

Hot Springs Village Townhouse Association (HSVTHA)

Rules And Regulations

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1 Perralena Lane Hot Springs Village, AR 71909
Phone: (501) 922-1375 Fax: (501) 915-9347
E-mail: hsv.tha@sbcglobal.net
Website: www.hsvtha.com

Office Hours: 8:00 A.M. - 2:00 P.M.

Dear HSV Townhouse Association Member,

The Board of Directors of the HSV Townhouse Association welcomes you to the Village and to the Association, and is pleased to have you as a member. As a townhouse owner, you automatically become a member of the HSV Townhouse Association. Your active participation on committees and in Townhouse Association affairs is welcomed.

The Board of Directors of the HSV Townhouse Association meets in the months of January, March, May, July, September, November, and December on the 2nd Friday @ 9:30 A.M. During the meeting, the Board of Directors and the THA staff are available to answer questions or concerns that owners may have. All members of the HSV Townhouse Association are urged to attend.

The HSV Townhouse Association members are also members of the HSV Property Owners Association and, accordingly, are governed by the *HSVPOA governing documents and Covenants and Restrictions* in addition to the *HSV Townhouse Association Supplemental Declaration of Covenants and Restrictions, Articles of Incorporation, By-Laws, and Rules & Regulations*.

We want to take this opportunity to outline some of your responsibilities as a townhouse owner and to inform you of the HSV Townhouse Association's responsibilities to you. For a complete listing, please refer to the HSV Townhouse Association governing documents which are available at the HSV Townhouse office, and the *HSVPOA governing documents and Covenants and Restrictions* available at the POA office.

Sincerely,

HSV Townhouse Association

Board of Directors

Table of Contents

Owners' Responsibilities	1—4
Townhouse Association Responsibilities	5—6
Townhouse Association Facilities	7
Committees	8
Building & Site Improvement Procedures	9—10
Re-Painting / Siding / Re-Roofing Procedures	11
Lawn Maintenance Services	12
How Your Assessment Monies Are Spent	13

REFERENCES:

Architectural Review Committee (ARC)

Finance Committee (FC)

Hot Springs Village Townhouse Association (THA)

Hot Springs Village Property Owners Association (HSVPOA)

Nominations and Elections Committee (N&EC)

Standard, Control and Capital Improvement Committee (SC&CIC)

Owners' Responsibilities

As a member of the Townhouse Association, owners are responsible for :

Monthly Assessments

The monthly assessment is due by the first day of each month and is to be received no later than the 10th of each month. Please write your unit number on your check before mailing in your payment. Checks should be made out to the HSV Townhouse Association and mailed to HSVTHA, c/o Clark Simson Miller (CSM) at PO Box 26941, Charlotte, NC 28221. It is best to mail your check to CSM, but there is a drop box located in a slot in the office door and a drop box beside the mailboxes at the THA Community Center. Payments left in the drop boxes are put in a packet and mailed to CSM on the following Friday. Automatic bank draft may be set up by contacting CSM at 865-315-7505 or support@csmhoa.com. A \$30.00 fee will be charged for all returned checks and declined bank drafts. At the end of the year new coupons will be mailed to you for the following year.

Townhouse Maintenance and Repairs

The maintenance, repairs, replacement, reconstruction and upkeep of the home inside and outside, as well as the appurtenances and platted property to the living unit, including ingress and egress are Owner responsibility. This includes painting, roofing, cleaning windows, and removing debris from the sidewalks, decks, gutters, and porches. The seawalls, where applicable, are owner responsibility. Individual mailboxes are the owner responsibilities.

Townhouse Water System

Owners are responsible for the water system of the unit, beginning at the downstream side of the meter and ending at the sewer line at the sewer "drop box."

Townhouse Exterior Changes

Exterior structural and/or addition changes require approval of the Townhouse Architectural Review Committee (ARC) and HSVPOA Planning & Inspections building permits, *prior to work being done.*

Re-Painting / Siding / Re-Roofing

Applications for re-painting, application of vinyl siding, and re-roofing must be approved *prior to work being done.* Color choices may be viewed at the THA office. Colors chosen must be agreed upon by court representatives and by all adjoining owners within the townhouse structure *prior to work being done.*

Propane Tank

Propane tanks for interior heating must be approved by the THA ARC and the HSVPOA Planning & Inspections *prior to installation*.

Utilities and Services

Owners are responsible for paying utilities and services including telephone, electric, cable or satellite, water, sewer, garbage collection, pest and termite control, real estate taxes, and insurance on individual dwellings.

Owners, Guests and/or Rental Guests

Owners, guests and/or rental guests are expected to abide by the rules of the Townhouse Association and the HSVPOA. Rights of an owner or assignee may be suspended for delinquent assessment or violation of rules and regulations established by the Board of Directors.

Charcoal Grills

Charcoal grills are not recommended on wooden decks. (Ashes and/or charcoal are a fire hazard.) Propane or electric grills are allowed.

Sale of Property

The owner is to notify the THA of sale of the property. The THA must receive a copy of the new warranty deed indicating transfer of ownership in order to transfer assessment fees.

Long-Term Rentals

The owner is to notify the THA of long-term rental occupants as well as any management company that will be managing a rental unit.

Insurance

All owners must have insurance coverage for their entire dwelling and the platted property around it.

Pets

Pets are to be on leashes at all times when outdoors; however, leaving pets chained outside for extended periods is prohibited. It is the responsibility of the animal owners to clean up after their pets regardless of where they are being walked in the courts.

Parking

Each townhouse owner has the exclusive rights by grant of easement to two (2) parking pads directly in front of or adjacent to his/her townhouse. If the two (2) pads are not available in front of the townhouse, owners may utilize "overflow" parking areas nearest his/her townhouse. Existing carports and or garages are considered parking pads.

Parking anywhere but on pads or driveways is prohibited within the courts!

Vehicles parked in townhouse courts must have a current license, HSVPOA stickers or passes and be drivable. Any vehicle that does not meet this criteria beyond a period of 30 days, except when stored in a garage or carport, shall be considered derelict and will be towed at the owner's expense.

Parking of Boats, Trailers, Commercial Vehicles

Supplemental Declaration Article XI, Section 1, (b) - "the use of any driveway, parking pad, limited common property, carport or garage without doors as a *habitual* parking place for boats, trailers, motor homes, or commercial vehicles is prohibited." They must fit into one (1) of the parking spaces of that townhouse. Parking is allowed for 72 hours only. **If they are too large for a parking space, then the owner/renter must make other arrangements for parking outside of the court.** Otherwise the vehicle will be towed at owners expense. Also, refer to POA Protective Covenants #27, #28& #29.

Storage Around Townhouses

No clothes line, rack for garbage pails, or free standing garbage pails shall be erected, placed or maintained on any lot unless screened from the view of the general public and of the adjoining lots. Such screen is to be approved as to design and appearance by the Hot Springs Village THA Architectural Review Committee and the HSVPOA Planning & Inspections.

No trash, junk, debris or miscellaneous items shall be stored or left in view of the general public and of the adjoining lots. Porches, decks, patios, parking pads and sidewalks are to be kept free from clutter and debris.

Infractions

Owners are responsible for correcting infractions to any of the rules. The owner shall respond within 10 days to written notification of an infraction received from the THA office. Owner has 30 days to correct the infraction. If not corrected the Board of Directors may levy a "penalty" assessment to the specific owner (see Article IX, Section 3 Hot Springs Village THA By-Laws).

Please Call the POA regarding...

Public Works Dept. @ 922-5522 for Maintenance to the streets, street lights, water, and sewer.

Animal Control @ 922-6547

General information @ 922-5515

Police non-emergency @ 922-0011

Vehicle Tags @ 922-5516

Hot Springs Village THA Responsibilities

In return for your assessment payments, the HSV Townhouse Association undertakes the following responsibilities on your behalf:

Limited Common Property

Maintenance of the *limited common properties** as directed by the THA Board of Directors, according to available finances. This maintenance currently includes: mowing, watering, weeding, fertilizing, trimming, leaf removal, and general cleanup of the limited common properties in each HSV townhouse court; gazebos that are part of the limited common properties; maintenance of the large trash bins. Owners are urged to keep area neat & orderly.

All requests for maintenance to limited common property *must* go through the Townhouse Association office. If you have a maintenance request, please call the office at 501-922-1375.

**Limited Common Property* refers to property deeded by the developer to the HSV Townhouse Association and is for the exclusive use of all townhouse property owners. THA Limited Common Properties include the grass and shrubbery in the common areas of the courts and parking pads in front of units. Additional common property includes: the Community Center adjoining the office in Valencia Courts; and gazebos at Castellon, Coronado and Madrid Courts.*

Sanitation

Superior Sanitation collects trash in THA courts only. Nine of the 16 courts have community trash corrals. The remaining courts have curbside pick-up or enclosures attached to the unit for at-home pick-up. The sanitation fee is a line item included on the monthly assessment coupons which are mailed to owners at the end of the year for the new year. The fee varies per court depending on the degree of service required.

Insurance Coverage

The Association maintains a blanket liability insurance policy on the limited common properties and property insurance on the equipment, buildings and vehicles owned by the THA. The Association also carries coverage for Directors and Officers.

Hot Springs Village THA Books & Records of the Association

To maintain up-to-date records of all transactions and expenses involving townhouse properties. These records are available for inspection and may be copied by a *townhouse owner* at current cost of 25 cents per page.

Taxes

Payment of real estate taxes on the limited common properties, payroll taxes, vehicle and income taxes, if any.

Utilities

Payment of utility bills on the limited common properties.

Legal / Accounting

Payment of legal and accounting fees incurred by the Association.

Hot Springs Village THA Facilities

Community Center

The THA Community Center is located at 1 Perralena Lane in Valencia Courts adjacent to the THA office. Rental is available to all townhouse members at a reduced rate for meetings, parties, etc.

The facility is a centrally heated and air conditioned facility complete with sound system, coffee makers, microwave, refrigerator, and four (4) restrooms (one [1] accessible for the handicapped).

Reservations may be made through the THA office between 8:00 A.M. and 2:00 P.M., Monday through Friday. Call 501- 922-1375 to schedule your event.

Persons renting the THA Community Center will need to pay a cleaning and damage deposit at the time of rental.

Hot Springs Village THA Committees

Standard, Control and Capital Improvement Committee (SC&CIC)

Architectural Review Committee (ARC)

Finance Committee (FC)

Nominations and Elections Committee (N&EC)

The By-Laws of the Townhouse Association call for the above-stated committees. Each committee is to be made up of three (3) members, with the exception of the Standards, Control and Capital Improvements Committee that, ideally, is made up of at least one or two members from each townhouse court.

Hot Springs Village is a “melting pot”. There are people living here who come from all parts of the country and from every walk of life. The knowledge and expertise that comes to our Village from all these people is diverse—and we would like to see some of this knowledge and expertise used in the running of our Townhouse Association!

If you have experience in management, finance, building or building inspections, collections, writing or communications, we could use you on one of our committees. The possibilities are endless!

If you would be willing to serve on a committee, we would love to have you, and believe that you would find participation in the Townhouse Association most gratifying! Each of the THA committees listed plays an important role in the Association. We hope you will consider taking an active part in the Association.

Townhouse members in good standing with the Association, current with their assessments, who wish to volunteer for a committee or a position on the Board of Directors, may obtain an application at the THA office. Completed applications, along with a brief resume, should be returned to the THA office.

Application Procedure for Building and Site Improvements

Because of strict building codes in HSV, and to protect the townhouse owners, **all building or site modifications are to be approved by the Townhouse Association Architectural Review Committee and the HSVPOA Planning & Inspections before construction is begun.** This includes deck extensions, enclosures or additions, awnings, etc., in/on all townhouse units. Following THA approval, plans will be forwarded to the HSVPOA Planning & Inspections for final approval.

- Any construction that affects landscaping shall cause said landscaping to be corrected and/or replaced at the cost of the contractor or the owner (**not the THA**). In addition, the contractor doing any work is responsible for removing any debris at the construction site.
- A change of color of the exterior paint, or change of exterior siding, or change in roofing materials or color must have the prior approval of the court representative as well as approval of the other owners in their structural unit.
- In order to protect you, the owner, all construction requires the preparation of adequate engineering drawings, plans and specifications which show the following:
 1. Plat lines and all views of the planned improvement, including elevations, side, end, isometric, etc., to allow the THA ARC to determine if the property is being improved within the limits of the covenant.
 2. All dimensions, i.e., length, depth, roof structure, number of posts, depth of posts in the ground, storage areas, facing on posts - stone, brick wood, etc. - and a listing of building materials for the project.
 3. Support posts properly anchored in a concrete footing 18" – 24" in the ground.
 4. All deck railings are to be no further than 4" apart.

In addition:

5. All materials should be the same as previously used in/on the building with the exception of wood shake shingles; which are no longer allowed because of the fire hazard they present. Other materials may be approved by the THA ARC and HSVPOA Planning and Inspections.
6. All construction must be done as shown on the approved drawings and specifications.
7. All contractors shall provide proof of liability and workers' comp coverage.

Application Procedure for Building and Site Improvements – Continued

8. The HSVPOA Planning & Inspections will monitor the building or improvement project.
9. Applicants must include gutters and/or splashguards on additions or enclosures to keep water from draining onto adjoining townhouse decks or structures.

The following procedures must be followed prior to beginning any construction:

1. The "Application for Planning & Inspections Approval" and consent forms must be obtained from the Townhouse Association office.
2. Signatures or verbal consent must be obtained from townhouse owners in the same structural unit unless the THA ARC waives consent.
3. The THA ARC may recommend that the Townhouse Board of Directors approve any application for improvements when any owners in the same structural unit fail to reply to the consent form or if objections appear to be unreasonable.
4. The name of the contractor must be shown on the HSVPOA Planning & Inspections form before it can be approved.
5. The application permit, signed consent forms, one (1) copy of the plans, drawings and specifications, as outlined above, must be delivered to the THA office.
6. The THA ARC will review all applications and pass them on to the HSVPOA Planning & Inspections for final review.
7. After receiving recommendations from the THA ARC, the HSVPOA Planning & Inspections will review the application and upon approval, issue the permits necessary for the project. No construction should begin prior to this final approval!
8. When a roof needs replacement, approval must be obtained from the THA ARC. Wood shake shingles **will not** be allowed as replacement due to fire hazard.

PLEASE ALLOW UP TO 15 BUSINESS DAYS FOR APPROVAL & PERMIT

Painting / Siding / Roofing

In an effort to upgrade and protect townhouse investments in HSV, the Townhouse Board of Directors adopted procedures for Building and Site Improvements in January 2001. These standards apply to all townhouse courts in the Hot Springs Village Townhouse Association.

Painting / Siding / Re-Roofing applications are available at the THA office between the hours of 8:00 A.M. and 2:00 P.M. **The HSV SC&CIC must approve any paint color, siding, or roofing materials before work begins.** If possible, it is best that owners who share the same structural unit paint at the same time. Roofs, especially, should be done at the same time.

Each townhouse area set up its own color selection committee to recommend color choices for that court. **The approved color palettes for exterior siding, trim and doors are on file in the THA office for each court. Roofing samples are also available at the THA office.** The THA has on file a list of painters whose work was recommended by local paint suppliers or homeowners who are satisfied with the painters' work.

Three courts, (Cortez, La Coruna, and Majorca 4) will be painted with the same colors for the main structure and trim. The colors of some courts have been up-dated. Courts which already have various colors, and/or units with vinyl siding should choose colors which match adjoining units. If a different color is chosen, it must be from a pre-approved color selection and the owner must have a signed consent form from all owners of that structure. Owners may select different pre-approved colors for the front doors to express their individuality. Any changes in color must be approved by the court representative prior to work being done.

Each homeowner should get estimates and recommendations on his/her own. It is important to coordinate painting and roofing with adjoining owners. Contractors will often give a better price for doing a complete building at the same time. If owners in your structural unit do not agree to paint at the same time you do, you must request they sign a consent form before the work begins and turn it into the THA office. Consent forms are available at the THA office.

The SC&CIC members have consulted with numerous local paint supply companies. All recommend the highest quality exterior latex with a mildew inhibitor added.

Each one of the companies stated that they could match colors. The SC&CIC members and the selection committee members have done extensive research in order to make your re-painting as easy as possible for you the townhouse owner. Please consult the information on file at the THA office before painting and roofing your townhouse unit(s).

Remember to get THA approval before you paint!

Please allow 5-10 business days for the painting approval process.

Contracted Lawn Maintenance Services **on Limited Common Property**

Contracted Services are designated into three (3) categories and listed below:

- A. Category #1—Contracted by bids (Lawn Maintenance)
 - 1. Maintain best possible appearance, grass mowing and clippings disposal on a regular basis. (Mulching is permissible during dry periods.) Excessive grass/leaves must be picked up and removed. During mowing season, perform on a weekly basis.
 - 2. Edging of sidewalks, driveway, parking pads, streets, shrubbery area, and flowerbeds on a regular basis.
 - 3. Use of a blower on sidewalks, driveways, parking pads, streets, shrubbery areas, and flowerbeds on a weekly basis. Raking of center cul-de-sac areas may be beneficial for the best appearance and to keep down dust.
 - 4. Mulch and/or remove leaves. Leaves blown into wooded common property are to be scattered as much as possible, not blown into piles. Leaves are not to be blown into any public roadway, ditch or any of the waterways.
 - 5. Remove branches, and fallen leaves during mowing season.
 - 6. Debris is to be removed after storms: wind, rain, snow or ice, as soon as is reasonable.
 - 7. Shrubbery trimmings as needed for good appearance, allowing for flowering and berrying.
 - 8. Remove all "sucker" limbs and limbs that obstruct walkways, parking areas or driveways.
 - 9. Watering of grass areas, including shrubbery and flowers when needed, performed on a weekly basis, to provide 1-1/2 to 2 inches in all areas, during the mowing season.
 - 10. Clean drains when and where needed on Limited Common Property.
- B. Category #2—Contracted by outside bid
 - 1. Pre-Emergent and chemical treatments
- C. Category #3—Contracted by tree service
 - 1. "Dead" tree removal.
 - 2. Removal of limbs affecting roofs or unit structures.
- D. Workers shall be courteous to all owners and/or residents.
- E. Owners and/or residents should direct all suggestions, concerns and complaints to the THA office who will address the matter with the contractor.
- F. Contractor *is not* obligated to remove toys, bicycles, etc. from the work areas.
- G. Replacement of "bark/gravel" will be the responsibility of the Hot Springs Village THA on limited common property.
- H. Lawns will be serviced once per week. The mowing date, as near as possible, will be the same day each week. Rain delay days will be followed with "service" days.
- I. Hours for work shall be within the hours of: 7:00 A.M.—8:00 P.M.
- J. Owner/Resident is responsible for replacing and/or removal of plants, shrubs, bark, and/or gravel within their platted domain.
- K. Owner/Resident is responsible for watering within their platted domain. Some areas are able to be watered by the THA watering system during the watering of grass areas, but ultimately it is the owners' responsibility.

**HOT SPRINGS VILLAGE TOWNHOUSE
ASSOCIATION HOW YOUR ASSESSMENT MONIES ARE SPENT**

Your assessments are divided into two categories: Direct Court Expense and Association Shared Costs.

DIRECT COURT EXPENSE: The following are directly related to your court:

- | | |
|--------------------------|--|
| 1. Contract Labor | Lawn Maintenance Contractors. |
| 2. Chemicals/Fertilizer | Fertilizer, Pre-emergent, weed killer. |
| 3. Electric Courts | For sprinkler & irrigation systems that use lake water. |
| 4. Water Courts | For sprinkler & irrigation systems that use POA water. |
| 5. Grounds Maintenance | Labor, supplies, materials for upkeep for the court and/or improvements to the limited common property which are not covered under Maintenance Contractors' Contract. <i>(This does not include landscaping platted lots.)</i> |
| 6. Tree Cutting/Trimming | Tree cutting, trimming, removing, and hauling off of debris. |

OTHER COURT EXPENSE: The following are directly related to or shared by your court:

1. Court Capital Reserve Contributions for Capital Asset Repairs/Replacement in the court

2. Association Shared Expense - These expenses are shared by all courts, between all 928 townhouses and charged to the court depending on the number of townhouses in each court. In some instances if these expenses are directly related to a court, that portion is charged to that specific court and the balance is shared among all courts.
 - 1) Accounting expense (Yearly Auditing and Tax filing)
 - 2) Advertising expense (this includes website, newspaper, and radio)
 - 3) Association Capital Reserve - Common Assets Only
 - 4) Association salaries and payroll taxes
 - 5) Insurance expense (general liability, property, auto and directors & officers coverage)
 - 6) Interest expense
 - 7) Legal expenses
 - 8) Office building and lot maintenance and repair expenses
 - 9) Office expenses (bank charges, office supplies, computer systems, computer software, telephone, postage, water, electric, and various other office expenses deemed necessary)
 - 10) Real estate and personal property taxes

Income/Expenses for the Community Center are charged to the Community Center.

At the end of each year the remaining court surplus or loss is carried forward to the next year.

Other Income: Net Community Center Income, is added to the Association's Common Operating Reserve.