

# Villas West Governing Documents

## Rules and Regulations

Issue Date:..... 12/30/99  
Revision Date.....11/19/08  
Revision Level..... R  
Board Approval Date:.....11/18/08  
Page:..... 1 of 12

### General:

The Villas West Homeowners Association is responsible for maintaining the common area of the complex as well as protecting the rights of the owners and tenants. It is with this responsibility in mind that the Board of Directors (Board) of the Association must enforce the Rules and Regulations contained herein. Violations, especially multiple violations of one or more of the Rules, will generally result in a fine being assessed to the homeowner.

The following Rules and Regulations are adopted pursuant to authority granted by Article VI, paragraph 6.2 of the Association CC&Rs to govern the use of common area and facilities owned by the Association, and to regulate the conduct of homeowners, their tenants and guests while engaged in such use.

Residents who have a disagreement or complaint with another resident are encouraged to resolve the matter between them before filing a written complaint. To receive consideration, any complaint pertaining to the alleged violation of any rule or regulation published herein must be presented in writing, signed and dated by the complainant, to the Board. The Board shall review all written complaints and make appropriate recommendations for action.

If the Board determines that a violation of the Rules and Regulations or other legal requirement of membership in Green Valley Villas West Condominium Association has occurred, the violating party shall be notified of the infraction and the Board shall take appropriate action to correct the problem and prevent its reoccurrence. If the matter is not resolved to the Board's satisfaction, provisions for further relief are established as follows:

The Board may assess a fine against the offending homeowner in the following applicable increments:

First fine	\$ 50.00
Second violation of same rule or regulation	\$100.00
Third violation of same rule or regulation	\$200.00

### Rules and Regulations:

#### RULE NO. 1

- A. The Association maintains only the solid panel front door, front wood screen door, and back door with a glass window. The solid panel front door and back door with glass window will be replaced only on an "as-needed" basis. Due to the unavailability of wood screen doors, screen doors will not be replaced by the Association. The care and maintenance of any non-original screen or storm door shall be the responsibility of the owner. (CC&Rs 5.1, Page 16)

# Villas West Governing Documents

## Rules and Regulations

Issue Date:..... 12/30/99  
Revision Date.....11/19/08  
Revision Level..... R  
Board Approval Date:.....11/18/08  
Page:..... 2 of 12

- B. All of the following items must have Board approval, be painted black and installed at the owner's expense:
1. Wrought iron security doors
  2. Wrought iron gates
  3. Wrought iron handrails
  4. Wrought iron fences on back porches
  5. Wrought iron window guards
- C. Solar screens may be installed with Board approval and must be brown or black. Extra roll shades may be installed on patios. Must be installed as close as possible to supporting beam of patio, neutral color.
- D. Installation of wooden gates, at owner's expense, must be painted or stained brown and have Board approval.
- E. Safety pipe hand rails will be installed by the Association upon the owner's request.
- F. Rear screen doors and storm doors are not the responsibility of the Association and must be painted black or brown.
- G. Skylights, "curb mount or tubular frame" type, may be installed with Board approval and must be installed according to specifications on file in the management office and at the owner's expense. There will be no deviation from the specification. (Ref. Specification VWAS 09)
- H. Replacement windows may be installed with Board approval and must be installed according to specifications on file in the management office and at the owner's expense. There will be no deviation from the specification. (Ref. Specification VWAS 10)
- I. A solar panel for the hot water heater may be installed on the roof of the villa with Board approval and must be installed according to specifications on file in the management office and at the owner's expense. There will be no deviation from the specification. (Ref. Specification VWAS 11)
- J. The American Flag may be displayed on your villa with Board approval and must be installed according to specifications on file in the management office and at the owner's expense. There will be no deviation from the specification. (Ref. Specification VWAS 08)
- K. Vents for clothes dryers may be installed through the rear exterior wall of a villa or shed with Board approval and must be installed according to specifications on file in the management office and at the owner's expense. There will be no deviation from the specification. (Ref. Specification VWAS 12)

# Villas West Governing Documents

## Rules and Regulations

Issue Date:..... 12/30/99  
Revision Date.....11/19/08  
Revision Level..... R  
Board Approval Date:.....11/18/08  
Page:..... 3 of 12

### RULE NO. 2

Lattice work is not permitted; except lattice installed prior to July, 2004 may remain until such time a villa is sold or transferred.

### RULE NO. 3

When existing shakes on sheds and porches need replacement, they must be installed with Board approval and must be installed according to specifications on file in the management office and at the owner's expense. There will be no deviation from the specification. (Ref. Specification VWAS 02)

### RULE NO. 4

Villa owners shall not make a private purchase of a heating or cooling unit unless approved by the Board of Directors.

### RULE NO. 5

Electric hot water heaters, electric clothes dryers and electric stoves shall not be installed until a new power line is connected from the transformer to the villa at the owner's expense. Tucson Electric Power must approve new line installations.

All new and replacement washing machines purchased by homeowners are required to be front-loading where feasible.

### RULE NO. 6

All golf cart owners must adhere to the Golf Cart Parking specification available at the management office. (Ref. Specification VWAS 04)

### RULE NO. 7

Sheds and porches may be built with Board approval and must be built according to specifications on file in the management office and at the owner's expense. There will be no deviation from the specification. (Ref. Specification VWAS 01)

### RULE NO. 8

- A. Supplemental sidewalks built on Common Ground shall be installed at the owner's expense. A Grounds Application must be submitted for approval by the Board before any work is done and must be built according to specifications on file in the management office. (Ref. Specification VWAS 07)
- B. Existing unit owner installed walks are assessed for suitability and hazard risk by management. If necessary, replacement or removal must be made within ninety (90) days after written notification.

# Villas West Governing Documents

## Rules and Regulations

Issue Date:..... 12/30/99  
Revision Date.....11/19/08  
Revision Level..... R  
Board Approval Date:.....11/18/08  
Page:..... 4 of 12

### RULE NO. 9

- A. Homeowners wishing new plants in Common Areas must request approved plants from the planting list. A Grounds Alteration Application must be submitted for approval to the Grounds Committee and the Board. Placement will be determined by the Grounds Committee and Management.
- B. Shrubs, cactus and other vegetation may be planted by the Association when there is at least eight (8) feet between plantings. Plantings other than trees and Agave Americana, must be at least one (1) foot from sidewalks at maturity. Agave Americana shall be planted at least ten (10) feet from any sidewalk. Unit Owners requesting Common Area plantings shall be responsible for the cost of all plants requested and shall be responsible for watering those plants.
- C. Trees on Common Area that have died or were removed by the Association may be replaced at the Associations expense when and where prudent. All trees must be planted a minimum of six (6) feet from sidewalks and at least twelve (12) feet from all buildings.
- D. All pyracantha bushes inside and outside the patio walls shall be no higher than twelve inches (12”) above the walls of the patio. No pyracantha can cover the posts on the patio walls. Therefore, the pyracantha bushes become subject to trimming when exceeding twelve (12”) inches above the patio walls/posts. Pyracantha bushes must be trimmed to a height no less than approximately six (6”) inches above the level of the patio walls/posts. Pyracantha bushes must be maintained at approximately twelve (12”) inches above the patio walls/posts or the management will enforce said trimming as stated above during the regular grounds crew trimming cycle. Pyracantha trees shall be allowed to be over twelve (12”) inches above the patio walls. New planting of pyracantha is not permitted.

### RULE NO. 10

Management is maintaining the present five-year painting schedule now in effect.

- A. Owners of sheds and porches will be sent an invoice for forty-five dollars (\$45.00) for the cost of painting.
- B. Owners of Arizona rooms will be sent an invoice for fifty dollars (\$50.00) for the cost of painting.
- C. Owners with sheds and porches with latticework will be sent an invoice for sixty dollars (\$60.00) for the cost of painting.

### RULE NO. 11

Sidewalks, lawns, patios, porches, carports and the rear areas of buildings shall be kept clean and free of trash, clothing, clotheslines and other obstructions.

Only patio furniture, standard umbrellas not to exceed 8’ in diameter, swings, enclosed storage units not to exceed 36” in height, potted plants (no plastic flowers/greens), sun shades in good repair, ceiling

# Villas West Governing Documents

## Rules and Regulations

Issue Date:..... 12/30/99  
Revision Date.....11/19/08  
Revision Level..... R  
Board Approval Date:.....11/18/08  
Page:..... 5 of 12

fans, flags, vegetation, holiday/seasonal lighting, bird feeders, no more than five (5) hanging decorations and/or wall ornaments may be seen above patio wall. Hanging decorations and wall ornaments maximum size cannot exceed 24" x 36". Latticework or other barriers are not permitted on front patio or wall. CC&Rs 4.4 (c) page 12.

Back porches are to be kept clear of clutter. Storage cabinets, lockers, boxes and cleaning supplies are not permitted to be stored on back porches. Items which may be placed on back porches are small tables, chairs, benches, potted plants, (No plastic flowers/greens), table top grills, bird feeders and two hanging decorations or wall ornaments. Hanging decorations and wall ornaments maximum size cannot exceed 24" x 36". No decorations in carports.

Check with architectural committee if you have questions regarding decorations.

### **RULE NO. 12**

**Hearing Procedure** – Refer to Article 6.7 of the Covenants, Conditions and Restrictions.

### **RULE NO. 13**

**Noise – Disturbances** – Owner and occupants shall exercise reasonable care to avoid making or permitting to be made loud, disturbing, or objectionable noise. Loud sounds of any kind are prohibited between the hours of 10:00PM and 7:00AM. (CC&Rs 4.15, Page 15)

### **RULE NO. 14**

**Structural Changes** – Alterations to the exterior of building or any common element must have written consent by the Board. (CC&Rs 4.4, Page 11)

### **RULE NO. 15**

- A. **Age Restriction** – Villas West is considered housing for older persons. Therefore, each unit shall be occupied by at least one (1) person who is at least fifty-five (55) years of age or older and no persons under the age of eighteen (18) years shall reside in a unit for more than thirty (30) days in any calendar year. (CC&Rs 4.19, Page 15)
- B. All residents of Villas West are required to show proof of age to the Villas West office. Acceptable proof of age shall be a government issued photo ID.
- C. Owners whose villas are to be vacant for 30 days or more are requested to submit an “absentee address form” obtained from the Villas West management office.

### **RULE NO. 16**

**Signs**– Only signs pertaining to Villas West maintenance, association functions, management or safety will be allowed. (CC&Rs 4.13, Page 14)

# Villas West Governing Documents

## Rules and Regulations

Issue Date:..... 12/30/99  
Revision Date.....11/19/08  
Revision Level..... R  
Board Approval Date:.....11/18/08  
Page:..... 6 of 12

### RULE NO. 17

**Electrical – Antennas – Satellite Dishes** – No electrical wiring may be changed or added in the walls or ceilings unless it is done with the Board’s approval, by a qualified workman or a licensed electrician. A permit shall be obtained from Pima County Development Services before any modifications to an existing electrical system within a villa are performed. All such electrical modifications must be inspected and passed by a Pima County Inspector.

No television or radio antenna, machines, or air conditioning units shall be installed in such a manner that they protrude through the walls, roofs or windows of the condominium except as may be expressly authorized by the Board of Directors.

Existing television antennas are furnished and maintained by the Association. No antennas except those provided by the Association will be allowed. Cable service is available at the owner’s expense. All cable wire necessary for these installations will be underground and entry into the unit will be through the wall.

**Satellite Dishes** – A satellite dish may be placed on the front patio or rear porch according to specifications on file in the management office and at the owner’s expense. (Ref. Specification VWAS 06 and CC&Rs 4.2, Page 11)

For an alternate installation, the Association will allow a satellite dish to be placed on the common villa roof above the owner’s unit with Board approval and it must be installed according to specifications on file in the management office and at the owner’s expense. There will be no deviation from the specification. (Ref. Specification VWAS 06 and CC&Rs 4.2, Page 11)

### RULE NO. 18

**Use of recreational and laundry facilities** - Use of the recreational and laundry facilities of the general common elements will be made in such a manner as to respect the rights and privileges of other unit owners. Use of particular recreational and social facilities will be controlled by regulations to be issued by the Board from time to time, but in general, such use shall be prohibited between the hours of 10:00PM and 7:00AM.

### RULE NO. 19

**Common Ground** – It is the responsibility of the Board to preserve the attractive appearance and the property values of the Association. The Board therefore is authorized to take appropriate action to prevent or remove unapproved elements within the common area. (CC&Rs 6.2, Page 18)

# Villas West Governing Documents

## Rules and Regulations

Issue Date:..... 12/30/99  
Revision Date.....11/19/08  
Revision Level..... R  
Board Approval Date:.....11/18/08  
Page:..... 7 of 12

Painting of back porches is allowed with approved outdoor concrete paint of tan or Villas West brown only. (Keystone brown, sold locally) Shades of tan or brown colored tile with non-slip surface only, may be installed on back porches with an approved Architectural Alteration Application from the Board. No replacement or new installation of carpeting on back porches is allowed.

Any damage to the common elements or common property caused by a unit owner, a tenant or their guests shall be repaired at the expense of the owner. (CC&Rs 5.4, Page 17)

The owner of any vehicle observed to be leaking fluid that causes damage to the asphalt parking areas within Villas West will be notified by certified mail to have vehicle removed or repaired within ten (10) days of receipt of notice, with proof of such repair to the Association. If the owner of the vehicle does not comply in the allotted time, the vehicle will be towed from the premises and will not be allowed to return until the leaks are repaired. The vehicle owner will be responsible for towing costs and vehicle repairs. The unit owner shall be assessed the actual cost of asphalt repairs, which could be in excess of \$600.00, should repairs be necessary.

### RULE NO. 20

**Vehicle and Parking Guidelines** – Residents must use their legally deeded parking space. Owners of more than one vehicle shall not park in “visitor” parking, but on the west side of Paseo Tierra in the area marked “Villas West Parking Only”. “Visitor” spaces are for short term visitors only. Visitors may park in a designated space for a period not longer than 48 hours. For periods longer than 48 hours, visitors must park on the west side of Paseo Tierra in the area marked “Villas West Parking Only”. No vehicle shall occupy more than a single parking space. There shall be no sleeping or food preparation in any parked vehicles. Temporary parking for oversized vehicles is permitted on the west side of Paseo Tierra, in the areas marked “Villas West Parking Only”, for a period not to exceed five (5) days, and upon notification to the office.

Vehicles shall be limited to wheeled, self-propelled, motorized vehicles not exceeding 235” in overall length and 84” in height. For purposes of loading and unloading, larger vehicles may be parked briefly, but must not be left unattended.

Residents shall not disassemble or perform major repair work on any vehicle anywhere in the condominium.

Signs and markings regulating traffic and parking in the villas area shall be strictly observed. No vehicles may be driven on sidewalks, except that golf carts, bicycles, skateboards, skates, and service vehicles may be driven on the sidewalks for ingress and egress to units only.

Vehicles in violation of vehicle and parking guidelines are subject to towing at the owner’s expense. (CC&Rs 4.11, 4.12, Page 14)

### RULE NO. 21

# Villas West Governing Documents

## Rules and Regulations

Issue Date:..... 12/30/99  
Revision Date.....11/19/08  
Revision Level..... R  
Board Approval Date:.....11/18/08  
Page:..... 8 of 12

**Mopeds, Motorcycles and Bicycles** – Mopeds, motorcycles and bicycles may not be parked on the common area. No vehicle shall be parked on the sidewalk at any time, except for emergency or repair vehicles.

### RULE NO. 22

**Pets** – Generally Recognized Household Pets are allowed and are subject to regulations in CC&Rs 4.7, Pages 12 and 13. If these rules are broken, the owner shall be given written notice to correct the problem. Such notice will be issued by the manager or by the Board. If the problem is not corrected within ten (10) days, the owner will be required to remove the animal from the condominium.

All dogs and cats shall be restrained on a hand-held leash when outside a unit and all dogs and cats must be directly under the owner's control at all times. An owner must clean up after his/her pet and dispose of droppings, bagged, in the owner's trash receptacle. (CC&Rs 4.7, Pages 12 and 13)

No pets are allowed on the following circle parks: A) the Tierra/Penasco Circle park, B) the pool circle parks, C) the grass circles with the putting greens, D) wherever "No Pets Allowed" signs are posted.

### RULE NO. 23

**Pools** – Pools are available for the exclusive use of Villas West residents and their guests. Children under 18 years of age must be accompanied by an adult and may use the pools, November 1 through April 30 from 11:00AM to 1:00PM and from 4:00PM to 5:00PM and from May 1 through October 31 from 11:00AM to 1:00PM and from 5:00PM to 7:00PM. Pool use guidelines are posted at each pool.

### RULE NO. 24

All patio trees and bushes shall be trimmed so as to not touch any part of the building nor overhang the patio roof or building roof. If it is determined that a patio tree or bush is causing damage to the patio wall or building, the homeowner shall be responsible for the removal of the tree, stump and roots or bush.

### RULE NO. 25

No reflective materials, including, but not limited to, aluminum foil, reflective screens, glass, mirrors, newspaper, cardboard, or similar items shall be installed or placed upon the outside or inside of any window of a unit. (CC&Rs 4.16, Page 15)

### RULE NO. 26

**Water Policy for Unoccupied Units** – In the past, the Association has experienced a problem when a unit owner is gone for an extended period of time, and a pipe break or other water leak occurs within the unit. When water is running or leaking for a period of time, mold may begin to grow, which is detrimental not only to the unit experiencing water infiltration, but also to adjoining units. In addition, when water is running for an extended period of time, it could cause damage to adjoining units and, at the very least, can affect insurance premiums for the entire Association. In an effort to avoid water

# Villas West Governing Documents

## Rules and Regulations

Issue Date:..... 12/30/99  
Revision Date.....11/19/08  
Revision Level..... R  
Board Approval Date:.....11/18/08  
Page:..... 9 of 12

damage, the Board of Directors adopted Rule 26. It is important that all owners cooperate by complying with the provisions of this Rule:

1. The owner or occupant of a unit, which will be unoccupied for more than 7 days, must notify the management office (520-393-7891) to have the water turned off to that unit as soon as it becomes unoccupied. (The Association's responsibility with regard to water problems only applies to the in-the-wall plumbing, and the Association is only responsible to repair such plumbing in the affected walls. All other damage and plumbing issues are the homeowner's responsibility. If management is not notified when a leak develops in the unit, regardless of cause, the owner will be held fully responsible for any consequent damage.) For a short absence, 14 days or less, arrangements can be made with management at the time of initial notification, to restore water service prior to your return. For all other absences, management must be notified **at least 3 working days** prior to your return to have the water restored. Management must have access to the unit to restore water service prior to your return occupancy. Effective April 1, 2008, there will be a \$50.00 charge for less than 3-day notice for water turn on.
2. If a rental agency is involved, the owner must notify the agent of this Rule. There will be no exceptions.
3. Neither management nor the Board of Directors will be responsible for any inconvenience encountered by anyone if the proper notification and access is not given to the management office during regular working hours, which are 8:00AM to 3:00PM, Monday through Friday.

### **RULE NO. 27**

**Mailboxes** – All mailboxes must be painted white or black. They must be located in their original locations (on the building or wall between the units A and B and on the building or wall between units C and D), within arm's reach of each other, and with clear access for mail delivery from center common walk thru B and C patios. Two unit villa mailboxes must be located on the wall between the units, within arm's reach of each other. Any exception must be approved by the Board.

### **RULE NO. 28**

**Membership participation at Board meetings** – Members of the Association who are not Board members may participate in Board meetings in the following manner:

1. Members of the Association, including any person designated by a Member in writing as the Member's representative, shall be permitted to speak before the Board prior to the Board taking formal action on any action item under discussion.
2. A time for "Members Comments" shall be set aside at the end of each Board meeting, at which time Members may speak on any concern or matter relating to Villas West Condominium Association.

# Villas West Governing Documents

## Rules and Regulations

Issue Date:..... 12/30/99  
Revision Date.....11/19/08  
Revision Level..... R  
Board Approval Date:.....11/18/08  
Page:..... 10 of 12

3. The President, with the guidance of the Board, may provide time limitations for those authorized persons desiring to address the Board and determine other rules concerning Membership participation.
4. The Board may conduct meetings that are closed to the membership if the subject of discussion is 1. Personnel matters, 2. Advice from legal counsel, 3. Pending or contemplated litigation or 4. Personal, health, or financial information about an employee or Association Member.

# Villas West Governing Documents

## Rules and Regulations

**Issue Date:**..... 12/30/99  
**Revision Date:**.....11/19/08  
**Revision Level:**..... R  
**Board Approval Date:**.....11/18/08  
**Page:**..... 11 of 12

Date	Revision Level	Description of Change
9/17/02	A	Format change and clarification update.
11/20/02	B	Addition to Rule No. 22. – No Pets Allowed language
5/20/03	C	Change Rule No. 19—Amount charged for asphalt repairs
10/21/03	D	Change Rule No. 11 – Addition – sidewalks, patios, porches etc. clutter
01/20/04	E	Change Rule No. 2 – Addition - lattice
01/20/04	F	Change Rule No. 5 – Addition – replacement front-load wash machines
05/18/04	G	Change Rule No. 19 – Addition – tile on back porches
07/26/04	H	Amend Rule No. 2 – lattice prior to July 2004 may remain until villa sold
07/26/04	I	Addition to Rule No. 9- D – New planting of pyracantha not permitted
09/21/04	J	Addition to Rule No. 1 -D – Add words “or stained”
09/21/04	K	Addition of Rule No. 28 – Membership participation at Board meetings
10/20/04	L	Rule No. 9 – Rescind Item C
10/20/04	M	Addition to Rule No. 11 – Additions, alterations or improvements to common area
01/18/05	N	Changes to Rule No. 17 – Installation of electrical wiring within the walls or ceilings of a villa amended to include the requirement of a permit and an inspection by a county inspector
01/18/05	O	Change Rule No. 20 – Changes to vehicle and parking guidelines
02/15/05	P	Addition to Rule No. 11 – back porches
11/15/05	Q	Addition to Rule No. 11 – carports
03/21/06	R	Addition to Rule No. 11 – patios and porches amended
8/14/07	S	Revision of Rule No. 21 – Mopeds/Motorcycles
09/18/07	T	Revision of Rule 19 – unapproved elements in common area
12/18/07	U	Amend Rule #26 to charge \$50.00 for less than 3-day notice for water turn on, effective April 1, 2008
1/15/08	V	Revision to Rule No. 9 - plants/trees on Common Areas
3/18/08	W	Fines
4/15/08	X	Revision to Rule No. 15 – proof of age; Rule No. 23 – Pool use
5/20/08	Y	Revision of Rule 9, Paragraph D - pyracantha and Rule 19 – back porches
6/20/08	Z	Revision of Rule 9, Paragraph D – trimming of pyracantha
11/18/08	AA	Amendment of Rule No. 1, Paragraph A – screen and storm doors

# Villas West Governing Documents

## Rules and Regulations

Issue Date:..... 12/30/99  
Revision Date.....11/19/08  
Revision Level..... R  
Board Approval Date:.....11/18/08  
Page:..... 12 of 12

### Signature Sheet

Approved by:

\_\_\_\_\_  
Documents Chairperson                      Date

\_\_\_\_\_  
Association President                      Date