

**QUAIL FOREST CLUSTER HOMES IMPROVEMENT
ASSOCIATION, UNIT ONE, INC.**



**Community Living Standards and
Architectural Guidelines**

Revised: August 18, 2020

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Quail Forest Living Standards

Introduction

The community of Quail Forest Cluster Homes is a planned community of 186 homes within the East Lakes Woodlands community. The Quail Forest Homeowners Association was created to preserve, protect and enhance both the living experience and property values of those who purchase homes within the community. All owners of property within the Quail Forest community are members of the Association.

The information in this two-part document – Living Standards and Architectural Guidelines – has been developed by the Quail Forest Board of Directors [hereafter the BOD, the governing body of the Association], to ensure that all residents enjoy a harmonious and neighborly quality of life in a trouble-free and attractive environment. Membership in the Association includes certain mandatory obligations, financial responsibilities and a commitment to abide by the deed restrictions and rules of the Association.

Homeowners are welcome and encouraged to attend meetings of the BOD. The dates, times and locations of BOD meetings are announced on the community bulletin board in the pool area, on the Quail Forest website <http://www.quailforest.info>, as well as on signs posted at the entrances to Quail Forest. Minutes of previous meetings are posted in the same locations.

The property management company for Quail Forest is Management & Associates [hereafter M&A], 720 Brooker Creek Blvd., Suite 206, Oldsmar, FL 34677, telephone (813) 433-2000. The property manager is Peggy Semsey, (813) 433-2000, ext. 2008. Contact her by telephone or email (psemsey@mgmt-assoc.com) for additional information or to discuss a problem. This information is also on the Quail Forest website.

In the interest of fostering two-way communication between the BOD and the homeowner members of the Association and to provide an efficient information pathway for paying monthly HOA dues, placing maintenance requests, accessing HOA meeting agendas and minutes, etc., a secure online Homeowner Account has been established by M&A. The Caliber Portal provides an online information hub accessible by all homeowners via a password protected login account. The “Online Homeowner Account” link on the home page of the Quail Forest website <http://www.quailforest.info> provides the instructions to register and the link for future login, after registration.

Buying and Selling a Villa in Quail Forest

Owners are requested to inform M&A when their unit is sold or will be occupied by a new tenant. Please provide the name of the new owner or renter, along with contact information.

When you purchased or rented your home in Quail Forest, you agreed to the terms of the association documents (covenants and bylaws) recorded in the Pinellas County public records. Please read them carefully to understand your responsibilities. To obtain a copy,

contact your seller, your landlord or the management company. M&A will notify residents of any violations. The BOD may levy and impose fines against an Owner or Tenant if the violations continue, but fines may not exceed \$100/day and may not exceed \$1,000 in the aggregate for any single violation. When a homeowner purchases a home in a community with a mandatory homeowner's association, they must sign documents that state that they have been told that the property they are purchasing has rules and restrictions. It is important, therefore, to read through the Association's governing documents and become knowledgeable about the rules of the neighborhood before purchasing a home in our HOA. Further, there is an Architectural Control Committee ("ACC") that is responsible for ensuring that any changes to the exterior of the homes conform to the standards set forth in the governing documents.

Each owner is required to obtain and maintain a homeowner's insurance policy on his/her property for its full replacement value, including public liability. The insurance coverage is necessary to assure that funds are available for prompt reconstruction of units in case of damage from any source. Owners must provide M&A with a HO3 policy, proof of insurance, declaration cover sheet only, on the policy renewal date each year (Exhibit 5. Role of Homeowners Insurance in the Appendix). Please send by mail, email or fax (813) 433-2040 to the attention of Peggy Semsey.

Motor Vehicles

The speed limit in Quail Forest is 25 mph. Please watch your speed. We have families with young children who don't always look both ways before crossing the road. Also, it is not uncommon to see deer running across our roads when you least expect them.

Vehicle parking is allowed only in designated parking areas. Covered carports are owned by the corresponding numbered units and are for the use by the owners/tenants, as stated in the home deeds. The open parking spaces are common property for an owner, renter or guest on a first-come, first-served basis and for delivery or repair of vehicles for brief periods of time. Residents, please use your assigned covered parking space first, since visitor spaces are at a minimum. Please do not park on grassy areas, which are soft and can damage easily. Overnight street parking is not allowed in order to provide clear access for emergency fire and ambulance vehicles.

Commercial vehicles (those that have a commercial license plate and/or advertising on the vehicle), RVs, trailers, motorcycles, motor bikes, mopeds, golf carts, boats or boat trailers are NOT permitted to be parked or stored on Association property. Other than for emergencies, vehicles may NOT be repaired within Quail Forest.

Gate Access

To request a gate barcode for your vehicle, contact M&A at (813) 433-2000. Also please visit <http://www.quailforest.info> and click on the "Entrance Gate Information" button to view a list of required documentation. Additionally, each unit has one personal access code, as well as one directory listing code for access without a barcode. Information about their use is under the Entrance Gate Information button on our website.

Lakes

Fishing in the lakes is prohibited. Nevertheless, any fish caught in these waters should NOT be eaten.

No swimming or wading is allowed in the lakes or waterways, as alligators may be in the area. Since Brooker Creek Preserve is nearby, we are fortunate to have daily sightings of deer, an array of birds, ALLIGATORS, and other wildlife. Please DO NOT FEED the wildlife, especially the birds and alligators.

Landscaping

Weather permitting, lawns are normally cut every week from April through October and every other week from November through March. Mowing height normally will be higher in the summer as longer grass offers the best protection and moisture retention. Mowing height is determined by the contracted Landscape Service and depends on the weather. Shrubs are trimmed every 2 months during the growing season. When not in use, lawn furniture and other objects must be removed from the grass areas to facilitate mowing.

The Landscape Service maintains only the basic plantings (hedges/sod). Flowers and any other private plantings must be maintained by the occupant. In the event of an extended absence, the occupant should arrange for their care and maintenance. If basic plantings (hedges/sod) are dead or dying, they will be replaced by the Landscape Service company and covered by Association Dues. However, the owner or tenant must agree to arrange for adequate watering until the new plants are established. The standard height of basic plantings (bushes/shrubs) is to be maintained by the Landscape Service trimming crew so that windows, air conditioners, stucco walls, fences, wood trim, roofs and gutters are not obstructed. Vines may also be removed by the Landscape Service. Lawn care, bushes, shrubs and weeding, except for private plantings, are maintained by the Landscape Service, however, they are not responsible for raking leaves.

Trees on common grounds are maintained by the Association, while trees located on private property are the homeowner's responsibility. For example, trees, landscaping and shrubs located at the front and rear extended portions of an owner's property are the responsibility of the owner. Any modifications require written ACC approval (see additional Landscaping Guidelines, Part Two of this publication).

Removal/replacement of trees is controlled by the County, which enforces minimum size/type requirements. Because County permitting may or may not be required, it is important to consult local tree removal regulations. Noncompliance can result in fines from the County. Permit regulations and fees are subject to change based on County administrative processes.

In the event of a change of ownership or occupancy of your Unit, please notify the new occupants of their maintenance obligations. The landscape service company requests that new and current owners or occupants neither ask their workers to do extra work nor pay them for extra services.

Irrigation matters are handled by the irrigation company, East Lake Water, Inc., and are managed by M&A. If any irrigation issues arise, please contact Rick Limbert at (813) 433-2000.

Pets and Pest Control

No more than two dogs and two cats may be kept in any Unit. County regulations require that dogs/cats be licensed and have an appropriate collar, identification and current rabies shot. All dogs and cats must be on a leash while being exercised. Dogs and cats are not allowed to run loose at any time. (See Pinellas County Ordinance Chapter 14 - Animals, Section 14-63). Pet owners must clean up after their pets and dispose of waste in a trash can. Please do not leave bags of waste on the side of the road or in someone's yard. Wild animals are not permitted as pets, and most other domestic animals and birds are not permitted to be bred or kept on any lot or living unit. Any pet that becomes a persistent nuisance to neighbors must be restrained or removed by the owner as soon as the occupant receives written notification of the complaint from M&A.

Pest control (bugs, spiders, etc.) for all Quail Forest units is covered by Association Dues. Exterior spraying is usually done once a month. Interior spraying is done upon the occupant's request. Practicing good hygiene is also a method of pest control. When houses and yards are kept clean, there is no food for pests and nowhere for them to live and breed, and this in turn means that there are few pests. There is little point to having a pesticide program to control domestic pests if the relevant hygiene factors are not addressed as well. The pests will soon return if good hygiene is not maintained.

Swimming Pool

Because our pool facility must conform to state and local regulations, Quail Forest has had to change its operational rules to reflect current restrictions and compliance regulations related to the Covid-19 pandemic. The adjusted return to pool life has called for a new set of standards to maintain social distancing and to limit the spread of COVID-19. The new rules reflect concepts that will keep Owners safe and standards and will bring pool patrons peace of mind. For example, Quail Forest may set specific hours or days for specific groups of ages, all of which may be set or changed without advance notice.

At the Quail Forest Pool, you will notice a set of guidelines for what generally constitutes safe measures for the opening and use of our community pools. These pool safety and swimming rules are posted in the shelter area and must be observed. Remember there is no lifeguard on duty and those entering the pool swim at their own risk. The BOD suggests that children under 12 years of age be accompanied by an adult while using the pool. Persons who are incontinent or not toilet trained must wear swim diapers and/or tight-fitting, waterproof pants. Soiled diapers must be changed and disposed of properly. Only swimsuit attire is allowed in the pool. No pets are allowed in the pool area.

Pool hours are from 9:30 AM to 30 minutes before dusk. The pool may be closed during inclement weather or repairs. The pool is heated from mid-November to mid-April, depending on the weather. Unauthorized persons tampering with pool mechanical

equipment will receive a citation and may lose their pool privileges. Serious violations of pool rules could result in removal from the pool area by the Pinellas County Sheriff's Department. The pool area and the parking areas are under 24-hour videotaped security surveillance

Controlled access pool cards are issued upon request to each owner or tenant. The first access card is provided at no charge, and each additional pool card is \$25 (non-refundable). To request a pool access card, you may complete the online Pool Key application at <http://www.quailforest.info> or call M&A at (813) 433-2000. The pool gate must remain closed at all times for insurance and security purposes. The pool area is for owners, renters, and their guests only. Guests are the responsibility of the resident and must be accompanied by the resident. Chairs and lounges are provided for use by all. There is no public phone at the pool. The Association suggests taking your mobile phone in case of emergencies. FOR EMERGENCIES, DIAL 911.

Security of Quail Forest Area

Security for Quail Forest residents is everyone's concern. Please remain alert and report any emergencies or suspicious activities. In an emergency such as a crime in progress, fire, a medical problem requiring an ambulance, or immediate danger to a person or property, CALL 911. Then call the ELW Security Patrol at (727) 785-7384 and advise them that you have called 911. In case of a non-emergency, suspicious character, or other situation that does not pose immediate peril, call the Sheriff's Office at (727) 582-6200. Then call the ELW Security Patrol at (727) 785-7384. Although Quail Forest is located in East Lake Woodlands, we are not under the ELW security company umbrella. Nevertheless, the ELW Security Patrol needs to be made aware of problems that could affect other ELW communities, such as youth trying to break into cars.

Utilities

Trash removal is covered by Association Dues and trash pickup is weekly, on Tuesday and Friday. Please be sure garbage cans have tight fitting lids to prevent animals and birds from getting into the trash. The Board suggests putting your trash out in the morning, as the trucks occasionally arrive early in the morning. If they are requested to return, Quail Forest will be charged for an additional pickup day.

Water service, electrical service, phone and internet WiFi services are initiated and paid for by the homeowner. To arrange for these services, contact the relevant commercial services companies in the area. For water service or issues (up to and including the water meter), please call Pinellas County Utilities at (727) 464-4000. For water issues from the meter to your unit and within your unit, you must call your personal plumber. For electric service or related issues (up to and including the meter), call Duke Energy at (727) 443-2641. For electric issues from the meter to your unit and within your unit, please call a licensed electrician. Please contact Spectrum for internet and phone services.

Quail Forest's Spectrum Bulk Service Contract includes basic cable (TV) service, and two (2) free basic cable boxes per unit. Existing and new residents are required to have a

Spectrum account to obtain the two (2) free basic cable boxes. Additional cable boxes and services are paid by the resident. If you are billed in error for your first two cable boxes, please call Spectrum at (855) 657-7328 to have your bill adjusted.

Landscape irrigation is paid through Association Dues. Please note that lawn sprinkler issues or repairs should be directed to Rick Limbert at Management and Associates (813) 433-2000 (note you may want to request any sprinklers near your air conditioner unit be “capped off,” as the sprinkler water may damage your air conditioner).

Maintenance

The Association is responsible for maintaining Quail Forest’s common grounds and building exteriors. For example, the exterior of all Units, including painting and repairs, 42” patio fencing, roofs, roof repair, carports, repair and cleaning of gutters is the responsibility of the Association. Please note that any pergola repair costs, as well as maintenance of fences exceeding 42”, were original options and are the responsibility of the homeowner. Additionally, the streets, sidewalks, carports and mailboxes are maintained by the Association. Street lighting poles and lamps, however, are owned and maintained by Duke Energy, which can be reached at (727) 443-2641.

No exterior alterations or modifications to a Unit are permitted without written ACC approval (see Guidelines Part Two of this publication). Please contact M&A for an “Alteration Application” form before commencing any such activities. Homeowners are responsible for the maintenance, repair and upkeep of all interior walls, floors, doors, lanai screening and appliances (including heating, plumbing, ventilation and air conditioning).

Organization Personnel

Quail Forest is governed by a seven-member Board of Directors elected by the homeowners. Meeting notices and agendas are posted prior to each meeting. Homeowners are invited and encouraged to attend.

Quail Forest Board of Directors:

Alex Dalessandro, President until 2022

Tom Lang, Vice President until 2022

Eleanor Cicerchi, Secretary until 2021

Dan Tantalo, Treasurer until 2021

Judy Lance, Director until 2022

Richard Burgin, Director until 2023

William Keegan, Director until 2023

Quail Forest Committees

Architectural Control Committee (ACC): Judy Lance, Chair, Eleanor Cicerchi, Claudette Pisz

Landscape Committee: Judy Lance, Chair

Pool Committee: Richard Burgin, Chair

Communication Committee: Tom Lang, Chair

Street Captains Committee: Carolyn Burgin, Chair

Social Committee: Rita Pol and Carolyn Burgin, Co-Chairs

The Board of Directors Thanks You for Your Cooperation

Quail Forest Cluster Homes Improvement Association Unit One, Inc.

Architectural Control Committee Guidelines and Standards

Introduction

For over 40 years, Quail Forest has successfully retained its reputation of a well maintained and neatly uniform community. A crucial component of maintaining the aesthetics and home values of a community is a well-run Architectural Control Committee [hereafter ACC].

This document has been developed by the Quail Forest Board of Directors [hereafter BOD] and the ACC to guide and assist both the BOD and homeowners in maintaining and enhancing the carefully designed environment of the community while protecting the integrity of their investment. This document is also intended to serve as a reference for standards, preferences and guidelines of the ACC and BOD in making decisions and assuring compliance for any proposed alteration to the existing environment or grounds of the Quail Forest Community. These guidelines are not intended to be all inclusive or exclusive, but rather to serve as a guide to what alterations may or may not be approved in the Quail Forest community.

Authority for the ACC

The guidelines that follow address a broad range of exterior alterations for which homeowners will need to submit an application to the ACC. In some cases, the guidelines also indicate when a specific modification is prohibited or may be approved, pending the fulfillment of additional requirements. The authority for allowing and maintaining the type and quality of design in the community is founded in the Declaration of Covenants and Restrictions [Declaration], which is a part of the deed for every property in Quail Forest. These Covenants established the Quail Forest Homeowners Association [HOA] and the Architectural Control Committee [ACC].

Quail Forest's declarations state:

“Article VIII, Section 8.01 Architectural Control Committee. The Architectural Control Committee shall have full power to regulate all exterior changes to the units in the manner hereinafter provided.”

“Article VIII, Section 8.02 Committee Authority. The Committee shall have authority to adopt, promulgate, rescind, amend and revise rules and regulations in connection with the foregoing; provided, however, such rules and regulations shall be consistent with the provisions of this Declaration.”

“Article VIII, Section 8.04 Procedure. As is set forth in section 8.02, the Committee may from time-to-time adopt, promulgate, rescind, amend and revise rules and regulations governing procedure in all matters within its jurisdiction.”

“Article VIII, Section 8.05 Standards. No approval shall be given by the Board or Committee pursuant to the provisions of this Article unless the Board or Committee, as the case may be, determines that such approval shall: (a) assure harmony of external design, materials and location in relation to surrounding buildings and topography within the land.”

In the case of a misunderstanding between the concepts found in this document and Quail Forest’s Governing Documents, the BODs [BOD and ACC] may provide additional clarity. In addition to complying with the guidelines, the BOD and homeowners within Quail Forest are required to address and incorporate:

- a. *State and Federal laws relating to construction, permitting and plant materials,*
- b. *Requirements imposed by the County of Pinellas,*
- c. *Any requirements imposed by other governmental agency, such as the Southwest Florida Water Management District (SWFMD), and*
- d. *Governing documents of Quail Forest.*

Objectives of This Document

The overall objective of this publication is to promote the highest standards of aesthetic value, establish design and social compatibility and maintain and enhance economic value within the Quail Forest community. The specific objectives of this publication are:

- a. To provide uniform guidelines to be used by the ACC in reviewing applications in light of the goals set forth in the Governing Documents of Quail Forest.
- b. To assist homeowners in preparing an acceptable Alteration Application to the ACC.
- c. To increase the homeowner's awareness and understanding of the Governing Documents.
- d. To illustrate basic design principles that will aid homeowners in developing improvements that are in harmony with the immediate neighborhood and the community as a whole.

Review and Approval Process

Written approval from the ACC must be obtained prior to proceeding with any construction or modification to the exterior of a dwelling and/or lot. The ACC shall have the absolute and exclusive right to reject or approve any plan that is deemed unsuitable or undesirable. No exterior modifications or contracts for services or materials may be executed until written approval by the ACC is granted.

Questions concerning the interpretation of these guidelines should be directed to the ACC. The ACC retains the right to interpret these or future guidelines in a way it deems appropriate and to deliberate without haste until final written approval of any application is granted.

Homeowners may not approach an individual member of the ACC informally to discuss whether an Architectural Alteration Application is required for an alteration under consideration or the likelihood of an Application being approved. [Refer to APPENDIX, Exhibit 6. Importance of Compliance with Protocols]

An Architectural Alteration Application must be submitted when making any changes to the exterior of each home or lot, including the landscaping. The process is as follows:

- a. The homeowner shall obtain an Architectural Alteration Application from the Quail Forest website www.quailforest.info/ or from Management & Associates [hereafter M&A].
- b. The homeowner shall submit a written description of the project, including any supporting documentation such as diagrams, photos, samples and other information pertinent to the Application.
- c. The homeowner shall submit the Application to the HOA c/o M&A for initial review and response within 30 days. The Application will simultaneously be sent by the HOA to the ACC committee.
- d. The Application shall be reviewed by the ACC and may include consultation with the homeowner. After sufficient time for review, the ACC or M&A, as agent to HOA, may notify the homeowner orally of the decision. Contracts for service or materials may proceed only after written approval by the ACC has been received.
- e. The ACC shall endeavor to render and submit its decision to M&A no later than thirty (30) days after receipt of the required material(s). However, additional time may be necessary for more complex requests.
- f. M&A shall send the formal decision letter to the homeowner(s) for his/her/their records.
- g. An approved Application shall become null and void if no action to start and complete the approved modification is taken by the homeowner within ninety (90) days of the written approval.
- h. Appeals of ACC decisions shall be made directly to the BOD via M&A by letter or email.

The ACC retains the right, but is not obligated, to inspect any work in progress regarding any approved installation. If the ACC determines that an improvement or modification is progressing without regard to compliance with the ACC approved Application, the BOD

may request that the homeowner stop the work, obtain written approval for the improvement or modification or, if not approved, remove or replace the noncomplying aspect of the improvement or modification.

General Guidelines for the Alteration Duration

- a. The homeowner must keep the sidewalk in front of the alteration clean and clear of any debris on a daily basis as the project is being completed.
- b. No trash, building materials or landscape materials shall be placed on any adjacent lot or accumulated on the street frontage.
- c. Construction and service work, equipment and service vehicles shall not infringe on the rights of residents or the community in general to enjoy peaceful evenings, early mornings and weekends, except in the event of emergencies. The following are acceptable construction and service work hours. These hours can be extended for specific permissible work days, based upon timely advance notice to the ACC, for construction schedule accommodations and in the event of emergencies.
 - Monday through Friday, 8:00 am until 6:00 p.m.
 - Saturdays, 10:00 am to 4:00 p.m. (no work on Sundays permitted).
- d. Equipment, delivery and service vehicles shall not enter the community before the start time and shall leave the community before the end time. These time periods do not apply to emergency vehicles. No contractors or their employees or their vehicles may remain on the premises after the construction and service work hours. Contractor's vehicles are not permitted to remain overnight on any portion of the community property, including parking spaces or on the street. It shall be the homeowners' responsibility to ensure that contractors and service workers comply with this rule.
- e. For those homeowners who are actively involved, in whole or in part, in the alteration, accommodations will be made regarding the overnight storage of trailer units that contain required construction equipment and supplies. These trailer units may remain in the homeowner's covered carport or in an open parking space on the street. The homeowner is required to make a request to the ACC for this accommodation and must receive written approval from the ACC. The ACC approval will specify the mutually agreed-upon location on the street and the approved length of time for the overnight storage. The ACC approval must be obtained by the owner prior to commencing involvement in the alteration and related overnight storage of a trailer unit. To the extent to which the homeowner's involvement in the alteration may also coincide with the work performed by a Contractor, this accommodation does not extend to the Contractor's vehicles.
- e. Dumpsters are permitted during construction only with ACC written approval and must be removed upon completion of construction. Due to the risk of damage during placement and removal, dumpsters must be located in the un-covered

parking space nearest to the homeowner's assigned car port and shall not block sidewalks or extend beyond the parking space to the street. Any damage to the pavement will be the responsibility of the homeowner.

Exterior Modifications That Require an ACC Application

- a. **Front and Side Patios:** The homeowner is responsible for maintaining the inside front patios and decking except for patio fences. Pavers or exterior-grade tile may be installed inside the patio fence boundary without ACC written approval. Pavers or exterior-grade tile installations are permitted to extend in front of the entry door, but this extension is limited to the width of the front entry and the length of the patio fence entry, whether gated or open. These permitted "extended installations" require ACC written approval. Patio furniture must be no higher than the top of the patio fence. Umbrellas are permitted within the patio and should be closed when not being used actively for shading.
- b. **Front and Side Patio Fences:** Only front or side patio fences installed by the HOA are permitted. The HOA is responsible for maintaining these patio fences. The existing wooden patio fences are painted on a regular schedule when the exterior of the villa is painted. Requests for new and improved vinyl replacement patio fences before the existing time of replacement is considered by the Board as an elective improvement, to be undertaken at the homeowner's expense. An ACC application and written approval are required.
- c. **Exterior Rear Patios:** Exterior rear patios are permitted with ACC written approval. Concrete slab or paver construction is recommended. Maximum size limitations are also required for each application, based on the size of the villa's rear lot.
- d. **Replacement or Restoration of Pergolas and/or Pavilions:** There are some pergolas or pavilions covering the front entrance of the three-bedroom villas with cathedral ceilings located throughout the Quail Forest community. The installed pergolas are a customization that was available at the time of construction, and the upkeep and maintenance of the pergolas is the responsibility of the owner, not the HOA. Pergolas are a structure usually consisting of parallel colonnades supporting an open or closed roof of girders and cross rafters. Pergolas with a roof are often referred to as pavilions. Although they are quite similar in design, a pavilion is a freestanding pergola with a fixed roof that generally completely covers the pergola.
 1. The Architectural Control Committee has established general structural integrity and external appearance standards for currently installed pergolas for both aesthetic and safety reasons.
 2. The ACC, from time to time, may identify pergolas that are in a state of disrepair and/or of poor appearance and do not satisfy the structural integrity and external appearance standards established by the ACC.

3. Following an inspection of the pergola by the ACC, a post-inspection notice will be provided to those homeowners whose pergolas require immediate attention. Specific deficiencies will be cited, as well as recommended actions to restore either structural integrity, physical appearance or both.
 4. Based upon the findings of the inspection, the ACC will identify options that may be available to the owner to correct the identified structural integrity and/or external appearance deficiencies. These may include repair, removal and/or replacement. In addition, the ACC will provide general recommendations regarding the type of licensed contractor(s) the owner should contact directly to obtain a bid for the work required.
 5. After the owner has obtained a bid from a licensed contractor(s) for the repair / removal / replacement of the pergola, the owner is then required to file an ACC Application. The application is to include the detailed bid and description of the work to be performed by the licensed contractor the owner has selected and is subject to written approval from the ACC.
- e. **Flower Boxes:** Flower boxes installed by the developer are maintained by the homeowner and may not be altered without an ACC Application and written approval.
 - f. **Rear Lanai Enclosure Conversions:** Glass windows and partial walls are permitted but only with an ACC written approval (State and County permitting applies).
 - g. **Awnings, Sunshades and Mini A/C Units:** Acceptable awnings, exterior hanging sunshades, portable sunshades, attic ventilation enhancements and mini-split A/C units may be permitted as described below for rear lanai/patio use only. Awnings, exterior hanging sunshades and portable sunshades are considered temporary and non-permanent. Awnings, exterior hanging sunshades and portable sunshades are only allowed in the rear patio area outside of the lanai (whether screened or enclosed) of each villa. Attic ventilation enhancements and mini-split A/C units for rear, enclosed lanai use shall be styled to conform to the overall uniform appearance of the Quail Forest Villas.
 1. **Enhancing Attic Ventilation:** Permissible attic venting enhancements to the soffit and roof ridge line that may provide greater energy efficiency is permitted. Requests for newly installed soffit and ridge vents are considered an elective improvement. An ACC application is required, and the installation is at the homeowner's expense. Full vent vinyl soffits infused with Quail Forest's existing accent brown color may be installed with a specific application to the ACC. The only permitted ridge vent installation is the Cobra ridge vent. It is permitted only with the correct application and must meet all ACC criteria. A specific ACC Application with additional design features is required.
 2. **Awnings:** Specific criteria and restrictions are applied to awning installations so that the awning is harmonious with the architecture of the villa. They must be able to be retracted or rolled up in the evening and specially installed for easy take-down at any time. Homeowners are required to remove the awning and all related hardware when the residence is sold or vacated. However, if the

new owner of that residence wishes to retain this modification, the new owner must re-apply to the ACC for a “continuous use waiver.” The ACC has established guidelines for the installation of temporary or non-permanent awnings only. Awning criteria are as follows:

- a) Only temporary and non-permanent, motor-retractable, fabric awnings are allowed as extensions in the rear of each villa covering the back patio area. There is only one awning style, size, material and color that is currently allowed. This choice was selected by the ACC to be compatible with the architecture of the villa and subject to the specific design, construction and temporary, non-permanent attachment standards.
- b) Retractable shade awnings for the back patio are to be motorized. Manual operation is not allowed.
- c) Woven Heavy Duty Acrylic Fabric is the preferred material and must be the solid single color approved by the ACC. Vinyl material will not be considered.
- d) Awnings are to be installed on the soffit underneath the eave according to specific attachment guidelines provided by the ACC. Awnings should be designed for easy attachment and/or removal in order to fulfill the non-permanent or temporary non-passive solar energy device requirements. Awnings may be installed only at the soffit area of the building. Installations should be limited to a level overhang or soffit (if installing to an angled overhang or rafters, it may be necessary to use specialized Rafter Adapter Brackets). Once the exact mounting location is selected for the awning, the installer will need to identify the optimal roof rafters or other structural members that the Rafter Adapter Brackets or Soffit Bracket will be fastened to. These heavy-duty soffit brackets must meet load requirements and are to be attached directly to the exposed end of the horizontal truss (a Roof Adapter Bracket may be used to attach to the approximal end of the exposed roof rafter).
- e) The retractable awnings must be installed by a professional awning installer, and the attachment of the frame of the awning must be designed to allow for easy removal in order to accommodate ownership changes, scheduled painting, as well as to accommodate any villa exterior repair or maintenance that is conducted by the HOA.
- f) Photographs or manufacturer's "cut sheets" of the awning, including dimensions and information about its material, color and number of years guarantee, must be furnished to the ACC prior to installation. Drawings or photograph of its proposed location must also be provided.
- g) Sample material (fabric) should follow color/pattern validation and approval. The awning must meet Beauport level 4 (17 mph winds), be a color-infused fabric, waterproof, offer 80UV+ solar protection, and have a sturdy aluminum frame or other corrosion resistant frame, double cable

internal support and anti-corrosive steel or aluminum screws. Double springs for additional support are recommended if possible.

- h) Other additional day-to-day awning usage guidelines include: The homeowner is responsible for maintenance and repairs of awnings. The QF HOA retains the right to determine when the awnings must be cleaned, repaired, replaced or removed due to deterioration (*i.e.* weathering, fading, tearing, ripping, etc.). Also, due to the design of the awnings and the related risk of damage due to excessive wind speed during inclement weather, the homeowner is responsible for the timely repair of damage to his or her awning. The homeowner is also responsible for any damage to a neighboring property that is the result of a detached awning during excessive wind speed conditions. All awnings must be retracted daily within 3 hours of dusk and are not permitted to remain extended overnight.
3. **High Efficiency, Ductless Mini-Split Air Conditioners:** Like central systems, high-efficiency, ductless mini-splits are considered permanent energy-saving devices. They have two main components: an outdoor compressor/condenser and an indoor air-handling unit. A conduit that houses the power cable, refrigerant tubing, suction tubing, and a condensate drain links the outdoor and indoor units. They are the only ACC acceptable choice for enhancing the cooling needs of the rear enclosed lanai rooms, where extending or installing distribution ductwork (for a central air-conditioner or heating systems) is not feasible. All those interested in this modification should request the specific high-efficiency, ductless mini-splits ACC application form.
 4. **Permanent or Temporary Generators:** Permanent Generators are only permitted with a medical waiver and ACC written approval. Medical necessity must be determined before the ACC application can be requested and additional criteria must be met. If a permanent generator is required for continuous electrical energy, a special, informational, medically necessary packet must be requested from the ACC and completed. During an extended power outage, there will be no time restrictions. Permanently installed generators have the additional requirements of being approximately buffered with approved landscaping and have a maximum noise level of 71 decibels at 25' (twenty-five feet) away during low-speed operation and 75 decibels at full operation. Temporary generators are only permitted on a short-term basis for the duration of a hurricane event. Consultation with the ACC is recommended in order to avoid a potential violation.
- k. **Skylights:** Skylights are permitted on the rear of the villa roof, provided that plans for the installation prepared by an architect are submitted and the installation will not impact any roof warranty. Maintenance of the skylights shall be the responsibility of the owner of the villa. This requires written ACC approval.
 - l. **Water Softeners:** Water softeners must be partially buried and screened by landscaping or placed in a front niche behind a section of fencing. A special application to the ACC is required.

- m. **Landscaping Homeowner Responsibility:** Landscape design modifications to the homeowner's landscape may be made with ACC written approval. Garden/lawn landscape ornaments are permitted in moderation. Mulch may be installed by the homeowner. Rubber mulch is not permitted.
1. **Owner-Installed Plantings:** Homeowners may plant flowers in existing planting beds. Extensive modifications of landscaping, however, require an ACC written approval.
 - a) Existing developer-installed and -maintained shrubbery cannot be modified or removed without the ACC's written approval.
 - b) Pre- and post-inspections and sign-offs are required as part of all modifications that require ACC written approval.
 - c) All owner-installed and approved modifications must fall below the top portion of fences that border the modification.
 - d) Neighbor acceptance sign-offs of the modifications from the residents of the villas on both sides of the applicant's villa may be required by the ACC approval process based upon the scope of the requested landscaping modification.
 - e) Potted plants cannot be placed in the front, side or backyards without ACC written approval.
 - f) Modifications cannot restrict a neighbor's view of the ponds, roads or sidewalks.
 2. **Curbing and Borders:** Concrete curbing and landscape borders of stone and brick to edge landscape beds and trees are permitted, providing they are compatible with the community color palette. Plastic or wood borders are not permitted.
 3. **Groundcover:** Natural organic groundcovers are permitted in planting beds and around trees. We do not recommend that stones be used as groundcover. However, a narrow row of stones next to exterior walls is permitted, with written approval from the ACC. Rubber mulch and gravel covered yards are not permitted.
- n. **Exterior Decorative Lighting:** Exterior lighting fixtures and exterior motion sensors are permitted for the front or the back, provided the wiring is inside the villa. Fixtures must be black or bronze.
- o. **Solar Lighting Devices:** Solar lighting devices may be placed in planting beds but not on the grass, where they can be damaged by mowers. Consultation with the ACC is recommended for all Exterior Decorative Lighting installations in order to avoid a potential violation.
- p. **Exterior String Lights:** Exterior string lights, which are typically a component of holiday decorations, are considered non-permanent and their display is limited

to the installation and removal date ranges for holiday decorations, as further described within this section. Accordingly, exterior string lights are not permitted at or near the front entrance, at the rear of the villa, on the rear lot or on a side exterior wall.

- q. **Replacement of Front Light Fixtures:** Replacement of the fixed lighting fixtures at the front of the villa will require ACC prior written approval.
- r. **Front Doors/Trim:** Maintaining and/or replacing the front doors and trim is the responsibility of the homeowner. Front doors and trim shall be metal, fiberglass, or a composite and be compatible with the community color palette. Replacement requires an ACC Application and written approval. Refer to the APPENDIX, Exhibit 3, Item h, Exterior Doors for additional guidelines.
- s. **Storm and Screen Doors:** Screen and storm door maintenance and/or replacement is the responsibility of the homeowner. Screen and storm door replacements must conform to the community color palette. Refer to the APPENDIX Exhibit 3, Item h, Exterior Doors for additional guidelines.
- t. **Fire Pits and Fire Bowls:** Permanent fire pits are not allowed in the front or rear lawn. Use of a non-permanent miniature fire bowl (bowls not greater than one foot in diameter) is permitted on the rear lawn but only at a distance of at least ten (10) feet from the rear of the building. They are to be placed on a non-flammable surface such as concrete pavers in order to protect and preserve the lawn. NFPA 1 Chapter 10.11.2 states "The AHJ shall have the authority to prohibit any or all open flames, candles, and open, recreational, and cooking fires or other sources of ignition, or establish special regulations on the use of any form of fire or smoking material where circumstances make such conditions hazardous." Other ACC miniature fire bowl restrictions include and are not limited to:

The fuel that is burned in the fire bowl should be a type that does not produce smoke, noxious fumes or flying embers (duraflame logs are recommended). Propane-fueled fire bowls are not permitted. Due to the potential of any fire bowl to produce smoke or noxious fumes and because of the close proximity of the villas within the community and the reduced privacy between and among the rear lawns of individual villas, the use of a portable fire bowl requires a short form ACC application. The ACC application will require acknowledgement by the applicant of the hazardous conditions of the use and operation of a fire bowl, a disclosure statement by the applicant concerning the conscientious and considerate use of the fire bowl and written permission of the use of the fire bowl by the residents of the villas on both sides of the applicant's villa.

Common Examples That Do Not Require Pre-approval, but Consultation is Recommended

- a. **Holiday Decorations:** Holiday decorations are permitted. Any damage to lawns or landscaping must be replaced in a timely manner at the expense of the homeowner.

1. December holiday home decorations and lighting may be installed no earlier than the weekend after Thanksgiving and must be removed by January 10th of the new year.
 2. Other Holidays - Home decorations and holiday lights may be put up two weeks before a Federal or generally observed holiday and must be removed within one week afterward.
- b. **Exterior Wall-Mounted Decorations:** Small wall-mounted decorations are permitted but should be removed if a hurricane is approaching. Consultation with the ACC is recommended in order to avoid a potential violation.
 - c. **Exterior Storage of Bicycles:** Bicycles may be secured to a carport pole or hung on the inside of the carport. Consultation with the ACC is recommended in order to avoid a potential violation.
 - d. **Exterior Storage of Recreational Equipment:** Kayaks and other recreational equipment must be stored within the owner's carport. Other locations behind front patio fences or established shrubbery on the front of the lot can be considered so that the stored equipment will not be seen from the street. Consultation with the ACC is recommended in order to avoid a potential violation.
 - e. **Exterior Play Toys:** Portable kiddie swimming pools and other play toys may be used outside but must be taken indoors after use every day and stored out of sight when not in use.
 - f. **Satellite Dishes:** Satellite dishes less than one meter in diameter, as well as other communication equipment, are permitted under Federal law. Before installing any such dish or equipment, the homeowner must provide the ACC with a sketch of the proposed installation. Consultation with the ACC is recommended in order to avoid a potential violation.
 - g. **Security Devices:** Security devices must be inconspicuous or concealed if possible. All state or local regulations on the use of surveillance equipment apply. Consultation with the ACC is recommended in order to avoid a potential violation.
 - h. **Portable Propane Grills:** Portable propane grills must be kept on the patio and covered when not in use. Portable propane grills are not permitted to be operated or stored within the rear screened lanai.
 - i. **Flagpole Holders:** Flagpole holders that are mounted on wood trim or wood fences at the front of villas or small, free-standing flags close to the building are allowed. Flagpole holders are not to be mounted on stucco surfaces. Flags must be maintained in good condition, with both the flags and poles proportionally sized and displayed. Owners may display one traditional U.S. flag (red, white and blue flag with 50 stars and 13 stripes) or one State of Florida flag in a respectful manner and one portable, removeable flag representing any of the U.S. armed forces or Coast Guard, or a POW flag not larger than 4 1/2 feet by 6 feet.

- j. **For Sale Signs:** For homeowners intending to sell their villa, a small For Sale sign is permitted to be placed on the inside lower pane of the kitchen window. No lawn signs are permitted. Contractors who may be on site during this period are prohibited from displaying an identification sign.
- k. **Irrigation:** Modification of the homeowner's irrigation system is the responsibility of the HOA.
- l. **Drainage Improvements:** Drainage improvements affecting the grade of the lot to direct water away from existing structures are not permitted. Installation of drains which do not affect the grade of the lot are permitted, at the expense of the owner and are subject to the review and written approval of a request to the ACC.
- m. **Refuse/Garbage:** On days that garbage pickup is not scheduled, refuse and garbage must be placed in containers with lids and stored on the patio or, if the villa has a front niche, in the niche behind a fence. Garden refuse such as leaves, limbs and palms must be tied or bagged and left near the garbage can.
- p. **Trees on Owner's Lot:** Trees, landscaping and shrubs located at the front and rear extended portions of an owner's property shall be maintained by the owner. Any modifications require written ACC approval.
 - 1. **Removal:** The removal of trees on the homeowner's property is the responsibility of the owner. Additionally, the owner is responsible for securing a permit to remove a tree.
 - 2. **Trimming:** Trimming trees on the homeowner's property is the responsibility of the owner.

Modifications, Improvements and Additions That Are Not Permitted

- a. **Additions:** Additions to existing structures are not permitted.
- b. **Window and Wall A/C Units:** Window or wall-mounted, portable air conditioning units are not permitted (however high-efficiency, ductless mini-splits are permitted – see section under non-passive energy devices). All main A/C condensing units shall remain on the slab placed by the developer at the time of construction. All air conditioning condensing units shall be screened with adequate landscaping so that the unit is not visible from any nearby property, roadway or common area. Replacement of external mechanical equipment such as AC condenser units located in the same footprint does not require ACC approval.
- c. **Attic Ventilators:** Powered, roof-mounted attic vents are not permitted (see additional information listed in the Enhancing Attic Ventilation, Section h. 1., above, on how to improve attic ventilation).
- d. **Dog Houses/Runs:** Dog runs and dog houses are not permitted.

- e. **Electronic Pest Traps:** Electronic pest traps are prohibited.
- f. **Fireplaces/Chimneys:** Exterior or interior fireplaces or fire pits are not permitted.
- g. **Fountains:** Fountains are not permitted.
- h. **Game/Play Structures:** Permanent game or play structures are not permitted.
- i. **Gazebos:** Gazebos are not permitted.
- j. **Fruit Trees:** Fruit trees are not permitted.
- k. **Mailboxes:** Mailboxes may not be modified and are maintained by the HOA.
- l. **Security Bars:** Bars may not be installed on the exterior of any home.
- m. **Signs:** No sign of any kind shall be displayed for public view with the exception of one For Sale or For Rent sign and two security signs.
- n. **Storage Sheds:** Outside storage sheds are not permitted.
- o. **Swimming Pools:** Swimming pools, other than exterior play toy kiddie pools, are not permitted.
- p. **Swings & Hammocks:** Swings and hammocks are not permitted, whether free standing or hanging from tree limbs.
- q. **Walls-Retaining:** Retaining walls are not permitted.
- r. Items, Modifications, Alterations or Improvements not specifically identified herein as permitted are prohibited.

APPENDIX

Exhibit 1. Violations of ACC Guidelines

If the ACC deems that an exterior addition or the condition of a property is in violation of these guidelines:

- a. The ACC will authorize M&A to send an initial violation letter to the homeowner, requesting that the violation be corrected within 14 days from the date of the letter.
- b. If the homeowner does not correct the violation or contact M&A, a second violation letter is sent. Again, the homeowner has 14 days from the date of the letter to comply.
- c. If the homeowner does not contact M&A or correct the violation within the time frame established in the second violation letter, a fine may be levied and a letter is sent to the homeowner stating the date and time of the meeting of the fining committee and inviting the homeowner to attend. If the homeowner does not respond and/or fails to attend the meeting, fines will be imposed on the 5th business day following the date of the fining committee meeting, and a letter will be sent to the homeowner on the 1st business day following the meeting informing the homeowner of this action.
- d. If the homeowner fails to correct the violation within the time frame determined by the fining committee, the committee will recommend that the Board levy the fine. Upon the Board's approval, and according to the Board's fining policy, a \$100 fine will be due and payable by the homeowner beginning on the final date of the time frame established by the fining committee and for every 5th business day, thereafter up to a total of \$1,000 per violation.
- e. The BOD may also seek a court order requiring the unauthorized modification to be removed and restored to its original state at the homeowner's expense.

Exhibit 2. Additional Restrictions

- a. **Pets:** The homeowner may have two dogs or two cats or one of each. Pets must be kept on a hand-held leash or in a carrier when outside the dwelling. No pets are allowed to roam the community. Homeowners are responsible for immediate removal of any solid waste deposited by their pet(s).
- b. **PODS:** Portable on Demand Storage (“PODS”) or equivalent systems are permitted with written approval from the ACC. Due to the risk to damage during placement and removal, PODS must be located in the un-covered parking space nearest to the homeowner’s assigned car port and may not block the sidewalk. PODS are permitted for a temporary period of time. Contact M&A for temporary use permission.
- c. **Landscaping – HOA Responsibility**
 1. **Lawn Maintenance:** Maintenance of lawns, including sodding when necessary, is the responsibility of the HOA, although owners may purchase additional services, such as mulching services from a professional company. State and county laws regarding use of fertilizers must be adhered to.
 2. **Developer Installed Shrubbery:** Developer-installed shrubbery next to exterior walls is maintained by the HOA.
 3. **Trees on Common Grounds/Removal:** Trees on common grounds may be removed only by the HOA.
 4. **Trimming:** Trimming of trees on common grounds is the responsibility of the HOA.

Exhibit 3. Maintenance of Exterior Building Surfaces and Attachments

- a. Exterior Walls: The painting and maintenance of exterior walls is the responsibility of the HOA. Painting is provided by the HOA on a set schedule. Allowable external paint color combinations are described on the Quail Forest website, www.quailforest.info. We are permitted to have only one body color and one trim color.
- b. Roofs: Routine maintenance including roof repairs and partial replacements not due to a hurricane or other declared emergency are the responsibility of the HOA. In the event of a hurricane, tornado or other disaster, homeowners should seek payment or reimbursement for repairs from their own home insurance company. During these times, the homeowner is encouraged to contact a local contractor ASAP to have a large tarp placed on the damaged portion roof immediately after the disaster. This will serve to further protect the contents and integrity of the building. It will also allow for some additional time for the homeowner to seek full reimbursement from the insurance company or for full replacement repairs. All homeowners are required to have full replacement insurance coverage through their homeowners' policy. Further information may be obtained directly from M&A. Homeowners may also consult the current Disaster Preparedness and Recovery Plan, which can be found on the Quail Forest website www.quailforest.info.
- c. Repair of Gutters and Downspouts: Gutters and downspout repairs are the responsibility of the HOA. However, requests for new or larger gutters and downspouts are considered an elective improvement, to be made at the homeowner's expense. An ACC application and written approval are required.
- d. Rear Lanai Screen Enclosures: Maintenance of rear lanai screen enclosures is the responsibility of the homeowner. This maintenance responsibility includes the repair and replacement of the screening fabric and the metal framing to which the fabric is attached. For those villas that have large cedar planks to which the screen enclosure metal framing is attached, any rotting or deterioration of the cedar plank will be repaired or replaced by the HOA. A glass or plastic window enclosure modification of the rear lanai screen enclosure requires an ACC application. State and local code enforcement requires that new window enclosures be impact-resistant and meet specific requirements. Upon written approval of the modification by the ACC, the maintenance and repair of the resulting enclosed structure is the responsibility of the owner. Once the lanai has been enclosed, all repairs to the cedar planks or any other structural elements which are now part of the enclosed walls and windows, become the responsibility of the homeowner. Major repairs or renovation will require an ACC Application.
- e. Carports: The maintenance of carports is the responsibility of the HOA.
- f. Windows: Cleaning and maintaining windows is the responsibility of the homeowner. Windows can be installed or replaced only with ACC written

approval. Color restrictions are limited to bronze or dark brown. State and local code enforcement requires that new windows be impact-resistant and meet specific requirements.

- g. Sliding glass doors: Maintenance of sliding glass doors is the responsibility of the homeowner. These doors can be replaced only with ACC written approval. Color restrictions are limited to bronze or dark brown and French Door replacements are prohibited. State and local code enforcement requires that new sliding glass doors be impact-resistant with specific requirements.
- h. Exterior Doors: The maintenance and replacement of a Front Door, Rear Door, Storm Door or Screen Door is the responsibility of the homeowner. The style, color and material of any replacement door must conform with the standards and requirements as set forth in the Association Documents. Installation of a new door requires an ACC application and written approval. For front door replacement, a six-panel solid door or a four-panel door with a fanlight is recommended (sample pictures can be obtained from the ACC). For rear door replacement for an enclosed lanai, a door with a glass panel that includes a ½ inch light mini-blind is recommended. Steel and fiberglass doors within a pre-hung door frame are recommended. Wood doors are not recommended. Exterior pet door installations are not acceptable. All exterior doors must be painted with the Quail Forest approved colors. Storm doors and Screen doors are to be Bronze, Black or Almond. Solid glass storm doors are not recommended due to the heat trapping effect at the front door. Storm doors with a screen option are recommended. No embellishments such as monograms, names or decorative designs are permitted on any door, front or rear.

Exhibit 4. Exterior Maintenance and Repair Work Order Requests

Exterior Maintenance Request Procedure

Requests for exterior maintenance and repairs by homeowners are to be initiated via contact with our Management Company, Management & Associates (M&A). Requests are to be made via the online Caliber Portal account that is maintained by M&A. M&A is to be contacted through the online Caliber Portal maintenance module for all maintenance and repair requests, as these are documented by the creation of a work order for timely attention, follow-up and documentation of completion.

Phone requests are to be avoided as they lack the efficiencies built into the Caliber Portal maintenance module. This work order process is managed by the Service Coordinator at M&A via data entry to a computerized work order management program that creates a date-stamped record of each request for progress tracking and timely completion

The actual Repair and Maintenance work orders are assigned to and prioritized by our dedicated Maintenance Manager, who works closely with M&A's Service Coordinator and is on-site at Quail Forest. Based on the type of the work order, our Maintenance Manager will either schedule it within his daily on-site duties or enlist M&A to contact the appropriate service companies that we utilize for lawn maintenance, insect infestation, etc.

Exterior Maintenance Work Order - Documentation & Response Time

Due to the backlog of exterior maintenance requests that exist at any point in time, the timeline for satisfying any single exterior maintenance request by a QF homeowner will be affected by concurrent exterior maintenance requests which may be in the work order response queue. Consequently, the preferred exterior maintenance request should initiate in the online Caliber Maintenance Request model. This will ensure a timely entry of the work order request in the exterior maintenance response queue by time stamping the work order. In addition, an online exterior maintenance request is consistently documented within the computerized work order management program and will ensure the most rapid return communication to the homeowner which, in turn, will provide a timely online flow to final completion.

Exterior Maintenance Request – Follow the Online Procedure

In order to relieve our Maintenance Manager from the duty of managing the communication and completing documentation requirements of work order requests, and to provide our homeowners with the quickest response, informal verbal requests for updates by homeowners directly to the Maintenance Manager for all work orders are to be avoided. Ideally, all requests by individual homeowners for their exterior maintenance and repair will need to be entered in the online work order request module within the Caliber Portal. Also, phone requests to Management & Associates for exterior maintenance and repair by homeowners will receive a response and follow-up, but will lack the tracking efficiency built into the online work order management program in the Caliber portal.

Exterior Maintenance Response Subject to Internal Procedure

Because of the unpredictability of the number of exterior maintenance requests that exist at any point in time, the HOA has the right to define a reasonable response time estimate for the completion of any repairs reported within a single request. As a result, a reasonable determination based on requirements and capacity will be applied and a best estimate will emerge on an as needed basis. This especially comes into play when a seller of a villa is urgently attempting to satisfy the requirements of a home inspection report. This also applies when a maintenance request from an owner who has recently purchased a villa is initiated who and has also requested and received a home inspection of their villa which includes numerous items. Once again, fulfillment will be subject to the internal procedure our maintenance department follows as it attempts to concurrently manage its backlog of maintenance requests which are currently within our work order queue and which are ahead of this “home inspection” repair request. In other words, the HOA has the right to define a reasonable response time estimate for the completion of any repairs reported within a single request and to subsequently determine when the work can be started, if it can be started and how long it would take for completion.

Exhibit 5. Role of Homeowners Insurance

In most cases the owner will be individually applying for and paying for a modification or replacement of an aspect of the exterior of the dwelling as needed. In some limited instances an insurance company may be involved with reimbursing the owner for the replacement of an item that incurred a loss. Each owner is encouraged to consult with his/her insurance company to make sure there is adequate coverage for the dwelling, as this may play a role in what may be included or excluded in the policy. All owners are required to obtain and keep current a “full replacement value” HOA3 insurance policy, which covers the actual physical structure or dwelling they reside in. As referenced in Quail Forest’s documents:

“ARTICLE II, Section 2.33 – Insurance. In order to insure that adequate funds are available to ensure that reconstruction, rebuilding, or repairing of the units is affected promptly and properly in accordance with the Declaration, each owner shall purchase fire and extended coverage insurance insuring his unit for its full insurable value, which insurance shall include public liability, shall designate the association as co-interest thereunder, and shall be charged to and paid by the owner obtaining same.”

Most homeowner’s insurance policies will insure the owner’s house and personal property at its replacement cost. In other words, when an insurance company calculates a claim payout, it will determine the full replacement amount of the damaged or stolen property and, unless there is a limit or deductible amount, the homeowner will not have to pay out-of-pocket. However, in the case of roof replacement, the insurer may factor in depreciation, specifically when an existing roof is 10 years or older. This may result in a lower-cost actual cash value. Actual cash value is a loss settlement provision that factors depreciation into the payout. In this case, if a roof is ten years old or older, and there is a loss, a homeowner may only be reimbursed for the value of the roof after 10 years of depreciation instead of for the cost of a new one. Actual cash value payouts typically result in reimbursement that is lower than the replacement cost. If an HOA3 policy is structured correctly, it should cover anything and everything that could damage the dwelling, with a few exceptions (please carefully read the policy).

Exhibit 6. Importance of Compliance with Protocols

Please follow the protocols described throughout this publication.

As stated on Page 4 under **Review and Approval Process**:

“Written approval from the ACC must be obtained prior to proceeding with any construction or modification to the exterior of a dwelling and/or lot.”

“Questions concerning the interpretation of these guidelines should be directed to the ACC.”

“The ACC retains the right to interpret these or future guidelines in a way it deems appropriate and to deliberate without haste until final approval of any application is granted.”

“Homeowners may not approach an individual member of the ACC to informally discuss whether an Architectural Alteration Application is required for an alteration under consideration or the likelihood of an application being approved.”

“An Architectural Alteration Application must be submitted when making any changes to the exterior of each home or lot, including the landscaping.”

With some ACC applications, a notarized covenant and/or written neighbor approved “sign-offs” may be required before a modification is started.

The ACC shall have the absolute and exclusive right to reject or approve any plan that is deemed unsuitable or undesirable.

Also, the Board may issue a stop work order for any modification project that does not have an approved ACC application. In addition, if an owner commences an exterior modification project without written permission, the Board also has the power to levy and impose a fine and/or take other enforcement action against any violations.

These Guidelines are subject to a continuous quality improvement cycle and are subject to change.

These Guidelines supersede any prior set of Guidelines and any prior oral or written guidelines concerning the subject matter contained within this publication.

Owners are encouraged to consult with the ACC concerning any exterior modifications or requests not mentioned in this publication.

The Board/ACC has, in the past, permitted certain exterior modifications that may not now comply with these guidelines. Such existing modifications may, nevertheless, remain in place unless they are required to be removed by government or court order.

The existing non-complying modifications shall not create any precedent to permit owners to construct the same or similar types of modification.

Communication with the Board/ACC can be directed to: bod-qf@outlook.com