

**HIGH PINES PATIO HOME ASSOCIATION, INC.  
COMMUNITY RULES, GENERAL INFORMATION AND HOMEOWNERS' RESPONSIBILITIES**

***JULY 2019 (will be reviewed and updated annually)***

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## **ASSOCIATION BUSINESS**

### **Meetings**

- **Monthly meetings**
  - Are held the second Tuesday of every/or every other month (dependent on need) except for the annual meeting in July. Any homeowner may attend the monthly meetings. If you do not know the meeting location, contact the HPPHA Board President at [HPPHOA@gmail.com](mailto:HPPHOA@gmail.com)
- **Annual meeting**
  - Annual meetings differ from regular board meetings in that this is a time for electing board members and reviewing the budget for the coming year. Any homeowner may nominate board members but is allowed only one vote per unit. If you wish to be on the board of directors, please make this known to a board member. We are allowed a maximum of 6 board members.
  - Homeowners will be notified of annual meetings and special assessment meetings via e-mail. (if you do not have your email on file, please notify the BoD of that fact)
  - Board member terms are three years for one position. Additional terms may be served in a different position.
  - Any homeowner in arrears on their HPPHA dues and/or special assessments and/or other fees is **not** eligible to vote.
  - Rental tenants may not vote, however, they may attend annual meetings.

### **HPPHA Website**

- The Board has established a website for unit owner access to bylaws, minutes, CCR(s), and other information pertinent to the patio homeowners. The website is [www.highphinespatiohomes.com](http://www.highphinespatiohomes.com)

### **Changes/Improvements to unit/property**

- Any and all changes to the exterior or architectural improvements to your unit and property must be pre-approved by the HPPHA Board, regardless of whether or not you know the existing guidelines. Failure to obtain permission may cause the owner to restore the property to its original condition at the owner's expense.
  - **This includes changes in doors, windows, landscaping, limited common elements, satellite dishes, etc.**
- Colorado has a new law that requires HOA's to honor a homeowner's request for improvements that will save energy. Homeowners will still need to submit a request to the HPPHA Board for the proposed modification for approval.
- Requests must be in writing and submitted to the HPPHA BoD for review at its next board meeting.

## HPPHA Dues, Special Assessments, Fees and Fines

### Collection of unpaid dues, assessments, fees and fines:

- Monthly dues (or assessment) are due on the first day of each calendar month, and payments not received by the 15<sup>th</sup> will be assessed a \$25.00 late fee and sent a notice of late fee.
- If the dues/assessment payment and late fee is not received by the 30<sup>th</sup> of the following month, an additional \$25 late fee **plus interest** shall be charged for that month and for every subsequent month that the dues/assessment is late.
- A unit owner who is unable to submit dues/assessment payments by the 15<sup>th</sup> of the month needs to contact the HPPHA BoD immediately to discuss an alternate interim payment plan.
- Dues/Assessments that are 6 months past due, and the unit owner has not responded to requests **(such requests will be made in writing and be sent by USPS certified or registered mail)** by the HPPHA Board to set up a 6 month payment plan to pay past due assessments as required by Colorado State law, will result in placement of a property lien, and the account will be turned over for legal action.



## PROPERTY MAINTENANCE AND MANAGEMENT

### Common Areas/Limited Common Areas

- Common areas include everything from the outside edge of the foundation wall footprint, outward.
- Limited Common Elements: parking pads, walkways, patios, and courtyards are limited common elements. These areas are the property and responsibility of both the association and property owners (refer to C,C &Rs for definition and responsibilities) but their use is limited to the owner. The association has access rights and will try to contact the owner, if possible, before entry. Like common areas, all limited common elements are not to be altered unless approved by the HPPHA BoD. The cost incurred to return the limited common elements to its original condition will be charged to the owner.

### Doors and Windows

- Prior to replacement of any exterior doors and windows, the style and color must be approved by the HPPHA BoD.
- Exterior front door colors shall be medium brown wood stains.

### Dryer Vent Cleaning

- Dryer vent cleaning is the responsibility of the homeowner.
- Lint build-up is a fire hazard and should be cleaned on a regular basis. The HPPHA BoD recommends cleaning on an annual basis.
- The Board does not recommend any company to perform this service.

### Trash Disposal

- The HPPHA has contracted with Tri Lakes Disposal for its trash removal. Should a unit owner have difficulty with trash pickup, please contact the HPPHA BoD.
- Currently our pickup day is every Tuesday except when there is a holiday early in the week, in which case they will come one day later.
- Tri Lakes Disposal provides each unit with one trash container. Recycling may be arranged with Tri Lakes Disposal at the unit owner's cost.
  - Recycling is also available locally at such businesses as King Soopers or Walmart in Monument.
- Trash containers may be put out the evening before pick-up, but not days in advance.
  - Trash containers are to be placed at the edge of the driveway where it meets the street.
  - Trash should not routinely be put out in plastic bags, however if you occasionally have too much for your trash bin, it is safer to put it out the morning of the pick-up to avoid the trash bags blowing away in the wind, or being raided by local wildlife.
- Trash containers **must** be stored inside the homeowners' garage away from public view. They cannot be stored in front, side, or back of unit. Containers should be moved inside the garage the same day as pick-up.
  - Donations and give-away items are to be left out only once a pick-up has been arranged, and only for the day of pick-up.
  - Do not put out items with a sign "free" in hopes someone will take it away.
  - Dumping food scraps or trash of any kind outside your unit, for any reason, is prohibited.

### Grounds Keeping

- The HPPHA is responsible for the following maintenance activities (contract for this maintenance is the responsibility of the BoD): fertilizing; mowing; aeration; leaf, pine needle and brush removal; pruning shrubs; sprinkler system; weed control in common area; fall yard cleanup.
- Changes in unit landscaping must be pre-approved by the HPPHA Board by submitting a request to the board in writing. Failure to obtain permission may cause the owner to restore the property to its original condition at the owner's expense.
  - Once the homeowner is approved for adding a tree(s) in the homeowner's common area, the homeowner must agree to maintain and water the tree(s), and if the tree should die the homeowner is responsible for its removal.

### Home Businesses

- A unit owner may hold any legal business in the patio home as long as it does not create a parking issue and is not in violation of any other HPPHA rule, or county regulation.
- Signs advertising your business are not permissible in any fashion.
- **There will be no short term rentals allowed unless the unit owner obtains permission from the board and the adjoining neighbors as the nuisance clause in the CCRs could be invoked to stop such activity.**

### Insurance

- All patio homes are insured through American Family Insurance. Unit owners are provided documentation of the insurance coverage at the time of patio home purchase. (if the new owner is not provided that information, please advise the BoD)
- There is a roof deductible of 5% of the assessed value of the patio home, (e. g. a home assessed by American Family Insurance to be valued at \$400,000, the roof deductible would be \$20,000.)
  - **Unit owners are responsible for this deductible, if approved by the BoD to submit the claim with the HOA's insurance policy.**
  - **Unit owners are therefore strongly encouraged to carry personal insurance coverage to offset the cost of this roof deductible.**
- Homeowners should obtain personal insurance coverage by checking with their own insurance carriers. **(Condominium Unit Owners insurance with the roof insurance rider is recommended)**

### Homeowner/Landlord (Unit owners renting out their patio home)

- The homeowner/landlord is responsible for presenting their tenants with a copy of this document. The homeowner/landlord is responsible for their tenants or their guests.
- The homeowner/landlord is held responsible for all infractions of their tenant or their guests and the homeowner/landlord will be responsible for all costs and fines incurred by their tenant/guests.
- **The homeowner/landlord must provide the BoD with the unit address, a copy of the portion of the lease stating the tenant's name, number of tenants and phone number.**



#### Noise Prohibition

- See El Paso County Noise Ordinance #02-1.
- Car alarms, horns and other noise: With regard to vehicles, the determination of unreasonable noise, in addition to the previously stated factors shall include, but not be limited to:
  - The continuous or repeated sounding of any horn, alarm or signal device of a vehicle, except where an actual emergency or danger exists. For the purposes of this subsection, "continuous" shall mean continuing for an unnecessary or unreasonable period of time.
  - The operation of any vehicle in a manner which causes unreasonable noise as a result of unnecessary rapid acceleration, deceleration, revving the engine or tire squeal.
- Quiet Time 10:00 p.m. - 7:00 a.m. (barking dogs may be reported any time of day or night)
- Contact for noise prohibition: El Paso County Sheriff's Office 719-390-5555 (non emergency dispatch).

#### Outdoor Decor

- Seasonal decorations are allowed and it is expected that they will be removed within approximately two weeks following the holiday.
- Personal decor is allowed in general when appropriate: dairy delivery bins, flower pots in use, decorative seating, etc.

#### Outdoor Lighting

- The homeowner is responsible to keep the garage light fixtures working.
- Other exterior lighting, such as driveway solar lighting, is the responsibility of the owner.

#### Parking/Storage of Vehicles

- Storage of unused or unlicensed vehicles (unless in garage) is prohibited. Vehicles will be towed 72 hours after notification.
- Storage of recreational vehicles, trailers, etc. in driveways is allowed for a maximum of 3 days.
- Auto work on site is prohibited. Minor work such as changing spark plugs is permitted.
- Parking in front of garage, except for short periods of loading and unloading, is prohibited.  
**Exception to this rule can be granted by the board in cases where the unit owner has more than two vehicles (limit 3) or one regular use vehicle that is too large to fit in the garage.**
- Vehicles in garage must fit in the garage so garage door can be closed.
- Garage doors should not remain open for extended periods of time unless in use.
- Storage of bicycles or motorcycles on common areas is prohibited.

#### Personal Storage and Clotheslines

- All personal items must be stored inside garage including shovels, brooms, unused flowerpots, etc. They cannot be stored in front, the side or the back of the unit.
- Only appropriate outdoor decor items can be kept outdoors and only if they are not harmful to plant life.
- Clotheslines and storage units are prohibited.

## Pets

- Dogs should not be left unattended outdoors unless owner has a BoD approved and installed electric fencing.
- Barking dogs and loose dogs can be reported to the El Paso County Animal Law Enforcement at 719-473-1741.
- The HPPHA BoD should be notified after calling the Animal Law Enforcement with the address of the offending owner and pet.
- Dog waste must be picked up in common areas daily by dog owner.
- Lawns will not be mowed where dog waste is evident.
- Unit owners request that dogs not be allowed to use mailbox posts as a "bathroom".

## Satellite Dishes

- Placement should be approved by the HPPHA BoD. Satellite dishes placed on roof tops can potentially cause damage to the roof and the unit owner is responsible for this damage.

## Signs

- Realtor signs placed in the common areas must be approved by the BoD but may be placed by the driveway near the street.
- Signs must be of professional quality and not larger than one square foot or 144 sq. inches.
- Signs advertising an in-home business are prohibited.
- Subcontractor signs (e.g., temporary advertising of window cleaning) are prohibited.
- Except to the extent restricted by county ordinance, election or political campaign signs are not subject to the restrictions on signs, so long as the signs are placed with the owner's consent and are promptly removed within seven (7) after the end of the political campaign.

## Smoke

- Please move away from the buildings when smoking as it enters your neighbors' homes.
- Littering the roadside, driveway or common areas with cigarette butts is not allowed.

## Snow Removal

- Snow removal from driveways and parking pads is the contract responsibility of the HPPHA.
- The HPPHA BoD has contracted with a snow removal company to have the driveways and parking pads plowed with a 4" or greater snowfall.
- The snow removal contract will be activated as early as possible.

## Solar Panels

- Placement of solar panels must be pre-approved by the HPPHA BoD.

## Wildlife Issues

- The handling of wildlife/pest issues in common areas is the responsibility of the HOA. Contact our BoD for advice.
- Wildlife feeding is against county ordinance.



## **ENFORCEMENT OF RULES AND REGULATIONS**

### **Enforcement Contacts**

- Maintenance and enforcement concerns: Contact a member of the BoD.
- For other concerns, or if resolution is required, homeowners may present issues to the board at the HPPHA board meetings. **It is desirable that you let the HPPHA Board president know of concerns in advance so your issue can be included on the agenda.** (Please bring any documentation that will help the BoD make a decision.)

## **COMMUNITY AND PROPERTY MANAGEMENT DUTIES**

### **HPPHA BoD - Board Member Responsibilities**

- Attend all HOA meetings and vote unless the board has been notified of absence.
- Remain aware of all business concerning the HPPHA.
- Inform the offending homeowner of rules and regulations not being followed.
- Perform duties as defined by their position on the board (secretary, treasurer, president, etc.) and as identified in the CCR(s), By-laws and Articles of Incorporation.
- Solicit new board members.

### **Homeowner Responsibilities**

- Follow the community rules and regulations in the By-laws, CCRs and these published guidelines.
- **Report any common area maintenance issues with your unit to the BoD in a timely manner to limit further damage and potential increased costs of repair.** It is the responsibility of the BoD to respond to all owner requests in a timely manner. Examples are:
  - 1) **EMERGENCY:** requires immediate attention (e.g. a water main break.) Call the HOA BoD.
  - 2) **URGENT (NON-EMERGENCIES):** Issues requiring attention within a couple of days such as a broken sprinkler, or a structural problem that could escalate into a more costly repair without quick remedy. Contact the BoD and follow-up with an email.
  - 3) **MINOR-** Issue requires attention within months such as asphalt driveway repair.
- **Unit owners need to report minor repairs in writing (preferably via email) to the BoD.** Repairs will be addressed in the order in which they are received, unless the repairs pose a potential safety concern or are contingent upon the sale of a home, per the buyer's inspection report.
- **Homeowners are expected to participate in the governance of the HPPHA.**

APPROVED July 2019

HPPHA Board

REVISED June 29, 2019

HPPHA Board