

Greenbriar Rules & Regulations - May 2009

In the March 3rd, 1998 meeting, it was stated that \$200 could be spent without board approval and then in that meeting that was raised to \$500. This was changed in December 2002 to provide a \$200 petty cash fund to John Esposito for irrigation repairs and later a petty cash fund was made available to the Welcoming Committee.

On March 9, 1998, the delinquency rules established were: after 30 days, if the assessment account was delinquent, a letter was to be sent stating that 1 1/2% penalty per month and \$20 fee would be due. After 30 more days, a 2nd notice would be sent and an additional \$20 fee would apply. After 30 more days, the account would be turned over to the lawyer for collection, including the lawyer's fees. In July and August 2003, a courtesy warning letter was added to the delinquency routine and is to be sent to a homeowner 10 days after a quarterly assessment is due and not paid.

At the May 11, 1998 meeting, it was noted that there were guidelines for ARC approval of changes to properties. A form was created for getting approval for changes/additions. This form is available on the HOA website or from the management company.

At the May 10, 1999 meeting, homeowners were informed via an article in the newsletter that satellite TV dishes may not be mounted on Z lot fences. The FCC permits satellite antennas and HOA's may not prohibit them and cannot force placement where they won't get a good signal. However, the installation of a satellite does require approval by the ARC.

At the January 25, 2000 meeting, it was decided to mark the park "Closed at dark." It was mentioned at the 4/6/00 meeting that the reason for the sign was to discourage nonmembers from using the park and helping the police if they need to ask any nonmembers to get out of the park. It was said that it was not to discourage residents from using the park after dark.

In the January 22, 2001 meeting it was said that flags are to be given to owners to mark problems with the irrigation system.

At the June 22, 2001 meeting, mailbox specifications were established. They include:

1. All mailboxes will be of the Wood Chalet style (original or replacement style).
2. All mailboxes will be brown. The board encourages homeowners to use Behr Premium Plus House and Trim Accent Base 4670, Colorant 48, DTHLO green 10, F, Red Oxide 31, T, Med Yellow 41, available at Home Depot to paint faded or replacement mailboxes.
3. All mailboxes will be in good working condition and have a good physical appearance.
4. There will be no materials placed on the mailbox other than address numbers, names or reflectors.
5. There will be no plants or vines around the mailbox that exceed 18 inches in height.

At the July, 2002 meeting, "falling down or under disrepair" was established as the

RECEIVED
MAY 27 2009

criteria for

repairing or replacing fences. This was modified at the May 19, 2003 meeting to be: For 4 or less boards damaged, the boards will be replaced. For 5 or more boards damaged, the entire panel will be replaced.

At the September, 2002 meeting, the color criteria for doors and screen doors is to be white. The criteria matches the controlling documents requirement for maintaining uniform appearance in the village

At the October, 2002 meeting, a covenant enforcement procedure was established for an SCPM representative plus a board member to drive through of the village prior to each board meeting and report violations.

In December, 2002, there was approved a requirement for the Beautification Committee to turn in a quarterly report.

Also in December, 2002, it was approved to publish the village newsletter every other month and have it distributed by volunteers when they are available, otherwise by mail.

At the June 16, 2003 meeting, the Board clarified the situation relative to mold and fungi on houses. The rule is that if mold and/or fungi is visible from the street on a house's roof or siding, that is a violation and the homeowner will receive a letter requesting that the situation be corrected and that fines may be assessed if corrective action is not taken.

At the August 18, 2003 Board meeting, a new rule was approved that prohibited the parking of any motor vehicles on any grassed areas of Greenbriar Village.

In May 04 - The board approved a rule that the ARC must make a recommendation to the Board on all ARC applications. After, the Board will have the power to approve or deny the application. The ARC will only have the power to recommend.

In May 04 - The board approved a rule to instruct any HOA member that they are not to enter a homeowners backyard without prior approval from the homeowner.

In October 2005 - The board approved a new rule about basketball hoops. It follows: This new rule on basketball hoops was approved by the Board of Directors of the Greenbriar Village HOA and replaces the previous rule on basketball hoops passed by the board in 1998. This rule approves basketball hoops in any driveway in Greenbriar Village subject to the conditions stated below.

BASKETBALL HOOPS - CONDITIONS

- 1) All hoops will be taken down and secured, or put away indoors for the safety of other property when a severe storm or a hurricane is threatening the area.
- 2) The hoop will be installed so that its appearance is minimally disruptive to the decor of

the homes in the village.

- 3) The hoop will be used only between the hours of 8 AM to 8 PM.
- 4) All hoops must be portable and easily moved, if necessary, such as for lawn care or for severe storms. The hoops will be stored out of sight if not mounted in their normal upright position. Do not lay the hoops on the ground.
- 5) The base of the hoop must be weighted as designed, with water, sand, etc. and/or in a manner approved by the ARC and board.
- 6) The location of the placement of the hoop must be approved by the ARC, including a landscaping plan for disguising or minimizing the appearance.
- 7) The hoop must be maintained structurally and cosmetically in an excellent condition and must have an intact net attached to the hoop.
- 8) The hoop or its placement must not interfere with operation of the irrigation system or impede any sidewalk or driveway.
- 9) If the residents of the home with the hoop will be out of the area for more than a week during the period of severe storms or hurricanes, the hoop must be taken down and secured or stored indoors for the safety of other property.
- 10) The owner of every hoop must submit an approval form to the ARC and sign the Declaration of Compliance to all of the above conditions on the form. The approval form must be signed and submitted to the Management Company who will forward it to the ARC. This requirement includes all hoops, those currently in place as well as new hoops. The declaration includes the following statement: If these conditions are not complied with or responded to within 7 days after a warning letter is issued, the HOA is authorized by the owner of the hoop to remove the hoop and the owner's approval for a hoop is cancelled. The owner may reclaim their hoop but not mount it again or be subject to fines and/or other violation rules of the HOA.

In November 2005 - The board updated the rules relative to enforcement of violations of other rules and the governing documents. It follows:

GREENBRIAR VILLAGE VIOLATION ENFORCEMENT RULE

After a violation is discovered or it is to be reported and verified unless discovered by the management company ride-thru, a "friendly" letter is sent to the homeowner or to the tenant and homeowner identifying the violation and asking for it's cure and stating that a fine of \$25 per day may be imposed if not cured in 14 days. However, the homeowner or tenant may request a hearing but that request must be submitted in writing within 14 days of the date of the violation letter. The hearing can be requested by writing to the management company who will so inform the board.

After 14 days, the violation is to be inspected again and if the violation is not cured, the management company will inform the board at the next board meeting and recommend whether a fine should be imposed and when it should commence. Then the management company will send a registered, certified letter, with return receipt requested, stating that a fine of \$25 per day is being imposed unless a hearing was requested. If there is no hearing or the committee approves the fine, it is effective on the 15th day of the violation unless the board decides otherwise. Also note in the letter that after the fine accumulates to \$1,000 (40 days after the fine is first imposed), the HOA may seek recovery of the fines in court. The recovery will also include attorney fees and court costs and any other costs required to take the case to court.

If a hearing is requested by the violator, the board must appoint a committee of at least three HOA members (appoint an odd number) as noted above, and set a hearing date within 30 days of the hearing request and inform the violator by written notice of the hearing time and place. If the committee rejects the violation, the violation letter will be withdrawn. If the committee assesses or upholds a fine, it will be levied from 14 days after the initial violation letter was sent. If the fine accumulates to \$1,000, the board may decide to request the HOA attorney begin proceedings for collection of the fines and all costs associated with the legal action.

HURRICANE SHUTTERS

Hurricane shutters are to be in place only during the official hurricane season, June through November. For appearance sake, home owners are encouraged to have shutters in place only when needed. If the season is extended by late storms, the shutters may remain until the last storm has passed.

GARAGE DOOR WINDOW INSERTS

Garage door window inserts are to be maintained or removed. Missing inserts must be replaced or all remaining inserts are to be removed. If new inserts are installed they must be white.

POLITICAL SIGNS

This rule limits political signs on lawns to two, with a size limit of 18" X 24" and to place them no sooner than 30 days before an election and to remove them within 2 days after the election. There will be a \$10 a day fine for violations of this rule.

HOUSE TRIM RULE

All trim around doors, windows, garage doors, and other house trim is to be white. All fascia, gutters, downspouts, soffit, siding trim, and exterior lighting with the exception of ground level landscape lighting are to be white. This rule is not retroactive.

UPDATED RULES DOCUMENT - GREENBRIAR VILLAGE - Jan. 1, 2006

This is an update of the Rules for Greenbriar Village. The Board of Directors of the Greenbriar Village Home Owners Association (HOA) has passed several rules over the years it has been in existence. These rules are in addition to or are supplementary to the governing documents of the HOA (i.e., the Covenants, the Bylaws and the Articles of Incorporation). The rules which were passed are recorded in the minutes of the meetings when they were passed. However, these rules have been previously published in the newsletter, The Greenbriar Wire. This document collects the rules passed by the Boards since the HOA was turned over to the homeowners in 1998. It is the intent of the Board to update this Rules Document periodically as significant changes have been made and will be printed in the newsletter or distributed to the homeowners. Otherwise, rule changes or additions will be reported as they occur in the Greenbriar Wire, the newsletter of the HOA. One rule was passed in 2004 that reaffirmed that the Architectural Review Committee will provide recommendations to the Board of Directors on all items reviewed and the Board will then review the recommendation and approve or disapprove these items. Also in 2004, the 1998 basketball hoops rules were reconsidered by the Board in September after a vote by the residents on rule changes, and the Board decided to let the current rules stand (see rules below).

In the March 3rd, 1998 meeting, it was stated that \$200 could be spent without board approval and then in that meeting that was raised to \$500. This was changed in December 2002 to provide a \$200 petty cash fund to John Esposito for irrigation repairs and later a petty cash fund was made available to the Welcoming Committee.

On March 9, 1998, the delinquency rules established were: after 30 days, if the assessment account was delinquent, a letter was to be sent stating that 1 1/2% penalty per month and \$20 fee would be due. After 30 more days, a 2nd notice would be sent and an additional \$20 fee would apply. After 30 more days, the account would be turned over to the lawyer for collection, including the lawyer's fees. In July and August 2003, a courtesy warning letter was added to the delinquency routine and is to be sent to a homeowner 10 days after a quarterly assessment is due and not paid.

On March 23, 1998, the rules on basketball hoops were approved. On Z lots, current ones were grandfathered but no new ones are allowed. On Standard lots, the current ones were grandfathered but new ones need ARC and Board approval. For both lots, the use of basketball hoops is confined to 8 am to 8 pm. All hoops must be maintained for full functional and aesthetic acceptance. All hoop owners should also be advised that in response to an imminent hurricane, the devices should be dismantled and secured either in an enclosed space (preferably), or tethered in a vertical position so as not to endanger other homeowner's property.

At the May 11, 1998 meeting, it was noted that there were guidelines for ARC approval of changes to properties. A form was created for getting approval for changes/additions. This form is available on the HOA website or from the management company.

At the May 10, 1999 meeting, homeowners were informed via an article in the newsletter that satellite TV dishes may not be mounted on Z lot fences. The FCC permits satellite antennas and HOA's may not prohibit them and cannot force placement where they won't get a good signal. However, the installation of a satellite does require approval by the ARC.

At the January 25, 2000 meeting, it was decided to mark the park "Closed at dark." It was mentioned at the 4/6/00 meeting that the reason for the sign was to discourage nonmembers from using the park and helping the police if they need to ask any nonmembers to get out of the park. It was said that it was not to discourage residents from using the park after dark.

In the January 22, 2001 meeting it was said that flags are to be given to owners to mark problems with the irrigation system.

At the June 22, 2001 meeting, mailbox specifications were established. They include:

1. All mailboxes will be of the Wood Chalet style (original or replacement style).
2. All mailboxes will be brown. The board encourages homeowners to use Behr Premium Plus House and Trim Accent Base 4670, Colorant 48, DTHLO green 10, F Red Oxide 31, T, Med Yellow 41, available at Home Depot to paint faded or replacement mailboxes.
3. All mailboxes will be in good working condition and have a good physical appearance.
4. There will be no materials placed on the mailbox other than address numbers, names or reflectors.
5. There will be no plants or vines around the mailbox that exceed 18 inches in height.

At the July, 2002 meeting, "falling down or under disrepair" was established as the criteria for repairing or replacing fences. This was modified at the May 19, 2003 meeting to be: For 4 or less boards damaged, the boards will be replaced. For 5 or more boards damaged, the entire panel will be replaced.

At the September, 2002 meeting, the color criteria for doors and screen doors is to be white. The criteria matches the controlling documents requirement for maintaining uniform appearance in the village

At the October, 2002 meeting, a covenant enforcement procedure was established for an SCPM representative plus a board member to drive through of the village prior to each board meeting and report violations.

In December, 2002, there was approved a requirement for the Beautification Committee to turn in a quarterly report.

Also in December, 2002, it was approved to publish the village newsletter every other month and have it distributed by volunteers when they are available, otherwise by mail.

At the June 16, 2003 meeting, the Board clarified the situation relative to mold and fungi on houses. The rule is that if mold and/or fungi is visible from the street on a house's roof or siding, that is a violation and the homeowner will receive a letter requesting that the situation be corrected and that fines may be assessed if corrective action is not taken.

At the August 18, 2003 Board meeting, a new rule was approved that prohibited the parking of any motor vehicles on any grassed areas of Greenbriar Village.

In May 04 - The board approved a rule that the ARC must make a recommendation to the Board on all ARC applications. After, the Board will have the power to approve or deny the application. The ARC will only have the power to recommend.

In May 04 - The board approved a rule to instruct any HOA member that they are not to enter a homeowners backyard without prior approval from the homeowner.

In October 2005 - The board approved a new rule about basketball hoops. It follows: This new rule on basketball hoops was approved by the Board of Directors of the Greenbriar Village HOA and replaces the previous rule on basketball hoops passed by the board in 1998. This rule approves basketball hoops in any driveway in Greenbriar Village subject to the conditions stated below.

BASKETBALL HOOPS - CONDITIONS

- 1) All hoops will be taken down and secured, or put away indoors for the safety of other property when a severe storm or a hurricane is threatening the area.
- 2) The hoop will be installed so that its appearance is minimally disruptive to the decor of the homes in the village.
- 3) The hoop will be used only between the hours of 8 AM to 8 PM.
- 4) All hoops must be portable and easily moved, if necessary, such as for lawn care or for severe storms. The hoops will be stored out of sight if not mounted in their normal upright position. Do not lay the hoops on the ground.
- 5) The base of the hoop must be weighted as designed, with water, sand, etc. and/or in a manner approved by the ARC and board.
- 6) The location of the placement of the hoop must be approved by the ARC, including a landscaping plan for disguising or minimizing the appearance.
- 7) The hoop must be maintained structurally and cosmetically in an excellent condition and must have an intact net attached to the hoop.
- 8) The hoop or its placement must not interfere with operation of the irrigation system or impede any sidewalk or driveway.
- 9) If the residents of the home with the hoop will be out of the area for more than a week during the period of severe storms or hurricanes, the hoop must be taken down and secured or stored indoors for the safety of other property.
- 10) The owner of every hoop must submit an approval form to the ARC and sign the Declaration of Compliance to all of the above conditions on the form. The approval form must be signed and submitted to the Management Company who will forward it to the ARC. This requirement includes all hoops, those currently in place as well as new hoops. The declaration includes the following statement: If these conditions are not complied with or responded to within 7 days after a warning letter is issued, the HOA is authorized by the owner of the hoop to remove the hoop and the owner's approval for a hoop is cancelled. The owner may reclaim their hoop but not mount it again or be subject to fines and/or other violation rules of the HOA.

In November 2005 - The board updated the rules relative to enforcement of violations of other rules and the governing documents. It follows:

GREENBRIAR VILLAGE VIOLATION ENFORCEMENT RULE

After a violation is discovered or it is to be reported and verified unless discovered by the management company ride-thru, a "friendly" letter is sent to the homeowner or to the tenant and homeowner identifying the violation and asking for it's cure and stating that a fine of \$25 per day may be imposed if not cured in 14 days. However, the homeowner or tenant may request a hearing but that request must be submitted in writing within 14 days of the date of the violation letter. The hearing can be requested by writing to the management company who will so inform the board.

After 14 days, the violation is to be inspected again and if the violation is not cured, the management company will inform the board at the next board meeting and recommend whether a fine should be imposed and when it should commence. Then the management company will send a registered, certified letter, with return receipt requested, stating that a fine of \$25 per day is being imposed unless a hearing was requested. If there is no hearing or the committee approves the fine, it is effective on the 15th day of the violation unless the board decides otherwise. Also note in the letter that after the fine accumulates to \$1,000 (40 days after the fine is first imposed), the HOA may seek recovery of the fines in court. The recovery will also include attorney fees and court costs and any other costs required to take the case to court.

If a hearing is requested by the violator, the board must appoint a committee of at least three HOA members (appoint an odd number) as noted above, and set a hearing date within 30 days of the hearing request and inform the violator by written notice of the hearing time and place. If the committee rejects the violation, the violation letter will be withdrawn. If the committee assesses or upholds a fine, it will be levied from 14 days after the initial violation letter was sent. If the fine accumulates to \$1,000. the board may decide to request the HOA attorney begin proceedings for collection of the fines and all costs associated with the legal action.