

HSVTHA

Rules And Regulations

Reprinted and Updated September 13, 2011

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Office Hours: 8:00 A.M. – 2 :00 PM Walk-in

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 @ 10:30 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 *HSV POA 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 Policies & Procedures*.

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 *HSV POA governing documents and Covenants and Restrictions* available at the POA office.

Sincerely,

HSV Townhouse Association

Board of Directors

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Owners' Responsibilities

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

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. A \$25.00 administrative processing fee will be incurred monthly on all delinquent accounts. Please write your account number on your check and attach a coupon before mailing in your payment. Checks should be made out to the HSV Townhouse Association and mailed to the office at One Perralena Lane, HSV, AR 71909-3106. Drop boxes are located in a slot in the office door or the drop box beside the mailboxes at the THA Community Center. Dues may also be pre-paid quarterly, semi-annually or annually. Automatic bank drafts are also available and a form is enclosed for your convenience. A \$20.00 fee will be charged for all returned checks and bank drafts.

Townhouse Maintenance and Repairs

Owners are responsible for maintenance and repairs to both the exterior and the interior of the townhouse. This includes painting, roofing, cleaning windows, and removing debris from the sidewalks, decks, gutters, and porches.

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 HSV POA 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 Tanks

Propane tanks for interior heating must be approved by the THA ARC and the HSV POA Planning & Inspections prior to installation

Utilities and Services

Owners are responsible for paying utilities and services, including telephone, electric, cable TV, water and garbage collection charges, pest and termite control which is required (see Article VIII, Section 3 of the By-Laws), real estate taxes, and insurance on individual dwellings. (Satellite dishes must conform to HSV POA Planning & Inspections regulations.)

Owners, Guests and/or Rental Guests

Owners, guests and/or rental guests are expected to abide by the rules of the Townhouse Association. 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 so that guest privileges are properly assigned.

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 pets' owners to clean up after their pets.

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 off pads or driveways is prohibited within the courts!**

Vehicles parked in townhouse courts must have a current license, HSV POA 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. **If they are too large for a parking space, then the owner/renter must make other arrangements for parking outside of the court.** Also, refer to POA Protective Covenants #27, #28 and #29.

Storage Around Townhouses

No clothes lines, 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 HSVTHA Architectural Review Committee and the HSV POA Planning & Inspections.

No trash, junk, debris items shall be stored or left in view of the general public and of the adjoining lots.

Porches, decks, patios 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 HSVTHA By-Laws).

HSVTHA 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; maintenance of townhouse swimming pool and gazebos that are part of the limited common properties; maintenance of the large trash bins. Garbage cans and lids must be stenciled with townhouse unit number and lids must be securely fastened. Owners are urged to keep area neat & orderly.

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

Limited Common Property refers to property deeded by the developer to the HSV Townhouse Association and is for the exclusive use of townhouse property owners. THA properties include the grass and shrubbery in the courts and parking pads in front of units. Additional common property includes: the Community Room adjoining the office in Valencia Courts; Desoto Pool located in Desoto Courts; storage area; and gazebos at Castellon, Coronado and Madrid Courts. Please call the THA office at 922-1375 to reserve one of these accommodations.

Insurance Coverage

The Association maintains a blanket liability insurance policy on the limited common properties and property insurance on the equipment and buildings and vehicles owned by the THA. It also pays Workmen's Compensation on all employees and other benefits on full time employees.

HSVTHA Records

Maintenance of an office with up-to-date records of all transactions and expenses involving townhouse properties.

Taxes

Payment of real estate taxes on the limited common properties, payroll taxes, 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.

Call the POA

Regarding maintenance to the streets, street lights, water, sewer, trash collection, and animal control, call the Public Works Dept. at 922-5522

HSVTHA 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 12:00 P.M., Monday through Friday. Call 922-1375.

Persons renting the THA Community Center will be held responsible for any damage / theft to THA property incurred during this time.

HSVTHA Committees

Standard, Control and Capital Improvement Committee

Architectural Review Committee

Finance Committee

Nominations and Elections Committee

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 phenomenal—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 at 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 HSV POA 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 HSV POA 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 written 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 HSV POA Planning and Inspections.
6. All construction must be done as shown on the approved drawings and specifications.

Application Procedure for Building and Site Improvements – Continued

7. The HSV POA Planning & Inspections will monitor the building or improvement project.
8. 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 on the consent form must be obtained from townhouse owners in the same structural unit unless the THA ARC waives consent. Obtaining these signatures is the responsibility of the homeowner.
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 HSV POA 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 HSV POA Planning & Inspections for final review.
7. After receiving recommendations from the THA ARC, the HSV POA 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.)

Adopted by Board 3/6/01

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 12:00 P.M. **The HSV Standards and Control Committee 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 Standard, Control and Capital Improvements Committee 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 30 days for the approval process.

Contracted Lawn Maintenance Services

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.
 - 2. Edging of sidewalks, driveway, parking pads, streets, shrubbery area, and flowerbeds on a regular basis.
 - 3. "Blowing" of sidewalks, driveways, parking pads, streets, shrubbery areas, and flowerbeds. 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 or ditch area.
 - 5. Remove twigs, branches, and fallen leaves during mowing season.
 - 6. Debris removal 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.
 - 10. Seeding and fertilizing.
 - 11. Clean drains when and where needed.
 - 12. Keep trash "corrals" clean and orderly. Bag loose materials that are picked up and place bags in a can.
- B. Category #2—Contracted by bids
 - 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. Owner agrees to accept the quality of work done by contractors within the five (5) feet domain area or any flowerbeds installed by owner or resident. If owners wish to take care of their own five (5) feet domain, a written authorization of exclusion must be submitted to the THA office.
- H. Replacement of "bark/gravel" will be the responsibility of the HSV THA on limited common property.
- I. 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.
- J. Hours for work shall be within the hours of: 7:00 A.M.—8:00 P.M.
- K. Owner/Resident is responsible for replacing and/or removal of plants, shrubs, bark, and/or gravel within their five (5) foot domain.
- L. Owner/Resident is responsible for watering within the five (5) foot 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.

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. Maintenance Crew Wages Part time employees used to spray weeds in the courts.
2. Contract Labor Lawn Maintenance Contractors.
3. Contractor Fuel Adjustment Supplements lawn contractors when gas prices soar.
4. Chemicals/Fertilizer Fertilizer, Pre-emergent, weed killer, fungus.
5. Electric Courts For sprinkler & irrigation systems that use lake water.
6. Water Courts For sprinkler & irrigation systems that use POA water.
7. Grounds Maintenance court and/or Labor, supplies, materials for upkeep for the improvements to the grounds which are not covered under Maintenance Contractors' Contract.
8. Tree Cutting/Trimming Tree cutting, trimming, and hauling off of debris.
9. Equipment Rental - Courts Equipment rented to make repairs in a court.

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

1. Payroll Expenses Part time employee payroll taxes when used in the court
2. Capital Reserve Allocation Contributions for capital asset Repairs / replacement in the court
3. Association Shared Expense Expenses that are not used for a specific court. These expenses are shared between all 928 townhouses and charged to the court depending on the number of townhouses in each court.

SHARED COSTS: The following are shared by all courts. In some instances these expenses are directly related to a court. (When this happens that portion is charged to that specific court and the balance is shared among all courts.)

1. Administrative salaries, office salaries, and payroll taxes
2. Office expenses (postage, office supplies, bank charges, telephone, water, electric, and various other office expenses deemed necessary)
3. Office building maintenance expense
4. Insurance expense (general liability, property, auto and workman's compensation, directors & officers coverage)
5. Contracted services – miscellaneous (tree cutting that is not specific to a court)
6. Legal expenses
7. Accounting expense (Yearly Auditing)
8. Advertising expense
9. Real estate and personal property taxes
10. Small tools
11. Depreciation expense (\$7,000.00 per year is figured into the monthly assessments. This is put into the Association's common assets capital reserve.)

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12. Asset replacement
13. Contingency fund expense
14. Interest expense and miscellaneous expenses
15. Automobile expenses (gas and maintenance)

Income/Expenses for the Community Center are charged to their cost centers.

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

Other Income: Interest Income, Misc. Income, Processing Fees, and Net Community Center Income, are added to the Association's Common Reserve. This money is used for repairs/replacement of items regarding the Maintenance Buildings, Office Building, Community Center, Storage Area, purchase new computers, copiers, desks, trucks, etc.