



FIVE CANYONS

Welcome

This packet is designed to clarify and simplify the rules and regulations at the Five Canyons Association. Please call management at 510-888-8965 if you have any questions.

1. The Five Canyons Board of Directors is made up of homeowners who make the decisions concerning Five Canyons. They meet regularly at the Five Canyons Recreation Center Clubhouse. Please call management for the day and time. During the meetings, there is a time specified for comments by homeowners and residents. Any questions and suggestions will be discussed openly and frankly. Feel free to attend the next meeting.

2. In addition to the Board of Directors, there are various committees that meet when necessary to approve/reject various proposals. The committees include social, design review, health & welfare and budget. If you'd like to join a committee, please call management or come to the next board meeting.

3. Assessments are due on the first of each quarter and are delinquent if not received by the 30th. A late service fee of \$10.00 is assessed if an account is late. In addition, interest charges of 12% per annum are assessed when two quarters of assessments are past due.

If an account becomes 2 quarters delinquent, the account is turned over to legal counsel for further action. This action includes a letter from the attorney requesting payment, sending a pre-lien notice listing the fee and penalty procedures and collection practices, the filing of a lien against the property and proceeding with non-judicial foreclosure action.

All legal counsel costs and fees are added to the delinquent homeowner's account. Partial payments that are paid by an owner are credited to the oldest delinquent amount. Monthly late service fees will continue.

The association is not responsible for mail delivery. Items mailed and not received by the Association due to the postal service will not be an acceptable reason for waiver of delinquent fees.

4. INSURANCE: The common area liability insurance premium for your unit is included in the monthly assessment. There is a deductible clause on the policy, which each owner assumes. You must purchase your own personal property insurance and liability insurance on your home. Members should purchase their own homeowners insurance.

5. ANIMAL CONTROL:

Pets are not allowed to eliminate on Five Canyons common area grounds. Dogs must be leashed and homeowners or guests who walk their dogs should carry receptacles and remove any droppings immediately. Residents in violation will receive a warning for the first offense, and a fine for the second and subsequent offenses. Dogs, cats and other animals may not be kept when bred or maintained for commercial purposes.

Owners must use reasonable judgement when keeping pets. This complex has been designed for a dense population. Pets creating a nuisance (excessive barking, causing damage to property, and uncontrolled behavior, etc.) is unacceptable.

6. EXTERIOR APPEARANCE:

- a.** The Board of Directors and/or the Design Review Committee must approve any improvements or changes to the exterior of your home. Contact management for the submittal forms required.
- b.** Clotheslines or outside drying of clothes visible from the common area are not allowed. Patios must be kept neat and clean. Any items deemed objectionable and/or distracting from the overall appearance of the common areas may be ordered removed by the Board of Directors.
- c.** Broken windows must be repaired, screens must be kept in good repair. Window coverings must be kept in good condition. Bed sheets or aluminum foil may not be used to cover windows.
- d.** No signs or posters of any kind are to be displayed to the public view on or from any lot or the common area without the prior written consent of the Board of Directors, excepting one "For Rent" or "For Sale" sign to be posted in an area approved by the board. No "sold" signs may be displayed.
- e.** No T.V. antennas, C.B. antennas, satellite dishes etc. may be erected on roofs or patios. All exterior wiring, phone or cable, is subject to the approval of the Board.
- f.** Decks, patios, overhangs, awnings or shades of any type must be in keeping with the architectural standards of the community and must have the approval of the DRC (Design Review Committee).
- g.** Landscape modifications must have the prior approval of the DRC.

7. NOISE:

Residents, tenants and guests must maintain reasonable quiet and show consideration and respect for their neighbors at all times. Guidelines include keeping radios, stereos, televisions and other normal living sounds down to reasonable levels. Social gatherings of residents and their guests are welcome, provided that such gatherings are not allowed to become noisy. Residents are responsible for their guests. Residents are advised that they can register complaints directly with the local police while the disturbance is occurring. The association cannot respond with a police type action.

8. GARBAGE/RECYCLING:

Trash pick-up is provided by Waste Management. Please leave your trash can(s) at the curb. Call Waste Management to order your service. Please move your empty container into your yard/garage after the pick-up. All residents must use a trash can. No bags are allowed. Cans must be covered. The association will confiscate cans left out on days other than pick-up. Recycling is set up with Waste Management and is picked up the same day as the garbage. Please put recyclable items only in the recycle bins.

9. LANDSCAPING:

Landscape modifications must have the prior approval of the DRC.

10. COMMUNITY APPEARANCE:

Please keep Five Canyons attractive. Litter can be very unsightly, so let's all be aware of our responsibilities in these areas.

11. RENTAL UNITS:

Owners must give immediate written notice to the Association management of the following:

- Name and phone number of management agent
- Name of renter and family members
- Current address and phone number of lot owner
- Renter's phone number, model and license of each vehicle

13. VEHICLES REPAIRS:

No resident shall repair, overhaul, restore or service any motor vehicle, boat, trailer, motor cycle or any other vehicle on Five Canyons streets, parking lots or any part of the common area. Violators may be subject to a fine plus costs of clean up.

Dumping of oil or other automotive fluids in Five Canyons street drains is prohibited.

14. VEHICLE RULES AND REGULATIONS:

Parking upon any lot is restricted to the interior of the garage, the driveway as built by the developer and the street where allowed. At no time may any vehicle be parked on the lot landscaping. The number of vehicles that may park on any driveway is limited to the same number of vehicles as the garage was built to accommodate. Any vehicle parked outside of the garage longer than 72 consecutive hours will be considered a stored vehicle, subject to other provisions of the governing documents.

No parking in fire lanes. Parking by residents in designated areas only. No backing into parking spaces. No RV's, campers over 3/4 ton, boats, trailers or golf carts. Passenger vehicles only.

The speed limits are posted. This maximum speed limit is essential to the safety of residents and for the protection of property.

Unauthorized vehicles will be towed at the owners' expense.

No inoperable vehicle is permitted to be stored in the association. Each resident is responsible for keeping the driveway in a neat and orderly condition, especially oil leaks from vehicles. Spaces are not to be used for storage.

15. RV PARKING

An RV parking area is available. Please contact management.

16. ARCHITECTURAL:

Homeowners are required to get a building permit for any interior structural or excavation changes to their unit and must present such a permit prior to start of work to the Association. The homeowner is responsible for any damages to his or other units as a result of aforementioned modification.

17. WATER

Please call EBMUD to order your water service at 483-3540. The water bill is your responsibility.

18. CABLE T.V.:

The homes are wired for cable T.V. service. Call ATT cable at 785-4911 if you wish to subscribe to cable T.V. service.

19. GAS AND ELECTRIC:

Call PG&E for gas and electric service at (800) 743-5000.

20. RULES ENFORCEMENT:

When an owner (or his tenant, invitee or tenant's invitee) is suspected or accused of violating an association rule or CCR provision, the owner will be contacted by management. The owner will be invited to attend a hearing to discuss the complaint. A fine assessment or other assessment could be imposed at this hearing.

As a courtesy, management has the option of sending a warning notice to the owner or tenant, The warning letter is optional and its use is at the discretion of the management agent or Board of Directors.

If a fine is imposed, the schedule of fines will be as follows:

First violation: \$25 - \$50 plus any actual expenses to correct the violation.

Subsequent violation: \$50 - \$100 plus actual expenses. (The amount of the assessment will depend upon the severity of the violation.)

Daily assessment of \$5 - \$50 will be incurred for violations that are reoccurring, depending upon whether they are life, health or property threatening.

An owner may appeal a fine assessment to the board of directors by sending a written appeal no more than 20 days after the imposition of the assessment.

Again, welcome to the Five Canyons Association. We hope you will enjoy your years here.

**Walsh Property Management
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