

Tillicum Village Rules and Regulations

Consolidated and Clarified June, 2021

Table of Contents

Purpose.....	2
Property Maintenance Standards – (adopted 2/13/89 and amended 9/15/2009).....	2
New Structures	2
Fences (adopted DATE, 2021).....	2
Outdoor Burning (amended March 1995 and April 2021).....	3
Landscaping	3
Trash Cans and Other Outside Storage.....	4
Firewood	4
House Painting	4
Guidelines for Roofing Materials (amended June 1995)	4
Parking	4
Unightly Objects	5
Pole Lights (amended June 1995)	5
Inspection and Enforcement.....	5
Building and Use Restrictions (adopted April 20, 1966 and amended February 8, 1972).....	5
Architectural Control.....	8
Intent.....	8
Policy	8
Authorization	8
Agreement	8
Process and Procedure	8
Rules for Rental Properties	10
Fines and Charges (adopted 11/12/02 revised 12/14/17).....	12
Policy.....	12
Notification and Hearing.....	12
Compliance Notice Schedule:	12
Fine Schedule	12
Penalties, Late Fees and Fines	13
Past Due Assessments, Fines and Unpaid Dues.....	13

Purpose

This document was created for the purposes of consolidating several Tillicum Village rules documents into one comprehensive set of rules and regulations. The goal of the 2021 Board of Directors was to reduce confusion through better organization and presentation of Tillicum Village's governing rule sets. For the most part, this document consolidates and clarifies existing rules, and in some cases, introduces new rules that were put to vote by a majority of the Tillicum Village homeowners in good standing. These new rules are identified in the document next to their title. All original documents and their amendments can be found on the Deschutes County Records website and on the Tillicum Village Website

<https://recordings.deschutes.org/DigitalResearchRoom/>

<https://tillicumvillage.org/>

Property Maintenance Standards – (adopted 2/13/89 and amended 9/15/2009)

The amended Covenants, Conditions and Restrictions (CC&Rs) require members to properly maintain their property (Article VI, Section 1 (b)). The Board of Directors, in order to carry out their responsibility in this regard believes it is necessary to establish a statement which sets a minimum standard of maintenance to be required. The fundamental purpose is to protect and enhance property values in Tillicum Village and to provide an attractive place to live. The standards will also provide for common measurement that will furnish equity and fairness if the Board of Directors finds it necessary to enforce appropriate maintenance.

The following are standards and enforcement methods that the Board of Directors believes are proper and in accordance with their responsibility.

New Structures

1. New Structures — The CC&Rs require Board of Directors approval before any structural change or addition is made on any private lot, house or deck, any portable or permanent building or storage facility, swimming pool, fencing, etc. Please see the Architectural Review section below for detail.
2. Replacement – Replacement of existing structures should conform to the current design standards defined in this document and receive architectural approval prior to commencement of work.

Fences (adopted July, 2021)

As stated in Article V of the CC&Rs, and in the New Structures section above, all fencing projects must be approved by the Board of Directors prior to construction. Please see the Architectural Control section below for details.

Tillicum Village, like all of Jan Ward's housing developments built in the 60's and 70's, was architected with an open and fenceless design such that homes are connected to a natural or green space without obstruction of view or access. This design is one of the main features that makes this neighborhood unique and draws so many home buyers. Other Ward communities have strongly adhered to that fenceless design, and whereas Tillicum Village does not disallow fences, we strive to preserve the open feel of its original landscape by discouraging fences, and limiting them to the following set of design standards. It is important to note that the HOA and its CC&Rs was not implemented until the second phase of construction and therefore many homes in the SW section of the village are not members of the HOA and are not governed by its rules. This is one reason you may see fences that do not conform to these standards.

- Privacy – Natural screening (plants, shrubs, trees) are encouraged to provide privacy, rather than solid fences. An exception to this would be a small screen for decks or hot tubs, but not solid fencing on a lot's perimeter.
- Materials – To preserve the open landscape architecture, we encourage see-through fencing that usually consists of hog-wire panels and wooden frames, or low split-rail style wood borders like those along streets and paths in the Village. Gates should also be of the same design and not solid.

- Height – except as noted in the Building and Use Restrictions section of this document, Item 15, as it relates to front of house and sight-lines, see through fence designs should be 48 inches or less in height.
- Area and Perimeter – Fence area should be as small as possible rather than a complete perimeter of a lot's boundaries. We generally confine fencing to a small portion of a home's back yard. If containment of a dog is the goal, invisible electronic dog fences are encouraged.
- Access to Meters and Utilities – Fence designs should continue to allow utility companies to access meters and buried utilities such as gas, irrigation and power.

Outdoor Burning (amended March 1995 and April 2021)

With the exception of #1 below, no outdoor burning of any kind will be permitted anywhere within Tillicum Village. Violations will result in one letter and then fines on subsequent infractions. Homeowners are encouraged to cooperate with each other to self-regulate this important safety rule. If speaking with your neighbor is uncomfortable or ineffective, please contact HOA Management at (541) 323-3033 or send an email to either mgmt@hoa-bend.com, or tillicumvillagebend@gmail.com. Please do not call the fire department unless the fire is out of control or heading that way.

1. The only allowable outdoor burning includes briquette or gas BBQs and gas fire pits and should adhere to the following safety guidelines:
 - BBQ or gas fires should be attended by a responsible adult at all times
 - Fire suppression equipment should be within easy reach of the gas fire or BBQ

Landscaping

1. Lawns — Lawns shall be maintained to a standard no less than that of the nearest Common Area. This requires mowing, watering, fertilizing, and weeding.

Recommended procedures are:

- Watering — As prescribed by Roats Water if you are a Roats customer, and as prescribed by the City of Bend if you are using potable water for irrigation.
 - Mowing — Once each week during the growing season.
 - Fertilizing — Three times during the growing season. (Recommended months are July, September, and double in November — (Redman 12-12-12-13 or equivalent is suggested).
 - Weeding — the effort is to minimize the growth of weeds that by their nature spread seeds to other yards and detract from the general appearance of the Village. Principal targets are dandelion, thistle, flowering clover, etc. (non-flowering micro-clover/grass mixture is okay)
2. Natural Areas — Natural areas are defined as areas that have vegetation indigenous to central Oregon and that receive no artificial enhancers such as watering, fertilizing, etc. Natural areas are to be kept free of debris, downed limbs, etc. Growth within these areas is to be controlled so that it does not constitute a serious fire hazard.
 3. Bark & Cinder Areas
 - Within private lots — These areas are to be kept free of weeds and debris. For fire safety, bark is not a recommended landscape material, especially within 5 feet of your home.
 - Between private lots and paved streets — The maintenance of these areas is the responsibility of the adjacent homeowner. They are to be maintained free of weeds, debris, grass clippings, etc.

4. Grass Clippings, Weeds, etc. – Grass clippings, weeds, sod, pine cones and needles, debris, etc. are not to be left on private lots, Common Areas, or roadside strips. They are unsightly, attract and breed insects and create odors. Organic yard debris placed for a pending annual pick-up is an exception.

Trash Cans and Other Outside Storage

1. Trash Cans — Trash cans are to be kept alongside the house on a side not facing a street and placed in a location that has minimum visibility to the neighbors. Various screening enclosures can be presented to the Board for architectural approval.
2. Outside Storage — Most homeowners have equipment and supplies that cannot be stored inside. In these cases, such items are to be stored as close to the house as practical and in a way that minimizes the visual impact to the neighbors.

Firewood

1. Firewood — Firewood is allowed on private lots. However, wood is to be neatly stacked within 22 days of the day it is delivered. Stacked wood must be kept within the private lot. It is not permitted to be stored on the Common Areas or in the street rights-of-way. It is to be stacked away from the home to minimize fire risk and in a location that minimizes the visual impact to others.
2. Log Decks — Log decks are defined as any load of logs measuring more than eight feet in length and are not permitted in Tillicum Village, on either private property or Common Areas.

House Painting

Houses and other buildings shall be painted when paint deterioration is obvious from the street. In accordance with architectural control as specified in Article V of the CC&Rs, all paint color must be pre-approved by the Board of Directors prior to painting via an Architectural Approval Request Form, which can be found on our website under Documents <https://tillicumvillage.org/documents>

Guidelines for Roofing Materials (amended June 1995)

All exposed roofing material must be of the same type, color, and quality (i.e., no mixed type, quality, or color may be used on the same house)

1. Color
 - Compatible with structure of house and natural surrounding area (similar to weathered shakes).
2. Quality
 - 25-year warranted life span minimum.
 - U.S. Class A fire resistant (will not burn, singe, or scorch underlayment for 1 hour).
3. Acceptable Material (wood shingles have been removed as per City of Bend code)
 - Composition (broken line or shadow effect)
 - Ceramic Tile (must meet color standard; see #1 above)
 - Permatex
 - Metal
 - 26 gauge or better
 - Must meet color standard; see #1 above
 - Must be attached with hidden fasteners

Parking

1. Cindered Areas — Parking along the cindered areas adjacent to street pavement is limited to passenger vehicles, pick-up trucks, vans, small delivery vehicles, and guest vehicles. No trailers, RVs, boats, etc. as per #3 below.

2. Common Area Lawns — No vehicles of any kind, boats, trailers, etc. are to be parked on the Common Area lawns. Only official vehicles authorized by the HOA (landscape, utility, etc.) are allowed to drive vehicles on common area grass or tree/rock areas. This is to prevent damage to irrigation lines, valve & timer boxes and sprinkler heads, which are aging, fragile and close to the surface¹.
3. Commercial Vehicles — Commercial vehicles rated in excess of 6000 lbs. are not permitted to be parked on the street rights-of-way or within ten feet of the pavement. This also applies to RVs, camping trailers, utility trailers, boats, boat trailers, any RV trailers and unused vehicles.

Unightly Objects

1. Unightly Objects — No owner or occupant shall place or store within public view on their premises any unsightly cars or parts thereof, boxes, packing crates, cartons, bottles, cans, discarded furniture or any other unsightly objects.
2. Vandalized Property — Tissue in trees, broken glass, eggs or any obvious unpleasant appearance of property must have immediate attention by the homeowner.

Pole Lights (amended June 1995)

Driveway/yard pole lights shall be maintained to meet one of the following standards:

1. They shall be maintained in a condition where they appear in their original configuration (i.e. poles vertical, globes complete and in the proper position) or
2. They shall be completely removed.

Inspection and Enforcement

1. Self-enforcement is urged. Homeowners should determine if there are any violations of these standards and correct problems in a timely manner.
2. Inspection — Regular inspection is the prerogative of the Board of Directors and may take place at any time. Violations will be noted and reviewed by the Board prior to homeowner notification.
 - Fines and Penalties — If steps to correct a violation have not been taken within thirty (30) days of notification or a mutual agreement has not been reached with the Board of Directors, fines may be levied according to the Fines and Charges section of this document.
3. Painting Violation — When painting is required, a notice will be sent to the homeowner. The owner will then have thirty (30) days to submit a painting schedule to the Board for approval.
4. If no schedule is submitted or an approval schedule is not followed the schedule of fines will be applied.
5. Unpaid fines — Unpaid fines will become a lien against the property as authorized in the CC&Rs, Article IV, Section 1.
6. Clarification — Any homeowner receiving a notice of violation and/or a fine may contact the Board to clarify the reason for the notice/fine, to appeal for a dismissal, or delay, or to establish a schedule for correcting the problem.

Building and Use Restrictions (adopted April 20, 1966 and amended February 8, 1972)

1. Each of the lots in the above-described subdivision shall be known, described, and used for residential purposes only. Not more than one detached single-family dwelling not to exceed two stories in height, and no more than

¹ No driving added to no parking 1/3/2022

one three car garage or carport, and not more than one accessory building incidental to residential use shall be constructed or placed upon any one of said lots, excepting, Block One (1) lots 24, 25, 26, 31, 32, 33, Block Two (2) Lots 6, 7, 8, which may be used for Multi-Family Dwellings. Basements which include daylight, split-entry and split-level types shall not be considered in determining the number of stories in a dwelling.

2. A "lot" as referred to herein, is described and defined as any single lot, portion thereof, or combination of portions of lots, said whole lots being as subdivided by the plat for Tillicum Village, recorded in Volume_____, Page_____ of the Town Plats of Deschutes County, Oregon.
3. No foundation line of a residential building which is erected on any lot shall be nearer than twenty-five (25) feet to the front lot line, or nearer than twenty (20) feet to any side street line, nor nearer than 7% of the lot width, but not less than fifteen (15) feet to any side lot line, nor nearer than twenty-four (24) feet for a one-story dwelling or thirty (30) feet for a two-story dwelling to any rear lot line. For the purpose of these restrictions eaves, steps, porches, and patios shall not be considered as part of the residential building, and lot lines are considered as building lots and are not necessarily coincident with platted lot lines.
4. No animals other than domestic household pets shall be kept on any part of said property.
5. No commercial or professional or noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or may become an annoyance or nuisance to the' neighborhood.
6. No trailer, tent, shack, garage or other outbuilding erected in this tract nor any basement excavated in this tract shall at any time be used as a residence either temporarily or permanently, nor shall any structure of a temporary character be used as a residence.
7. No single-family residence shall be erected on any lot in the subdivision the original size of which shall be less than one thousand two hundred (1200) square feet ground floor area, exclusive of porches and garages. Buildings shall be constructed in accordance with the building code adopted 'by the City of Bend, Deschutes County, Oregon.
8. No structure of any kind shall be moved on to any lot except a small structure for use by a builder as his construction shack during the construction period.
9. No more than one residential structure shall be erected on any building plot. The minimum building plot area shall be twelve thousand eight hundred (12,800) square feet. It is the intent of these restrictions that there be no further subdivisions of the platted lots with the result of developing a greater number of Building plots or lots.
10. All buildings which may be placed or constructed on any portion of the above-described tract, excepting the portions of the whole thereof constructed of brick or stone, shall be painted or process painted both as to exterior and interior within five (5) months of the date construction of Building is started.
11. Public utility easements: A perpetual easement is reserved for the installation, construction, service, repair, maintenance, and replacement of electric power, telephone, and irrigation canal, in locations and widths as shown and designated by dotted lines on said plan. Maintenance shall include the right to remove trees, limbs of trees, shrubs, flowers, undergrowth or other obstructions that endanger and interfere with said equipment, water flow, and service. The owner or owners of lots upon which said easements are located shall have the right to use at their own risk the portions of the easement within their lots for gardens or other purposes not of a permanent nature which do not interfere with or threaten to interfere with the use of said easement for the purposes for which it is intended and reserved.
12. No sign of any kind shall be displayed to the public view on any lot except one sign of not more than five square feet advertising the property for sale or rent, or signs of similar size used by a builder to advertise the property during the construction period.

13. No oil drilling, oil development operation, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in, any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.
14. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall be kept in sanitary containers at all times. All incinerators or other equipment for the storage or disposal of such material' shall be kept in a clean and sanitary condition.
15. No fence, wall or hedge in excess of thirty (30) inches in height shall be permitted to extend from the minimum front setback line of the house to the curb line of the street, and no fence, wall, hedge, or shrub planting which obstructs sight lines at elevations between two and one-half (2 ½) feet and six (6) feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points twenty (20) feet from the intersection of the street property lines. The same sightline limitations shall apply on any lot within ten (10) feet from the intersection of a street property line with the edge of a driveway pavement. No tree shall be permitted to remain within such a distance or such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight-lines.
16. The construction of a residence on each Building plot or lot shall be completed within eighteen (18) months from the date said Building plot or lot ownership is transferred from the original developers.

In addition to the aforementioned restrictions the following shall apply to Multi-Family use:

1. Multiple Family dwellings shall be limited to low density, garden type structures. No Boarding Houses shall be allowed.
 2. A Main Building structure or portion thereof shall not exceed a height of two and one half (2 ½) stories or thirty (30) feet.
 3. Detached and Accessory Buildings shall not exceed a height of one (1) story or fifteen (15) feet.
 4. Front yard set-back shall not be nearer than twenty five (25) feet.
 5. Side yard set-back shall not be nearer than twenty (20) feet.
 6. Rear yard set-back shall not be nearer than thirty (30) feet.
 7. The other area per unit shall not be less than Two Thousand (2000) square feet and the Building or Structures shall not exceed 30% of the lot area.
 8. No Multiple Family Dwelling shall be constructed with less than Seven Hundred Fifty (750) square feet per individual unit, excluding porches, hallways, and decks.
 9. Off Street Parking Space shall be provided at the rate of not less than 1.25 parking spaces per unit.
17. These restrictions shall be deemed to be for the protection and benefit of each of the owners or occupants of any portion of the above described sub-division, and it is intended hereby that any such person shall have the right to prosecute such proceeding at law or in equity as may be appropriate to enforce the restrictions herein set forth.
 18. These restrictions shall run with the land and shall be binding on the owner or tenant of any or all of said land and all persons claiming by, through or under them until January 1, 2000, at which time said covenants shall be automatically extended for successive periods of ten years unless by vote of a majority of the then legal owners and all mortgagees of the lots, it is agreeable to change said covenants in whole or in part.

19. Invalidation of any one of these foregoing covenants, restrictions or conditions or any portion thereof by court order, judgment or decree, shall in no way affect any of the other remaining provisions hereof which shall in such case continue to remain in full force and effect.

Architectural Control

Intent

To ensure adherence to the CC&Rs, that the architectural character of the Village is preserved and that all interested parties have an opportunity to be heard. The Board of Directors adopted a resolution in October of 2018 to put into effect a set of procedures that supported CC&R **Article V, Architectural Control** and provided links to forms and contacts for help.

Policy

No external change to any structure on a lot is to commence until an Architectural Review Application has been submitted and approved by the Board of Directors. This includes paint color.

Authorization

Article V of the Declaration of Covenants, Conditions and Restrictions reading, in part:

"No building, fence, wall or other structure shall be commenced, erected or maintained upon the properties, nor any exterior additions to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, material and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures, topography and plans for landscaping, by the Tillicum Board of Directors."

Agreement:

1. I agree that the completed work will match the approved request.
2. I will allow a Board representative access to my property to view my project, during and when completed, to verify the project matches the approved request. All on property inspection requests will be granted within a 3-day (72 hour) period unless there are extenuating circumstances. Note: The Board's primary concern is adhering to the CC&R's and Association Policies, such as setbacks, materials used, paint colors, roofing, overall appearance and stated purpose.
3. I understand that the Board must approve any changes to the project before the changes are made.
4. If the completed project does not match the approved request I agree to remove and/or adjust the project to meet the specifications of the approved request at my expense.

Process and Procedure (Modified into table format and Board approved January of 2021)

WHAT	WHO	WHEN
Review the following documents on the Tillicum Village website to familiarize yourself with the rules and guidelines that govern architectural changes to your home and lot: https://tillicumvillage.org/documents <ul style="list-style-type: none"> • CC&Rs – Article V (Architectural Control) • Building and Use Restrictions • Property Maintenance Standards • Rules for Rental Properties 	Homeowner	During project planning, well before it is scheduled to begin
Download and complete Architectural Request Form from https://tillicumvillage.org/documents One project per form	Homeowner	During project planning, well before it is scheduled to begin

<p>Obtain neighbor signatures on request form. All neighbors within visible range of your proposed project must sign that they have been presented the detailed plan. Yes and No neighbor votes provide the Board with another data point for decision making but do not carry more weight with the Board than the interpretation of our governing documents, rules and regulations.</p>	<p>Homeowner</p>	<p>During project planning, well before it is scheduled to begin</p>
<p>Scan completed request form with all signatures and email to HOA Management for processing: mgmt@hoa-bend.com As an alternative to email, a paper copy with all signatures can be dropped off or mailed to HOA Management offices, located at 335 NE Lafayette Ave, Bend OR 97701</p>	<p>Homeowner</p>	<p>During project planning, well before it is scheduled to begin, and within 1 week prior to the next Board meeting</p>
<p>Process submitted request forms</p> <ul style="list-style-type: none"> • Acknowledge receipt of package to homeowner • Contact homeowner with any questions or needed clarification • Ensure the received Architectural Request Form is complete • Email complete packages to the TV Board of Directors for decision 	<p>HOA Management</p>	<p>Upon receiving an Architectural Request Form</p>
<p>Review, discuss and make decision on submitted request forms</p> <ul style="list-style-type: none"> • The TV Board may contact the homeowner to further clarify or discuss the project • Simple requests can usually be processed by the Board via email vote in between monthly Board meetings. More complex requests will be discussed at the monthly Board meeting, and homeowner participation may be requested • Provide completed form with decision and comments back through HOA Management 	<p>Tillicum Village Board of Directors</p>	<p>Within 30 days of receipt of a complete Architectural Request Form (unless delayed by clarification or inability to reach Homeowner)</p>
<p>Notify Homeowner of Board’s Decision</p> <ul style="list-style-type: none"> • Construction cannot begin without approval by the Board 	<p>HOA Management</p>	<p>Within 30 days of receipt of Architectural Request Form (unless delayed by clarification or inability to reach Homeowner)</p>

As stated above, the Tillicum Village Board of Directors will review your completed architectural request at the next monthly Board meeting following receipt of your complete form from HOA Management, or prior to that monthly meeting if possible. The Board’s action can be “Denial”, “Approval”, or “Tabling” (to request additional information or modification). The Board must take one of these actions at the Board meeting at which the request is introduced. If no action is taken after a period of 30 days, the application is considered approved by default. Any action of the Board or HOA Management starts a new 30-day period.

The decision of the Board is final and a letter stating the ruling will be sent to the applicant after the review process is complete. However, if the ruling denies the application, the applicant may appeal the ruling within 30 days of the

denial date and submit new information and/or modifications to HOA Management to be presented at the Board's next regular meeting for reconsideration for a final decision.

Any project that commences prior to Board approval is considered a violation and will be subject to a fine of up to \$1000 per incident or \$500 per day until resolved, at the Board's discretion. If the unapproved project is denied after receiving a complete form, the Board may require it to be removed.

The Board may grant leniency to this policy in emergency situations such as fire, acts of God or unforeseen issues.

Please route all requests and follow-up questions through:

HOA Management

335 NE Lafayette Ave,

Bend OR 97701

(541) 323-3033

mgmt@hoa-bend.com

Rules for Rental Properties

This is a set of rules for homeowners of rental properties in Tillicum Village. We are striving to keep the integrity of Tillicum Village high as a place to own property, live and enjoy all of the amenities of the park settings and private streets. Pride of ownership is a necessary part of this integrity with regards to rental properties.

The Board will notify the homeowner of the problems and allow a specified period of time to bring the property into compliance. If this does not happen, the Board will start a fine process levied on the homeowner. The fine can start at but is not limited to \$45.00 per day until the problem is corrected. If not corrected at that point the Board will then attach the fine to the house in the form of a lien.

Questions can be sent via email to: tillicumvillagebend@gmail.com or by letter to:

HOA Management

335 NE Lafayette

Bend, OR 97701

1. The homeowner has the full responsibility for the rental property. Property management firms are not responsible for the property in regards to the Village rules. The Board of Directors of Tillicum Village has the responsibility to ensure compliance with rules, by-laws, CC&R'S and has the authority to impose fines on out of compliance homeowners.
2. The rental property must stay in compliance with the Tillicum Village Homeowners Association by-laws, CC&R'S and rules as set forth by the Board of Directors of Tillicum Village.
3. The homeowner is responsible for explaining to the renter the rules.
4. These are single family homes only. No Boarding Houses (short term rental, vacation rental, Air BnB, etc) shall be allowed. No one is allowed to live in recreation vehicles on the property. Recreation vehicles can be used for no more than two weeks by visitors.
5. The homeowner is responsible for the quality of the renter. Anyone other than the owner of a rental property, such as a property management firm, or family friend, etc. is doing the owner disservice if they do not follow the Village rental standards when putting a renter in the property.
6. The owner is required to send the names and phone number of the responsible renters and names of all people living in the house to HOA Management (address below) within in one week from the occupancy date. This will be included in the homeowner's property file. HOA Management 335 NE Lafayette, Bend OR 97701.

7. The number of pets at the rental is not to exceed three. The only outside pets allowed in the Village are dogs or cats. Dogs must be confined to the homeowners' property at all times. The Common area surrounding the homeowners' rental property is not part of the area allowed for use by the dogs. Homeowners are responsible for informing the renter where the property boundary is and that the Common area is not part of that. When walking the Village, the pet must be on a leash, if not, animal control will be called and the homeowner will be notified that the renters are out of compliance. If the pets become a nuisance to the neighbors the homeowner will be notified and the due process for fines will begin. A pet that becomes a nuisance includes but is not limited to the above items.
8. The yard must be kept to commons standards. Commons are mowed once a week. Watering must be done at least twice a week. Sprinkler systems must be kept in working order at all times. Explaining to the renter that the irrigation water is a set fee and they pay for it whether they use it or not, might help keep the property in good condition. If irrigation controls for neighboring properties are on the rental property, the controls need to be available to those property owners. Under no circumstances is the renter allowed to shut out a neighbor from their water controls. In this case the owner is required to give those neighbors the name and phone numbers of the renters.
9. The number of vehicles at the rental property is not to exceed four. This includes RV vehicles. Loud vehicles and reckless driving by any of the occupants of the rental, on Village streets will be reported to the police and the homeowner will be notified on non-compliance.
10. In home businesses are not allowed on the rental property.
11. Loud and excessive parties and gatherings no matter what times of the day or night are not acceptable. This includes but is not limited to: Loud music, loud cars, live bands, illegal fireworks.
12. Rental properties are required to have garbage service on a weekly basis.
13. The property owner is required to maintain the property to CC&R and By-law standards.
14. Renters are not allowed to add or remove anything on the property without Board of Directors approval. This included but is not limited to: hot tubs, swimming pools, fences, decks, slabs, storage units. Homeowners are responsible for seeking architectural approval before any modifications to home or lot commence.
15. Renters are able to enjoy the beautiful Common areas. We ask that they not abuse them just as we ask owners not to abuse the Commons. This includes but is not limited to, dumping of trash, throwing items in the ponds, allowing dogs to use the commons as their bathroom.
16. As for all homeowners, outdoor burning is not allowed anywhere in the Village, unless it is a briquette or gas BBQ, or gas fire pit.
17. As a courtesy to the homeowners of Tillicum Village, the board has at various times offered a free yard debris pick up in the spring. The homeowner of a rental should inform the renter that they must collect all pine needles and yard debris for collection so that we can pick it up from the rental property. If the renter is doing clean up as part of his rental contract then it will save him dump fees.
18. The village occasionally has a Village Garage Sale in the summer and renters are able to participate in this if they choose. At no cost to them.
19. We ask you as a homeowner of a rental to share the Tillicum Village Monthly Newsletter with the renters. This will keep them up on what is happening here in the Village as they are the ones actually living here. The best way to accomplish this is to share a tenant's contact information (phone, email) with HOA Management.

Fines and Charges (adopted 11/12/02 revised 12/14/17)

"This document supersedes any and all previously dated Collection Resolutions and Fine Schedules"

Policy

The Tillicum Village Board of Directors has the responsibility, as defined in applicable Oregon Statutes and Tillicum Village CC&Rs and By-laws, (section 11- Additional Powers and Duties of Tillicum Village By-laws, & Article IV section 1 & 2 of the Tillicum Village CC&Rs) of determining the financial needs of the Association and setting the amounts for regular dues payments or any special assessments needed to accomplish the goals of the Association. The Board is also responsible for enforcing the CC&Rs (Article VI section 1 of the Tillicum Village CC&Rs) and, when needed, assessing fines and penalties for failure to comply with applicable CC&Rs (section 13-Fines and Charges of Tillicum Village By-laws and Article IV section 8 of the Tillicum Village CC&Rs). This responsibility is to be applied uniformly and fairly to the extent possible, and this document updates current policy and sets forth general guidelines to accomplish this and to notify property owners of the policy. This updated policy will become effective 30 days after the above date and will remain in effect until amended by the Board of Directors.

Oregon Statutes and Tillicum Village CC&Rs and By-laws, (Article IV section 1 of the Tillicum Village CC&Rs) require the payment of dues, assessments, penalties and fines as determined by the Board of Directors. Property owners are expected to pay these bills when due and failure to do so will result in appropriate and prompt action by the Board of Directors. Any disputes with Tillicum Village HOA policies are not legal grounds to withhold any monies owed and enforcement will be the same as for any other nonpayment incidents.

Notification and Hearing

In the event of a violation, the Association shall provide the member with notice of violation. The member shall be given reasonable opportunity, under circumstances, to correct the violation. If the violation is a first-time and unintentional offense, the Board may, in the sole discretion, accept assurances that the violation will not be repeated. The member shall be entitled, upon request made within ten (10) days of notice by the Association, to a hearing before the Board of Directors or any designated committee to contest the violation or fine (section 13 Notification and Hearings of the Tillicum Village By-laws). **The appeal/hearing process is only for violations, and does not apply to past due assessments, or collections thereof.**

Compliance Notice Schedule:

- First notice of violation shall be sent via email (if available) or regular mail giving 30 days to correct the violation.
- Second official notice of violation shall be sent via certified and regular mail giving 15 days to correct the violation.
- If violations are not completely corrected by the 45th from the first notice or 15 days from the second notice the below fine schedule will apply

Fine Schedule

- For first violation of any section of the Governing Documents a fine of not less than \$50.00 and no more than 150.00
- For second violation of any sections of the Governing Documents a fine of not less than \$100.00 and no more than \$300.00
- For third subsequent violation of any sections of the Governing Documents a fine of not less than \$200.00 and no more than \$500.00
- For fourth and ongoing violations of the same nature, a daily fine of not less than \$25.00 and not more than

\$100.00 per day.

Penalties, Late Fees and Fines

- All Tillicum Village Dues are due on the first day of each month and considered past due if not paid on that date. Late fees and finance charges will be applied in 30 days of statement date.
- All fines are due and payable in 30 days of first fine date.
- Late fees for Dues are 1.25% finance charge per month, and \$25 per month after 60 days past due.
- Late fees for Fines are 1.25% finance charge per month and \$25 after 30 days past due.

Past Due Assessments, Fines and Unpaid Dues

After 90 days past due collection actions will begin. The homeowner shall be liable for all attorney fees, costs and expenses of any nature incurred by the Association incident to the levy or collection of the fine, including appellate proceedings.

- Notice to homeowner of 90 days past due via regular mail
- Notice to homeowner a lien will be filed in 10 days of the date of the letter, via certified mail
- Notice to homeowner with copy of recorded lien, account to be turned over to collections Attorney in 10 days of date of letter, via certified mail.
- Contact collections Attorney to handle further legal actions; Judgment against Homeowner, Garnishing bank account, paycheck, foreclosure on property or any other legal action required.
- All Attorney fees are assessed against the owner and the lot whether or not a suit or action is filed.
- Management Company has the right to charge service fees for collection actions which are the responsibility of the homeowner and the lot.