

**CONSOLIDATED AND REVISED
RULES AND REGULATIONS
VICTORIA WOODS HOA Phase IV, INC.**

The consolidated Rules and Regulations found below are in conformance with the terms and conditions of the “Declaration of Protective Covenants, Conditions, Restrictions, Easements, Charges and Liens of the Victoria Woods Homeowners’ Association Phase IV, Inc.” and the By-Laws as set forth in the Offering Plan.

All Home Owners endorsed and accepted these policies and conditions when they purchased their Home. Most Rules and Regulations below come from the documents referenced above, however, the Board of Directors can supplement additional policies and publish them to the Home Owners as additional rules.

Each Home Owner is responsible for following the Rules and Regulations. The Association Board of Directors is responsible for the effective administration and enforcement of these Rules and Regulations. The Association has hired a Property Manager (Woodbridge Group) to assist.

1. **Assessments:** The Victoria Woods Phase IV Board of Directors, through the Woodbridge Group office, collects Maintenance and Special Assessments. The Home Owner is responsible for paying the monthly assessment by the first of the month. Special assessments will be instituted by the Board of Directors when it is deemed necessary according to the Declaration.

2. **Collection Policy:** Monthly assessments are due on the first of each month. If the payment has not been received by the tenth (10th) of the month, a notice will be sent from the Woodbridge Group office stating the monthly assessment is past due and a late fee of \$25.00 is assessed against the Home Owner. The table below details the actions to be taken if the payment continues to remain unpaid. Note that all fees, administrative and legal costs will be assessed against the Home Owner’s account and the Home.

Days Delinquent	Action Taken	Additional \$25 Fee Added	Attorney Fees Added
11	First delinquency letter sent	Yes	N/A
31	Second delinquency letter sent	Yes	N/A
61	Attorney is instructed to send Owner a 30-day Demand letter	Yes	Yes
91	Attorney is instructed to file a lien and notify Owner	Yes	Yes
121	Attorney is instructed to file a foreclosure lawsuit	Yes	Yes
151 +	Fees added each additional 30-day period until paid in full	Yes	Yes

3. **Pets:** The following pets are allowed:
 - No more than two (2) dogs and/or cats
 - Fish kept in a tank
 - Birds kept in a cage

No other animals or insects shall be kept or maintained in or around any Home or other portion of the Association Property.

All dogs must be leashed whenever they are outside and may not roam freely. All dogs must be licensed with the Town of Victor. All pet owners must immediately clean up after their dogs when they are outside and properly dispose of waste materials.

The Board of Directors shall have the right to require any Home Owner (or any tenant of any Home Owner, or any family member or guest of any Home Owner or tenant) to dispose of any animal, fish or bird, if, in the opinion of the Board of Directors, acting in its sole discretion, such animal, fish or bird is creating a nuisance for reasons such as: the Home Owner does not clean up after the animal, the animal is too noisy, or the animal is not properly controlled.

4. **Residential Use Only:** The Home shall be used only for residential purposes and purposes incidental and accessory thereto.
5. **No Commercial and Professional Activity on Property:** No Wholesale or retail business, including any salon, studio, laboratory, home industry or medical or dental office, shall be conducted in or about any Home or other portion of the Association Property without the consent of the Board of Directors, except the conducting of business by telephone and/or Internet. This restriction is not intended to preclude the operation of an in-home office for purposes other than those set forth above.
6. **Oversized, Commercial, Recreational, or Unlicensed Vehicles, Camper Bodies, Boats or Trailers:** Unless garaged or otherwise consented to by the Board of Directors, the following shall not be permitted on the Property:
 - Oversized vehicles (vehicles which cannot be garaged);
 - Commercial vehicles (vehicles displaying commercial advertising, unless it is garaged). Whether or not a vehicle is deemed a commercial vehicle will be decided at the sole discretion of the Board of Directors;
 - Recreational vehicles;
 - Camper bodies;
 - Boats, jet-skis, or trailers;
 - Unlicensed motor vehicles of any type.
7. **Basketball Backboards:** No freestanding or permanently attached basketball backboards and nets shall be installed by a Home Owner anywhere on the property.
8. **Clotheslines:** No outdoor drying or airing of any clothing, bedding or other items shall be permitted on the Property. No clotheslines of any type shall be

permitted on any Home or other portion of the Property.

9. **Lease Restrictions:** A Home Owner shall not lease any portion of a Home (other than the entire HOME), nor shall a Home Owner lease a Home to a tenant for an initial term of less than one (1) year.
10. **Owner Responsible for Tenants:** Home Owner shall provide Tenant information to the Property Manager. Tenants shall be made aware of the Association Rules and Regulations. All tenants are subject to the same rules and regulations as Home Owners and Home Owners remain responsible for their tenants.
11. **Recreational Vehicles.** No recreational vehicles, including but not limited to, all terrain vehicles, motor bikes, motorcycles, mini-bikes, snowmobiles, boat trailers, campers, golf carts or other such vehicles shall be permitted on the premises at any time for any reason except with the prior written consent of the Board of Directors. If such permission is granted, such vehicle shall be parked or stored only in such area as designated by the Board of Directors.

12. Storm/Screen Doors and windows: Full Visual window

Storm/screen doors may be installed with a variance request approved by the Board of Directors.

Replacement of any or all windows or sliding glass doors require a variance request and must be approved by the Board of Directors. All front window replacements must be of the same style as is in place now (multi-grid windows).

Home Owners will have the option of having grids or plain windows in the back of their Home. If the Home Owner desires to replace their back windows with grids, they must replace all 4 at the same time to insure uniformity in the Home. All replacements will require detailed information with the variance request.

13. **Garage Doors:** Garage doors are to be kept closed whenever possible except for purposes of ingress and egress. Home Owners are responsible for garage door maintenance and replacement and any proposed change or replacement of garage door requires a variance request and must be approved by the Board of Directors.
14. **Front Doors:** Home Owners are responsible for the maintenance of front doors. Any alterations or replacement requests require a variance request and must be approved by the Board of Directors.
15. **Decks and Patios:**
No hanging, drying or airing of any towels, clothing, etc. shall be permitted over the edge of the railing of any deck. Only outdoor furniture, deck boxes and flowerpots shall be allowed on the decks and patios. The New York State fire code prohibits the use of open flame (i.e. gas, propane, and wood) burning grills from being used on balconies and decks, or patios of planned

communities. All propane, wood and gas grills are prohibited within 10 feet of anything combustible per the Fire Marshall of the Town of Victor. The fire code allows for the use of electric grills on balconies, patios and decks.

It is recommended that decks be sealed with Commercial Quality Water Seal annually. For purposes of consistency and color coordination, all tan or yellow buildings require a tan stain, all white or gray buildings require a gray stain. If a Home Owner desires to stain their fence, they are required to stain it the same color as the deck.

Home Owners are required to submit a variance request with a color sample for the Board of Directors approval.

There are to be no pools, baby pools, or related paraphernalia placed on any deck, patio or common area other than when children are playing with them. All children's toys are to be removed to the interior of the Home when play is finished and not stored outdoors at any time.

- Hot Tubs are prohibited unless a variance request is submitted and approved by the Board of Directors.
- The installation of deck gates is allowed only with the approval of a variance request by the Board of Directors before the gate is installed.
- Home Owners must maintain their deck and fence areas removing any weeds or trees that may grow up under or around decks and fences. If necessary, the Board of Directors has the right to have any deck or fence area maintained if the Home Owner does not, with costs being charged to the Home Owner.

16. Playing in the Streets, Driveways of other Home Owners and all Lawn Areas: Children may play in their own driveways and common grass areas while under adult supervision. No play in the driveways or yards of neighbors is permitted. Playing in the streets is prohibited.

17. Landscaping: Any change in the grade of a Lot from that existing at the time of purchase by the Home Owner is also prohibited without Board of Directors approval. Landscaping shall be permitted in the common areas adjacent to a Home only with the prior approval of the Board of Directors and the submission of a full landscape plan for review.

18. Overnight Long Term Parking: No overnight parking is permitted on the community streets of Courtney Drive and Bentley Drive. All vehicles must be garaged or parked in a driveway. There is no parking in areas that could prevent easy access for emergency vehicles, snow removal equipment or normal traffic. No parallel parking is allowed in front of any building at any time. No vehicles are allowed to be parked on the lawn at any time. Failure to comply with parking regulations will result in towing of the vehicle at the owner's expense and a twenty-five dollar (\$25.00) fine per incident. If a vehicle parked in an overflow section has an

expired inspection and/or registration it shall be towed immediately WITHOUT NOTICE.

19. Nothing May Be Impaled on the Brick, Siding, or Roofing: Nothing is to be impaled into the brick, siding or roofing of a building without a variance request submitted and approved by the Board of Directors.

20. Fans, Air Conditioners and Flags: No fans or air conditioners are allowed in windows or window areas, and no air conditioning units are allowed to be installed through the sides of a building.

Flag holders holding a US flag or other decorative flag (in good taste) may be installed with prior Board of Directors approval, but may only be mounted on the garage door casing.

21. Gas Grills, Fires and Open Flames

- Current insurance requirements state that grilling cannot be done closer than 10 feet from any combustible surface.
- Repair of damage caused to building elements due to heat and fire from grills and shall be repaired by the Association at the Home Owner's expense. (Specifically, care should be taken in protecting the vinyl siding as it is particularly susceptible to heat damage.)
- Grilling is not permitted in the garage, on the front porch or back porch.
- If grilling is done on the driveway, the grill should be moved to its storage space as soon as the grill has cooled off.
- Propane tanks and gas grills should never be stored inside basements.
- No Propane fire pits, or open wood fires, including tiki torches, are permitted on the Property.

22. Hose reels: No hose reels are to be attached to the siding or brick on the Home. They may be attached to the side of the deck railing.

23. Storing of Trash and Recycle Containers: No trash or recycle containers shall be stored on the outside of a Home at any time. Such containers must be stored in the garage. Trash is to be placed out for pick-up no earlier than 6:00 pm on the day before trash collection day, which is Thursday of each of week. If trash/recycling is placed at the street before 6:00pm Wednesday or after pick-up on Thursday, a fine of \$25 per day will be assessed. Home Owners will be expected to contact Suburban Disposal to arrange for a special pick up and should contact Woodbridge Group to notify them of those arrangements. Your containers must be returned to the garage no later than 8:00 pm the night of pickup. Extra care should be taken during windy weather to secure your trash and recycling. Home Owners should label their trash and recycle bins with their house numbers so they may be returned to their proper owner in the event they are blown away.

24. Offensive Activities: No noxious or offensive activity shall be carried out upon any portion of the Property, or in any Home, nor shall anything be done thereon that may be or become a nuisance or annoyance to the residents or Home Owners thereof.

Excessive noise is prohibited and may be enforced by both the Board of Directors and under the provisions of any noise ordinance enacted by the Town of Victor. Any complaints about noise should be made to both law enforcement and the Property Manager.

25. **Variance Approval Required:** Board of Directors approval is required for any new planting beds or other visual changes to the exterior of any Home.
26. **Maintenance of Front and Rear Beds:** Knockout roses and boxwoods planted by the Association are maintained by the Association. Any annual plantings added by the Home Owner must be maintained by the Home Owner. If the Home Owner has obtained a variance and made any additional plantings or changes to front or rear beds, they are responsible for any and all maintenance associated with those plantings. All front beds will be mulched by the Association each spring. Home Owners are encouraged to mulch any rear beds that they have planted. If mulching is done it must match the color of the mulch spread in the front by the Association.

If necessary, the Board of Directors has the right to have any bed area maintained if the Home Owner does not, with costs being charged to the Home Owner.

27. **Awnings:** Awning and canopy installations are not allowed. Temporary shelters such as umbrellas that are not permanently affixed to any structure are allowable.
28. **Extermination:** All Home Owners are responsible for the extermination of all bees, ants, wasps, mice, etc. that are present within their Home. The Association is responsible for the extermination of all bees, ants, wasps, etc. that are present outside any building. The Association is also responsible for the removal of larger animals (rabbits, raccoons, skunks, etc.) when found in a common area or at or near a Home where peril is imminent from its presence.
29. **Bird Feeders:** There is not to exceed more than one (1) bird feeder per Home. Any such bird feeder is not to encroach on neighboring Homes. All bird feeders are to be emptied and/or removed by November 1st of each year and can be placed into usage on April 1st of each year.
30. **Decorations:** Seasonal decorations should be removed one week following the end of the season. For December Holidays, outdoor lights and decorations may be displayed between Thanksgiving and January 16. Please note that no large inflatable items of any kind, are to be placed in the front yards or porches. Decorative flags in good taste are permitted in the front garden areas only but not in the lawn areas.
31. **Signs:** Real estate sale and political signs are permitted but may only be posted in the front upstairs windows. Signs must be removed immediately after the sale of the property or the Election Day. Advertisement signs for businesses such as furnace companies, painters, carpet installers,

contractors, etc., may be posted for 48 hours after service and then they must be removed so as to not interfere with the lawn mowing and maintenance.

32. **Television and Radio Antennas:** No outside television or radio satellite dish or antenna for any other transmission or receiving purposes shall be erected upon any Home or other portion of the Property without a variance request approved by the Board.
33. **Outdoor Repair Work:** No extensive work on any motor vehicles, boats, trailers or other equipment of any kind shall be permitted on the Property.
34. **Density of Occupation:** No Home shall be resided in by more persons (including children) than two times the number of the bedrooms. Temporary guests may exceed this limit.

Enforcement of Rules and Regulations - Penalties for Noncompliance:

It is in the interest of all Home Owners to insure compliance with all the above Rules and Regulations in addition to those found in the Declaration of Protective Covenants, Conditions, Restrictions, Easements, Charges and Liens document; while at the same time allowing for the reasonable use and enjoyment of the property by its owners/occupants.

The following enforcement procedures will apply:

- a) Home Owners are urged to speak directly to their neighbors regarding any violation of the above regulations. If a problem persists, Home Owners are encouraged to submit a written statement or call the Woodbridge Group.
- b) The Board of Directors has adopted the following fine structure for infractions other than failure to pay monthly assessments (see above for that fine structure):
 - i. Home Owner will be notified in writing when they are not in compliance with any given rule or regulation. This notification will include a specific description of the infraction, and will be considered a 30 day notice to the Home Owner to rectify the non-compliance.
 - ii. The Home Owner will then have 30 days to correct the non-compliance described in the written notice.
 - iii. The Home Owner has a right to request a meeting with the Board of Directors to discuss the infraction and possible solutions. This meeting must be requested within the 30-day period.
 - iv. If the Home Owner is still in non-compliance by the end of the

30 days, the following schedule of fines will be enacted:

\$25.00 after 30 days of original notice,
an additional \$50.00 after 60 days,
an additional \$75.00 after 90 days,
an additional \$100.00 after 120 days,
an additional \$150.00 after 150 days,
an additional \$200.00 after 180 days.

After 180 days, the fines will be \$200.00 per month until compliance is rendered. The above fine schedule is applicable so long as the Home Owner is in non-compliance, regardless of whether any fines assessed have been satisfied. Note that the fines are accumulative.

- v. The Board of Directors reserves the right and has the option to levy stiffer penalties where there have been egregious violations, hazards or where public safety issues are present. Under such circumstances, Home Owner will be notified by letter and fined a minimum of \$250. Such fines assessed will be immediate, irreversible, and may be assessed daily if the condition persists.
 - vi. Subsequent offenses for the same violation within a 1-year time frame from the last violation will be treated as a continuation of the original violation.
- c) In the event that any fine/fees levied under this published and approved schedule of Rules and Regulations is not timely paid to the Association, then its Board of Directors and/or Property Manager shall commence legal action to enforce the rule and collect fees due the Association. Dissatisfaction with the service provided by the Association is not a defense for the nonpayment of fees. All unpaid fines, expenses incurred, including but not limited to legal and other professional fees, shall be and shall constitute a binding personal obligation of the violator and shall be and shall constitute a lien on the Home Owner's Home in the same manner that an unpaid common charge constitutes a lien as set forth in the Declaration. The Board of Directors and/or Property Manager shall have the same rights and remedies to enforce the lien occurring as a consequence of a violation of the Rules and Regulations as non-payment of Common Charges.

These Rules and Regulations in addition to those found in the Declaration of Protective Covenants, Conditions, Restrictions, Easements, Charges and Liens document, supersede any other distribution to all Home Owners and may be modified, added to or adjusted according to the needs of the community with approval by the Board of Directors pursuant to the By-laws established for the Victoria Woods HOA Phase IV, Inc. In the future, these policies will require additions and revisions as each new situation arises in the operation of Victoria

Woods HOA, Phase IV. Any additional regulations defined in the Declaration continue to be valid.