

Phone: (951) 339-8659  
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# MEMO

TO: Mission Homes of Montclair Association Member  
FROM: Becky Dutton, CMCA<sup>®</sup>, Community Manager  
RE: Revised and Adopted Rules and Regulations  
DATE: October 4, 2013

Dear Homeowner,

We have enclosed the Mission Homes of Montclair Association Rules and Regulations approved September 17, 2013 by the Board of Directors.

If you need additional information, please do not hesitate to contact our office.

Thank you,

Rebecca Dutton, CMCA, AMS  
TESS Property Management



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# MISSION HOMES OF MONTCLAIR COMMUNITY ASSOCIATION

## *RULES AND REGULATIONS*

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In order to enforce the Rules and Regulations contained in the Declaration of Covenants, Conditions, and Restrictions, (CC&R's), the Board of Directors has adopted the following set of Rules and Regulations, which must be followed by all residents and their guests. These Rules and Regulations are designed to enhance harmonious living within the community. If there is any conflict between these Rules and Regulations and the CC&R's, the latter shall govern.

**PLEASE NOTE CAREFULLY THAT IF THESE RULES ARE VIOLATED, A CORRECTIVE ASSESSMENT MAY BE LEVIED AGAINST THE UNIT WHERE THESE INFRACTIONS OCCURRED.**

The Board of Directors request that all violations be reported in to the Management Company at the following address and/or phone number:

**TESS Property Management  
160 W. Foothill Prky., Suite 105-34  
Corona, CA 92882  
Office: (951) 339-8659  
Fax: (951) 339-9422**

# MISSION HOMES OF MONTCLAIR COMMUNITY ASSOCIATION

## RULES AND REGULATIONS

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## **VIOLATION AND FINE SCHEDULE**

### **THE SYSTEM WORKS AS FOLLOWS**

1. A letter from the management company citing the violation will be sent to the homeowner involved. In case of a rented unit, it is the homeowner's responsibility to notify their tenant(s).
2. If the violation is not corrected within the specified time limit, or repeated violations of the same offense, a second letter will be sent requesting the homeowners' presence or written response at a hearing before the Board of Directors at the next regular scheduled meeting.
3. If the violation is not corrected by the hearing date and/or the homeowner fails to attend the hearing, the Board of Directors may levy a corrective assessment per the following schedule:

### **VIOLATION AND FINE SCHEDULE**

<b>First Notice</b>	<b>Warning Letter</b>
<b>Second Notice (same offense)</b>	<b>\$25.00 fine</b>
<b>Third Notice (same offense)</b>	<b>\$50.00 fine</b>
<b>Fourth Notice (same offense)</b>	<b>\$100.00 fine</b>
<b>Future Notices (same offense)</b>	<b>\$100.00 fine</b>

4. Waiver of any corrective assessment levied will be considered individually at the discretion of the Board of Directors. All requests to have a fine rescinded must be submitted in writing and submitted to the management company as listed on page 1.
5. Offsite owners are required to supply a copy of the Community Rules and Regulations to their tenants. Management will make extra copies available. **Remember, as the legal owner, "YOU" are responsible for any offenses that your tenant may commit.**

It is not the Board's intention to be overbearing. It is the responsibility of the Board of Directors and **every Homeowner** to keep the community clean, neat, and attractive. By following these Rules and Regulations we will keep our property values at their highest possible level.

Please have pride in your neighborhood and home. Thank you in advance for your help and cooperation.

Sincerely,

*Mission Homes of Montclair Community Association Board of Directors*

## **RULES AND REGULATIONS**

### **I. COMMON AREAS**

The common areas of the community are part of our capital investment, and we all pay the cost of maintaining these facilities through our monthly assessment. While individual homeowners are not directly responsible for maintaining the common areas, please use common sense.

1. **OCCUPANCY:** Each Lot shall be used for a single-family residence and for no other purpose. No part of the properties shall ever be used or caused to be used or allowed or authorized to be used in any way, directly or indirectly, for any professional, commercial, or industrial purposes without prior approval by the Association.
2. **LEASING:** No Owner shall be permitted to rent or lease its Lot for transient or hotel purposes. The Owners of any rented or leased Lot shall be strictly liable to the Association and to the other Owners in the Community for any damage to any other Lot or to the Common Area which may be caused by such Owner's tenants or lessees, or by their respective guests or invitees.
3. **CONDUCT AND BEHAVIOR:** Each homeowner shall be responsible for the conduct and behavior of all adults, children, and other family members residing in or visiting his/her dwelling. The Association shall repair any damage to any portion of the common areas caused by said adults or children and any costs incurred will be assessed to the homeowner's account.
4. **QUIET ENJOYMENT:** Each resident has the right of quiet enjoyment of his/her own unit. No Owner shall permit or allow anything to be done or kept upon such Owner's Lot which will obstruct or interfere with the rights of quiet enjoyment of the other occupants, or annoy them by unreasonable noises or otherwise, nor will any Owner commit or permit any nuisance on the premises or commit or allow any immoral or illegal act to be committed thereon.
5. **GARAGE SALES:** Garage/yard sales are not permitted in the community. Failure to comply will result in an automatic fine to the homeowner account.
6. **TRASH AND REFUSE:** Trash and garbage containers shall not be permitted to remain conspicuous except on days of trash collection. Trash cans may be put out on Thursday night and brought in no later than Saturday morning.
7. **UNSIGHTLY ITEMS:** All clotheslines refuse containers, woodpiles, storage boxes, tools and equipment shall be prohibited from any Lot unless obscured from view by a fence or appropriate screen approved by the Board of Directors.
8. **SIGNAGE:** No sign of any kind shall be displayed to the public view on or from any Lot or the Common Area without the prior written approval of the Association, except one (1) "for sale" or "for lease" sign of reasonable size on any Lot.

9. **WINDOWS:** No window in any Residence shall be covered in whole or in part, inside or outside, with aluminum foil, newspaper, paint or any other material reasonably deemed inappropriate for such use by the Association.
10. **HOLIDAY DECORATIONS:** All exterior decorations and lighting for winter holidays must be removed by January 15.

## II. PARKING/VEHICLES

1. **PARKING:** STREET PARKING IS NOT ALLOWED in the community, as all streets are considered fire lanes. Vehicles parked on the street longer than 10 minutes for loading/unloading are subject to towing at the vehicle owner's expense.
2. **RESIDENT PARKING:** Resident parking is restricted to the garage associated with the property. All other vehicles exceeding the garage capacity must park on the street outside of the community.
3. **VISITOR PARKING:** There is no parking in the Visitor Parking Area between 3:00 a.m. to 6:00 a.m. For medical or other emergency situations which may affect parking, please contact the management company during regular business hours, or contact Patrol Masters at (877) 648-0602 (24 hours/day, and weekends and holidays).
4. **GARAGE USAGE:** Garages shall be used primarily for parking purposes only, and are not to be converted into living spaces or other uses. Each resident shall maintain his/her garage in a manner that will ensure the capability of parking two (2) full-sized vehicles with the garage door closed. All garage doors shall be kept fully closed when not in use.
5. **RECREATIONAL OR COMMERCIAL VEHICLES OR EQUIPMENT:** Residents MAY NOT park, store or keep any large commercial type vehicle, any recreational vehicle (including but not limited to, campers, motorhomes, trailers, aircraft, boats, or any similar vehicle or vehicular equipment, mobile or otherwise), or any vehicle other than a private passenger vehicle anywhere within the Community, except fully enclosed within the garage with the garage door fully closed. Vehicles 3/4 ton or smaller and used for everyday transportation are considered private passenger vehicles.
6. **VEHICLE REPAIRS:** NO major auto repairs or major restorations are allowed in the community. Emergency repairs are allowed only to the extent necessary to enable movement to a proper repair facility.
7. **SPEED LIMIT:** The speed limit within the Community is fifteen (15) miles-per-hour, please abide by posted speed limits throughout the community at all times for the safety of all residents, small children, and pets.



### III. POOL AND SPA RULES

1. Children under the age of twelve (12) years are not allowed in the spa. CHILDREN UNDER THE AGE OF SIXTEEN (16) YEARS ARE NOT ALLOWED IN THE POOL AREA WITHOUT ADULT SUPERVISION (18 years or older). Children under two (2) years of age are required to wear plastic/rubber pants while in the pool.
2. Glass objects are not allowed in or around the pool or spa. (The danger is obvious, and it costs a fortune to clean the pool of this material.)
3. No pets are allowed in the pool and spa area. Here again, this would result in an unsanitary condition and cost each of us for the cleanup.
4. Please keep the pool and spa area clean. Report any unsanitary conditions to the Property Management Company.
5. Do not attempt to flush diapers or large amounts of paper down the commodes. Restroom facilities are available within the immediate pool area; however, please treat these facilities as your own.
6. Each single-family resident is allowed a maximum of four (4) guests in the pool area at any given time. A homeowner wishing to exceed the maximum number of guests (4) must obtain prior authorization from the Board of Directors. Please contact the Property Management Company with your request prior to use of the pool area.

### IV. PETS

1. **NUMBER:** No animals of any kind shall be raised, bred or kept for any commercial or breeding purposes in any Lot or in the Common Area, except two (2) common household pets such as dogs, cats or birds, may be kept in each Lot subject to the approval of the Association. No resident shall keep any animal which weighs in excess of forty-five (45) pounds.
2. **NO PETS are allowed in the pool areas or spa at any time. NO EXCEPTIONS!**
3. **CONTROL:** All pets are to be secured by a leash and handled under reasonable control AT ALL TIMES when in any common areas in the community.
4. **LITTER AND PET WASTE:** Each pet owner shall immediately remove and dispose of any litter, pet waste, or mess left by their pet. Pet owners shall not permit their animal to use the front or side yard of any other homeowners as a relief area.
5. **NOISE:** Pet owners are responsible for any noise disturbances caused by their pets.
6. **GUESTS/TENANTS:** Homeowners are responsible for the actions of pets or for any damage or injury caused by pets brought into the community by their household residents, visitors and guests.
7. **NUISANCE:** The Board of Directors may prohibit any animal within the community which constitutes a continuous nuisance.

## **V. SATELLITE DISHES**

WHEREAS, the governing documents of Mission Homes of Montclair Homeowners Association specifically preclude the installation of satellite dishes; and

WHEREAS, Federal Communications Commission (FCC) rules effective January 1, 1999 to permit the installation of video or television antennae, including a satellite dish:

1. A dish antenna may be considered for outside installation if it is less than one meter in diameter.
2. Antennas may be installed only in certain areas within the Association, specifically in "exclusive-use" areas of the individual Homeowner such as balconies, patios, decks and lanais.
3. Individual antenna installation is not permitted on common property. In addition, antennas cannot be installed on individually-owned or exclusive-use areas when the antennas extend beyond the exclusive use area into common-area airspace (as in the case of an antenna installed on a balcony and extending outside the balcony and over the roof).
4. The antenna may be required to be painted or camouflaged to match the area on which it is installed (such as exclusive-use balcony), etc.
5. The Association may require removals during routine maintenance.
6. The Unit Owner becomes responsible for installation damage repair and maintenance of the areas impacted by the installation. This maintenance exists throughout the time of the installation and is valid for removal.
7. Unit Owners installing an antenna dish shall indemnify and hold harmless the Association and its members for any loss, damage or injury caused by the installation, maintenance or use of such dish.

## **VI. ARCHITECTURAL STANDARDS - GENERAL GUIDELINES**

1. All requests must be submitted in duplicate on forms supplied by the Board of Directors. These forms may be obtained from the Property Management Company.
2. Allow at least two (2) weeks for the Board of Directors response.
3. If a proposal is rejected, the applicant is free to request that the Board of Directors reconsider its position within thirty (30) days of Board's action, and is encouraged to present new or additional information which might clarify the request or demonstrate its acceptability. Final appeal may be made to the Board.
4. The description of the project should include all information necessary for the Board of Directors to take action. Necessary data would include the height, width, length, size,



shape, color, and location of the proposed improvement. Photographs or sketches (name, address, and telephone number of your contractor, if applicable) are requested. The existing drainage pattern is not to be affected.

#### BUILDING ALTERATION, ADDITIONS AND DETACHED STRUCTURES

1. Any addition to an existing building, modification, or change to an existing building, or any new detached structure must have the approval of the Board of Directors before any work is undertaken. Examples include a patio, greenhouse, or storage shed (those storage sheds that are commercially available and are of such size to not project above the fence and are substantially hidden from the exterior of the lot, may be exempt from the approval requirement).
2. Only exterior materials compatible with the architectural design character of the community will be approved.
3. Guttering styles and color must be consistent with that guttering already installed within the community.
4. Installation or replacement of air conditioning equipment or solar energy equipment requires prior written approval from the Board of Directors, which shall have the right to approve or disapprove the size, shape, noise level and proposed location of such equipment.
5. Unpainted surfaces and unstained areas such as brick walls or wooden fences, visible to the exterior of the lot, shall remain unpainted or unstained.
6. Any fence or gate must have the approval of the Board of Directors before installation is undertaken and only if the design is in general conformity with the architectural design of the community.
7. The Board of Directors will not approve an application for the installation of chain link or other galvanized metal fencing.
8. All fencing or gates should preferably have finished materials on both sides. If only one side has finished materials, this must face the public side of the individual lot. Finish material must be in conformity with the architectural design of the community.
9. Exterior lighting, if desired, shall be installed in a discreet manner. Any lighting that can be construed to be supplemental to the street lighting scheme (Sodium, Mercury Vapor, or high wattage security lamps) should be approved by the Board of Directors.
10. Approval of any project by the Board of Directors does not waive the necessity of obtaining the required county or city building permits.
11. Obtaining a county or city permit does not waive the need for Board of Directors approval; in fact, the City/County Planning Departments require that a copy of the approval form be appropriately executed, and presented to them, before they will issue a permit.

12. The Board of Directors will not knowingly approve a project which is in violation of the county or city building codes.
13. Now for some good news; the Board of Directors has no desire to dictate or require that stringent landscaping rules be initiated or enforced. It is the responsibility, and the privilege, of the homeowner to landscape his private areas as he sees fit.

**VIOLATIONS OF ANY OF THE ABOVE RULES MAY RESULT IN FINES  
AND/OR REVOCATION OF POOL PRIVILEGES.**

*Thank you for your continued compliance with these Rules and Regulations.*

*Mission Homes of Montclair Community Association Board of Directors*