

**WESTCHASE HOMEOWNER'S ASSOCIATION  
RULES AND REGULATIONS**

Approved by the Board for Distribution on May 13<sup>th</sup>, 2008

**GENERAL**

1. Use of any facilities of the Condominium Project will be made in such manner as to respect the rights and privileges of other Owners/Residents. The Board of Directors shall have the right to abate all nuisances.
2. Water shall not be kept running for an unreasonable and unnecessary length of time. This includes excessive exterior watering of the common areas by Owners/Residents.
3. Owners/Residents and their guests shall refrain from walking on the planted areas, including but not limited to the grass and ground covering, and shall refrain from riding bicycles, skateboards or similar vehicles on the sidewalks.
4. Fines for rules violations begin at \$50.00 - \$100.00, depending upon the severity of the infraction. Fines for subsequent infractions increase by \$100.00 per violation. Fines are levied pursuant to the Bylaws of the Association.
5. Homeowner's Association Dues are considered late if not received by Westchase Association's managing agent by the fifteenth day of each month. A late fee of \$30.00 will be assessed on the sixteenth day of each month.
6. Any homeowner wishing to attend any Board meeting may do so. Contact the managing agent to determine the date and time of the next meeting. If you wish to address the Board, provide a brief outline or description of the topic to be discussed at least 5 days in advance. This will allow the Board adequate time to adjust schedules and be prepared to meet. Homeowner's will be given ten (10) minutes of uninterrupted time to present their issue(s) to the Board. If required, the Board, through the managing agent, will provide a decision to the homeowner within thirty (30) days.

**NOISE**

7. Owners/Residents shall exercise reasonable care to avoid making or permitting to be made loud, disturbing, objectionable noises. This includes, but is not limited to barking dogs, domestic disturbances, slamming or banging of doors, using, playing or permitting to be used or played musical instruments, radios (including car radios), CD's, television sets, amplifiers or any other instruments or devises in such a manner that may disturb or tend to disturb other Owners/Residents.
8. Owners/Residents and their guests or invitees shall exercise reasonable care to keep noise levels from voices in the common areas such as sidewalks and pool areas and from vehicles to a minimum before 9:00 AM and after 9:00 PM when

sounds are more readily transmitted.

### **PETS**

9. Dogs, cats and other domestic pets are allowed, provided that same shall not disturb or annoy other Owner/Residents, nor cause damage to the limited or common elements. There is not a limit on the number of pets kept in each unit, provided that number is in compliance with City of Dallas Code.
10. Dogs are not permitted on the common grounds unless accompanied by a responsible party. They must be leashed at all times, pursuant to Dallas City Code and these Rules and Regulations. Dogs with fleas, ticks or other disease are prohibited from the common grounds until the malady has been cured.
11. Immediate and prompt removal of any excrement on the limited common elements (patios, balconies, etc.) and common areas by the pet owner is mandatory. Failure to comply will result in a fine and possibly a fee for removal by the association.
12. Pets are not permitted in the pool area.
13. Food shall not be left for pets on patios, balconies or common grounds.

### **PARKING AND DRIVEWAYS**

14. No vehicle belonging to or under the control of any Owner/Resident, including but not limited to, family members, guests, invitees, or employees, shall be parked in another Owner's limited common element parking space, without the express approval of said Owner.

No vehicle shall be parked in such a manner as to impede or prevent ready access to another parking space or parking area. This includes a prohibition from a vehicle intruding over the line delimiting from one space to another. **The Association shall have the right to remove any improperly parked vehicle, at the vehicle owner's expense.**

15. No Owner/Resident shall cause or permit the blowing of any horn from any vehicle being driven into, out of or remaining in a limited common area parking space of the condominium project, except as may be necessary for the safe operation of the vehicle. This includes vehicles being driven by the Owner/Resident, their family, guests, invitees employees, etc.
16. ONLY a maximum of 2 vehicles per home may be parked in the parking lot at any one time. Additional vehicles must be parked off site. Vehicles parked in fire lanes are subject to immediate towing without notice.
17. The speed limit within the Condominium Project shall not exceed ten (10) miles per hour. Care shall be exercised when entering or exiting the property.

### **PARKING AND DRIVEWAYS (CON'T)**

18. No repairs to or washing of vehicles shall be done in the parking or driveway areas of the Condominium Project.
19. No trailers or non-passenger vehicles of any kind are allowed to be parked in the driveways or parking spaces of the Condominium Project.
20. Vehicles are to be parked sufficiently away from curbing to prevent damage to plants and provide access to walkways.
21. All vehicles must be operable, currently licensed and currently inspected.
22. There shall be no playing, skateboarding or similar activities permitted in the parking or driveway areas of the Condominium Project.

### **PROPERTY APPEARANCE**

23. Curbside trash collection is provided one (1) time per week on Tuesday mornings. ***All garbage should be secured in sealed plastic trash bags. Garbage must be set out for pick up ONLY BETWEEN THE HOURS OF 6:00 PM ON MONDAY AND 9:00am ON TUESDAY). FAILURE TO COMPLY WILL RESULT IN A FINE UP TO \$100.00 BEING ASSESSED TO THE OWNER. This service is intended for household waste only. Large items, furniture and construction debris must be removed from the site by the responsible homeowner. There will be no trash pick up on major holidays that fall on Mondays (i.e. Memorial Day, Independence Day or Labor Day). Notices will be placed by the mailbox indicating the day trash will be picked up, and any owner or resident who puts trash put out early will be subject to a fine.***
24. There shall be no littering on the common grounds. This includes, but is not limited to, cigarette butts, cans, paper, fast food containers, food, etc. Failure to comply may result in a fine to the Owner.
25. Entrance ways, patios and balconies are to be kept free of litter and unnecessary clutter.
26. The hanging, cleaning or beating of rugs, clothing, garments, brooms, mops or similar items from the patios, balconies, stairways or similar areas of the Condominium Project is strictly prohibited.
27. Only clear light bulbs are permitted for outside use.
28. Replacement of windowpanes must be of the same exterior appearance of the original, existing tinted glass. Broken or missing window panes, door hardware or similar items must be repaired or replaced immediately by the Owner.
29. Storm doors are permitted. They must be of sturdy steel and/or metal construction.

The door and frame must be white with a glass insert. Screens are permitted if desired, provided they are black in color.

30. Any plan or intent to modify the limited common or common elements must be submitted in writing to the Board of Directors for their written approval. This shall include changes to light fixtures, doors hardware on doors and any/all item(s) on the common grounds. Any such change made without prior Board approval subjects the owner to fines and applicable replacement expenses.
31. The installation of Exterior Satellite Systems to the common elements is permitted only when they comply with guidelines established by the association. Obtain the **Satellite/Cable Permission/Agreement** from the managing agent for installation permission and guidelines. Do not hesitate to contact the management company prior to any installation.
32. Silk plants and flowers are prohibited on the common grounds.
33. Solar or sun screens for windows are permitted. The frames must be white with a black screen.
34. All interior window treatments (i.e., blinds, shutters or drapes), must be white in color when viewed from the outside.
35. Interior window treatments may only be in the form of blinds, shutters or drapes. Under no circumstances are windows to be covered with sheets, blankets, towels, foil or similar materials. No temporary or paper window treatments are permitted for a period in excess of ninety (90) days.
36. Exterior roll-up style patio sun shades are permitted, provided they are white and kept in good repair.

## **POOL AND CLUBHOUSE**

37. **ALL PERSONS USING THE POOL AND POOL AREA DO SO AT THEIR OWN RISK.**
38. Pool keys will only be provided to Owners who maintain a current balance with the Association. Pool keys may be obtained from the managing agent, who may charge a fee to replace a lost or broken pool key.
39. Furniture provided in the pool area shall not be removed from such area. Temporary use of personal standard pool chairs or lounges is permitted, provided they are removed immediately when not in use.
40. Users of the pool area are responsible for the removal of all articles brought thereto by them, including, but not limited to, towels, books, magazines, newspapers and containers. Ashtrays are to be utilized and emptied upon leaving, including additional

litter, in appropriate trash receptacles.

41. No running, pushing or scuffling shall be permitted in the pool area. There shall be no splashing of water other than that accompanying normal swimming.
42. Voices shall be kept at normal, conversational levels.
43. Radios, stereos and similar items shall be kept at a low noise level so as to not disturb others in or around the pool.
44. Showers shall be taken before entering the pool.
45. Any person having a skin disease, sore or inflamed eyes, nasal or ear discharge or any communicable disease shall be excluded from the pool.
46. All bobby pins, hairpins or other such materials shall be removed before entering the pool.
47. Glass of any kind is prohibited in the pool area.
48. The pool is for the exclusive use of all Owners/Residents and their guests. Owners/Residents are responsible for the conduct of their guests.
49. Owners/Residents shall not have more than four (4) guests at any one time in or around the pool without the prior approval from the Board of Directors.
50. Swimming shall be permitted only between the hours of 9:00 AM and 10:00 PM, Sunday through Thursday and 9:00 AM and Midnight, Friday and Saturday.
51. Children under the age of sixteen (16) must be accompanied by an adult at all times.
52. Anyone under the age of eighteen (18) must be accompanied by an adult after 8:00 PM.
53. The pool and outside surrounding area cannot be reserved.
54. The Clubhouse may be reserved for individual use during the same hours posted for swimming, by contacting the managing agent. Only a homeowner may reserve the clubhouse whether it is for their use or their tenant(s). A deposit in the amount of \$300.00 is required from the Owner. If the premises are left in satisfactory condition, the deposit will be refunded. Deductions for any damages will be made, and if damages exceed the deposit, the Owner will be assessed the repair/replacement cost.

**Sources Of Board Powers To Set Rules And Enforce Sanctions** - State Law, the property's Enabling Declaration and By-laws provide for rules, and give the Board of Directors the power to set rules, regulations, and sanctions. When conflicts arise, the

provisions of State law and the Declaration normally have precedence. Any Owner (or their tenant) determined by judicial or non-judicial action to have violated said rules and regulations shall be liable to the Association for all damages and costs, including attorney's fees. All rules of the Board are effective immediately unless otherwise stated herein.

**Remedies For Violations And Right To Appeal** - Owners are deemed responsible for their own actions as well as the actions of their tenants and visitors. Owners of units in which tenants, guests or visitors are responsible for violations of these rules and regulations are subject to sanctions ranging from verbal warnings, written warnings, fines and police citations.

Written or verbal notices of violation may be given by management or a Board member. If a minor infraction is repeated, or a serious violation occurs, the owner of the unit responsible is subject to a written notice of violation and a fine.

1. After a written notice of violation or fine, the owner has the right to appeal within 30 days of the date on the notice of violation. All appeals must be in writing, and sent to the Board of Directors – Westchase HOA , care of the managing agent.
2. After an appeal is received, the owner will be invited to a hearing before the Board at the next regularly scheduled Board meeting.
3. Should an appeal be heard, the Board will issue its written decision within 30 days after the hearing. Board decisions are final.
4. If the owner does not request a hearing within 30 days, the matter is considered closed. Any fines issued must be paid within 60 days of the original notice of violation.
5. Failure to pay fines may result in further fines and penalties. Owners who do not pay fines are subject to sanctions per the Enabling Declaration and By-laws of the Westchase HOA.

**Amendment** - The foregoing Rules and Regulations are subject to periodic amendment. **This document was last amended on February 15, 2008 and approved by the Board of Directors on May 13<sup>th</sup>, 2008.**

**Managing Agent:**

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