

Important Information

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Morada Maintenance Corporation

RULES

Information



MORADA

18664 Caminito Cantilena
San Diego, CA 92128

July 2002

THE MORADA COMMUNITY

The Morada Maintenance Corporation [MMC] is a nonprofit mutual benefit corporation formed in 1996 to manage the 338-unit Morada Condominium Project, a "Common Interest Development" under the Davis-Stirling Common Interest Development Act. (CA Civil Code Section 1350-1376). MMC is a sub-association within the Bernardo Vista del Lago Master Association [BVDL]. These rules apply to Morada residents, tenants and guests, in concert with the BVDL rules that govern our property.

Mission Statement:

"MMC provides for the acquisition, construction, management, maintenance and care of real and personal property held by this corporation, or commonly held by the members of this corporation, and in some limited cases, property privately held by such members, all as described in a declaration of Covenants, Conditions and Restrictions [CC&Rs]." **Note: the CC&Rs are available on the Morada Web site.**

Majority control of MMC transferred from the builder to the homeowners in July, 2001, at which time an active Board of Directors, comprised of homeowners, took action to help transform the organization into a vehicle to exercise local control and build a sense of community.

Since then, with a homeowner-controlled volunteer Board, and with hundreds of additional volunteer hours through active Architectural Review, Communications, Finance, and Health Welfare, and Safety committees, our sense of community has consistently reinforced our focus on two key issues: quality of life and enhancement of property value.

A significant characteristic of the Morada community is, all things being equal, preference is given to quality of life, as it is in the best interests of the majority of the current community, rather than to the benefit of property speculation.

The MMC Board of Directors
June, 2002

Numbers throughout this booklet indicate specific federal, state, county, municipal or other codes and sections cited: e.g. §44.0304.1

Homeowners, tenants and their guests shall abide by all MMC Rules and all local, city, county and state codes, rules, regulations and laws, while within and on the Morada and Bernardo Vista del Lago property.

PET RULES

Note: "Pet owner" also includes a person watching a pet or taking care of a pet in the resident's absence, While the owner will be held responsible for damages, a 'pet sitter' shall be informed of the rules and regulations of MMC and follow them,

1. Pets are not to be excessively noisy as to disturb the right of owners to quiet enjoyment of their property. §44.0304.1
2. Whoever is walking a pet shall remove all feces immediately and dispose of it in a trash receptacle in a sanitary manner. Failure to do so leads to disease and an unsafe living condition. §44.0304.1
3. As directed by the Bernardo Vista del Lago Association, animals are not to be kept in unreasonable quantities, as determined by the BVDL Board of Directors. §62.668
4. Pets are not to be kept or raised for commercial purposes.
5. Pet owners are responsible for damage caused by their pets in the common areas, as defined in the CC&Rs. This includes but is not limited to trees, shrubs and bushes.
6. Pet owners must keep their pets out of the gated Swimming Pool & Spa area.
7. All pets (such as dogs, cats, etc.) must be kept on a leash and under immediate supervision when within the property and not enclosed in the condominium unit. §62.669
8. When walking pets, walkers should attempt to maintain a respectful distance of ten (10) feet from other owners' residences to ensure privacy.

Please do your part to provide privacy to your fellow residents. Walking pets in close proximity to a residence is not necessary and can create feelings of suspicion and insecurity.
9. In compliance with county codes, MMC prohibits the keeping of wild animals and other prohibited species on the Morada property. §44.0305

NOISE AND NUISANCE RULES

1. Unreasonable noise is not permitted between the hours of 10:00 p.m. and 7:00 a.m. on the Morada property. *Unreasonable noise* includes disturbing, excessive or offensive noise which may cause discomfort or annoyance to any reasonable person of "normal" noise sensitivity residing in the area and includes, but is not limited to:

- Loud music (instruments, radios, CDs, phonographs, etc.)
- Loud television
- Loud talking
- Horns
- Audible burglar alarms (must be able to be terminated within 20 minutes of being activated)
- Frequent or continuous animal noise

Unreasonable noise complaints may be made in writing by any resident and submitted to the Property Manager and/or a member of the MMC Board of Directors. §59.5.0

2. "Pet Owners" failing to immediately remove pet feces from the Morada property is considered a nuisance and county health concern. §44.0304.1

3. Common driveways within Morada are intended for vehicular and pedestrian traffic and not for recreational use. Recreational use, which poses a danger to the participant, to property within the community and/or to other persons, constitutes a nuisance and is a violation of the MMC Rules.

a. The use of scooters, roller blades, skateboards, etc., on the common driveways and sidewalks within Morada is prohibited.

b. Bicycles may be ridden within the property. However, the rider must obey all traffic rules and ride with caution. Bicyclist must always yield to pedestrians.

The Board of Directors and/or the Property Manager has the right to demand immediate cessation of such dangerous recreational use. However, should the participant refuse to stop such use immediately, the Board of Directors has the right, after considering the matter at a hearing, to impose fines or suspend common area privileges or both.

4. No resident or guest shall, at any time, become abusive or threaten harm, whether verbally, physically or in writing, to any member of the Board of Directors, committee member, Property Manager or vendors. Notwithstanding any right to warnings or notices prescribed elsewhere for violations of [AMC Rules, the activity described in this paragraph may

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NOISE AND NUISANCE RULES - *continued*

result in an immediate, specially-noticed hearing, at which a discipline penalty assessment may be imposed, common area privileges suspended, or both. Further, depending on the severity of the offense, MMC's legal counsel may be contacted and legal action may be taken.

POOL & SPA RULES

1. Pool & Spa hours are Sunday - Thursday 8:00 a.m. to 10:00 p.m., Friday and Saturday 8:00 a.m. to 12:00 am. The 10:00 p.m - 12:00 a.m. hours are **QUIET HOURS**. Occupancy of gated Pool & Spa area other than these hours is trespassing.

2. No lifeguard is on duty in the Pool & Spa area. All persons using the facility do so at their own risk. §65539(c)

3. The Pool & Spa area is for Morada residents and their accompanying guests only.

4. Incontinent persons, including infants, must wear appropriate sanitary protection when using the Pool & Spa.

5. The Pool & Spa may be used for appropriate recreational purposes only. Surfboards and boogie boards are prohibited from the Pool & Spa area. Flotation devices that do not inhibit the enjoyment of other pool occupants are permissible.

6. Pets are not permitted within the gated Pool & Spa area except for guide, service or signal dogs. §65533-b and §63.20.12-e

7. Children under the age of 14 should not use the Pool & Spa without an adult in attendance.

8. No diving, jumping, dunking or horseplay is permitted in the Pool or Spa. §3119B.1.1

9. To preserve the quiet enjoyment of all residents, loud music, vulgar language, loud voices or running/horseplay are not permitted.

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POOL & SPA RULES - continued

10. Swimming attire must be worn at all times when in the Pool & Spa.
11. No glass containers are allowed at any time in the Pool & Spa area.
12. All persons known to be, or suspected of being afflicted with an infectious disease, suffering from a cough, cold or sore, or wearing band-aids or bandages shall be excluded from all public bathing places. Title 22, §65541
13. No more than 10 persons may occupy the Spa at one time. No more than 37 persons may be in the Pool at one time. §3119B.1.1
14. Litter pickup in the Pool & Spa area is the responsibility of those Morada residents and their guests using the Pool & Spa.

Note: Pool & Spa keys may not be duplicated. There is a \$50, per occurrence, service fee for Pool & Spa replacement keys due to loss or damage. Fees must be paid prior to the new key being issued.

VEHICLE AND PARKING RULES

1. The provisions of the California Vehicle Code are applicable at all times on Morada parking spaces and "common driveways" (i.e. roadways). In particular, residents and visitors are reminded that all laws applying to the Handicapped parking spaces are enforced.
2. The **vehicle speed limit is a maximum of 15 MPH** within all areas of Morada and Bernardo Vista del Lago [BVDL] property.
3. Resident vehicles must be registered with BVDL within 72 hours of taking residence at Morada, and must display a BVDL Parking Sticker (secured from the BVDL Recreation Center) or Military vehicle sticker on the lower left side of the front windshield.
4. Residents must use their deeded parking space as their primary parking area, regardless of whether it is a garage, carport or unsheltered' parking space. CC&R§ 9.12b

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VEHICLE AND PARKING RULES - continued

Note: *Towing warning signs are installed throughout the Morada property.*

5. Any vehicle stationary for more than 30 days in the same open (visitor) parking space, may be considered abandoned and is subject to ticketing and towing without further notice.
 6. Vehicles may not be stored on premises, and must be maintained in "road worthy" operating condition, or they may be considered abandoned. If a vehicle is deemed as such by the MMC Board, it will be subject to ticketing and towing without further notice.
 7. Visitor vehicles parked more than 72 hours require a valid BVDL Temporary Parking Pass. BVDL Temporary Parking Passes are available at the BVDL Recreation Center office or at the Security Guard House.
- Any vehicle not displaying either a BVDL Parking Sticker or BVDL Temporary Parking Pass, which is parked in any space more than 72 hours, will be subject to ticketing and towing without further notice.
8. When a vehicle is towed at the direction of the MMC Board, all related tow charges and any related potential liability shall be the responsibility of the vehicle owner.

9. Vehicles may not be parked in carports and unsheltered parking spaces with the rear of the vehicle toward the curbs and sidewalks. The vehicle may be positioned in this manner for temporary loading and unloading only.
10. All recreational vehicles, boats, trailers and commercial vehicles over three-quarter (3/4) ton, except delivery trucks for the purposes of loading and unloading for residents, are prohibited from parking or being stored in any parking space.
11. Vehicle repairs of any kind are prohibited in carport or unsheltered parking spaces. Improper disposal of any vehicle maintenance products may result in disciplinary penalty assessments.

LANDSCAPING AND ARCHITECTURAL IMPROVEMENT RULES

1. Owners are liable for the cost of all repairs to the common and/or exclusive use area as well as all damages to persons or personal property, resulting from alterations and/or additions (whether approved or not approved). Examples of common items or activities that may cause damage include but are not limited to: holes in stucco, nails or screws in wood surfaces, lack of drip trays under planter boxes, etc.
2. Any structural alterations and/or additions to common and/or exclusive use area landscape, exterior/interior structures, fencing, walls, additions and any other modifications to MMC property must be submitted for approval to the MMC Architectural Review Committee [ARC] prior to commencing any work. If approved by MMC ARC, the request will then be submitted to BVDL for approval before commencement of work. Requests to the ARC will be responded to within 30 days from date of submittal.

Process for Landscape and/or Architectural Improvements

- a. Secure Landscape and/or Architectural Improvement Request Form from MMC Property Manager, www.moradacondos.com (Homeowner / Forms section) or BVDL Recreation Center Staff.
- b. Complete all sections of the form, including neighbor acknowledgement.
- c. Attach detailed specifications of planned improvement, including all applicable information: dimensions, method of attachment, color scheme(s), etc.

3. Satellite Dishes and Communications

- a. MMC may consider reasonable requests for television antennas, satellite dishes less than one meter (-39") in diameter, multi-channel, multi-point distribution service antennas less than one meter in size and other external antennas in support of FCC-licensed communications services. §207
- b. Any affixed installations made in common or exclusive use areas (exterior walls, roofs, etc.), must be approved by the MMC ARC prior to the installation. Any work commencing without prior approval may result in removal and/or penalty assessments.
- c. Specific satellite dish installation details may be secured through the MMC ARC to facilitate "fast tracking" of installations.

DUMPSTER RULES

1. All trash must be securely bagged prior to disposal.
2. Comply with all recycling regulations.
3. NO toxic or flammable materials.
4. NO auto batteries, oils or petroleum products
5. Close dumpster after use.
6. NO furniture or large appliances.

KEEP AREA CLEAN AND LITTER-FREE

ENFORCEMENT OF RULES

1. Reporting of Violations: Violations shall be addressed to the Board of Directors, in writing, and contain the following information:

- a) The name and address of the complainant
- b) The name and/or address of the violating party
- c) The date, time, and location of the alleged incident or violation
- d) The CC&Rs and/or MMC Rules violation
- e) A description of the incident or violation
 - 1) Signature of the complaining party
- g) Mail to:

P & K Condo Management, Inc.
P. O. Box 463100
Escondido, CA 92046-3100

Fax: 760-738-6211

[e-mail: mplemons@pkcondo.com](mailto:mplemons@pkcondo.com)

2. Notification of the violation: The Board of Directors shall notify the owner in writing of any violation of these rules. A "Friendly Reminder" is issued for the first violation, followed by a "Warning" Letter for non-compliance of the same violation. If the violation continues, or is not corrected, a hearing may be conducted in accordance with California Civil Code §1363(b) at which time a fine and/or suspension of privileges may be imposed. The owner has the right to attend the hearing. The Board of Directors shall inform the owner of any decision and reasons associated with the violation within seven (7) days after the hearing.

3. Enforcement: MMC shall have the right to enforce, by any proceeding at law or in equity, all Conditions, Covenants and Restrictions, as well as Rules and Regulations, now or hereinafter imposed by the provisions of the condominium documents, as well as Rules and Regulations and in such action shall be entitled to recover reasonable attorney fees and costs. The penalty assessment process set forth shall not be the exclusive remedy to seek compliance by a homeowner of a violation of the governing documents of the Association. Failure of MMC to enforce any provisions of the governing documents shall in no event be deemed a waiver of the right to do so thereafter.

DISCIPLINARY PENALTY ASSESSMENTS*

The Morada Maintenance Corporation CC&Rs establish a procedure whereby penalty assessment(s) may be levied against the homeowner's account after a reasonable notice has been provided to allow the homeowner time to correct the indicated violation. In failing to respond and/or correct the violation, a hearing before the Board of Directors results, with the levy of a penalty assessment(s) at the discretion of the Board. Penalty assessments for violations of the rules are according to the schedule listed below for re-occurrence of the same violation or failure to correct a violation. The amount of the penalty assessment(s) will appear on the homeowner's monthly account statement. *Note: continuing violations which are not cured, will not receive a "Notice of Hearing," except for the 3rd occurrence.*

1st Violation	"Friendly Reminder" Letter
2nd Violation	"Warning" Letter
3rd Violation	Notice of Hearing and possible penalty assessment
	\$100.00
4th Violation	\$150.00
5 th Violation	\$200.00
6th Violation	\$300.00

Six or more violations assessed to a single residence in any six-month period may result in an additional penalty assessment of up to \$300.00, at the discretion of the Board of Directors.

Residents have fifteen (15) days from the date of delivery of the "Notice of Hearing" in which to respond to a request for a hearing. If a response is not forthcoming within this period, the respondent shall be deemed to have accepted the findings of the Board and waived his/her right to a hearing and right to object to the findings.

Unauthorized improvements to property, at the discretion of the Board of Directors, may be assessed a \$100.00 violation, for each occurrence or re-occurrence, until the violation has been corrected and noted by a Board Member or Property Manager. All penalty assessments shall be in addition to a repair assessment equal to the applicable cost of repairs.

*MMC Bylaws: §10.01, §10.02; MMC CC&Rs: §1.06c, §3.04a