Association shall provide exterior maintenance to each unit, except for windows, doors, and deck area, which shall be maintained by each owner in a manner acceptable to the Board of Directors.

10.2 No changes or additions to the exterior of the units (including planting of trees, installation of antennas of satellite dishes, building of patio or deck covers, exterior paintings or installation of screens,

sunshades, awnings, walls, fences, etc.) may be made unless accepted by the Board of Directors and any institutional first mortgagee whose interest may be affected. Plans and specifications must be submitted in writing to the Board of Directors for review. Necessary Building Permits must be obtained. Approval or disapproval of the plans must be made by the Board within a reasonable period of time.

10.3 Deck patios and balconies are not to be used for such purposes as drying laundry, storing skis, or other miscellaneous equipment. Towels, clothing or other items may not be hung on balcony railings. These areas shall be considered as an aesthetic addition to the building and utilized in good taste so as to be generally attractive and inoffensive to other residents.

10.4 No window air conditioning units or balcony enclosures are permitted and no exterior clotheslines are to be installed.

10.5 Balconies must not be utilized in a manner which creates an annoying condition for the other residents. A clean, neat appearance must be maintained in these areas.

10.6 Nothing shall be attached or hung on the exterior walls, ceilings or railings.

10.7 No permanent shelves of any kind are to be installed on patio or balcony walls or deck railings without Board of Directors approval.

10.8 No signage shall be installed on the exterior of any unit, in any Common Area, or which is visible from the exterior unless approved by the Board or Directors. However, standard real estate For Sale or For Rent signage is allowed providing it is less than 30” x 30” in size, not lighted, and is maintained in a professional manner.

11. RENTAL REQUIREMENTS

11.1 Many of the Falcon View Condominium units may be leased to third parties. Owners who rent their units must notify the Property Management Service with the name, contact phone number, and auto license plate number for any renter.

11.2 The owner is responsible for their renter's compliance with these HOA Rules and Regulations. The owner is required to provide a copy of these regulations to the renter at the time of lease execution.

11.3 The owner is responsible for any fines or penalties levied as a result of renter violations of the HOA rules.

11.4 Renters or property management firms will not be provided with replacement keys by the Property Management Service unless they have been named and sign a Property Access Release form.

11.5 Renters should be notified by the owner that the Property Management Service has access rights to the rental unit in the event of an emergency.

IMPORTANT PHONE NUMBERS

Police/Fire/Paramedics	911
Whitefish Police Department	(406) 863-2420
Whitefish Fire Department	(406) 863-2483
Poison Information Hotline	(800) 222-1222
Home Owners Association	(406) 862-5566
City of Whitefish: Water, Sewer, Trash	(406) 863-2460
Flathead Electric Co-op	(406) 751-4483
CenturyTel Telephone	(800) 201-4099
Cable Television	(406) 755-7200
Post Office	(406) 862-2151
Property Management (At Your Service)	(406) 862-5566

Notes: