



## **COMMUNITY RULES & REGULATIONS**

### **LIVING IN A COMMUNITY GOVERNED BY A HOMEOWNERS ASSOCIATION**

Homeowners Association living is a unique style of home ownership, blending the many benefits of home ownership with the benefits of a planned community. However, with that blending, homeowners face certain restrictions that are not generally applicable in traditional single-family subdivisions. However, are also obligated to live by the Association's rules book, also known as covenants, conditions and restrictions (CC&Rs). An elected volunteer board of directors is responsible for enforcing these rules.

Each unit shall be used for residential purposes, and as a single private dwelling for the Unit Owner, and the members of his family and social guests. The use of the Unit shall be consistent, and in compliance with the existing laws, the provisions of the Declaration and these rules and regulations.

Units may not be used for business use or for any commercial use whatsoever.

**LEASING OF UNIT:** Prior to the leasing of a unit, all owners must satisfy the following requirements:

Leasing application must be completed and submitted to VPW Management at [vpw.management@gmail.com](mailto:vpw.management@gmail.com) under the 'Transfer Services' Tab 30 days prior to moving day to be reviewed by the Board for approval. NO unit owner may lease less than the entire unit, nor may the unit be leased for transient or hotel purposes. Any such lease must be for a minimum of six (6) months, and no more than (2) lease in any twelve (12) month period. If you have any questions or concerns with this process you may reach out to [vpw.management@gmail.com](mailto:vpw.management@gmail.com)

If renewing the lease, the homeowner is responsible in providing a copy of the new lease to the Management Company to update their files. Homeowner cannot renew a lease without prior approval from the Board of Directors.

**- People living on the property without approval; or that are not registered on the lease, we will make them aware that they have 14 days to go through screening process or an eviction will be started against such persons.**

**The association has the right to terminate the lease upon default by the tenant in observing any of the provisions of the Declaration, of the Articles and the By Laws of the Association or applicable Rules and Regulations, or of any other agreement, document or instrument governing the lots or dwelling units.**

The Board reserves the right to initiate legal proceedings against the tenant and/or the owner for breach of any of the rules and regulations of the Association.

**RESALES:** The buyer or title company needs to request an Estoppel online at [vpw.management@gmail.com](mailto:vpw.management@gmail.com)

If you have any questions on this process you may contact [vpw.management@gmail.com](mailto:vpw.management@gmail.com)

### **REAL ESTATE AGENTS, BROKERS AND INVESTORS**

The safety of our residents and community is very important to us and due to the amount of reports we have received, effective immediately, all prospective buyers/renters MUST be accompanied by the seller's agent/representative.

The agent must present provide his/her business card, and professional license to the attending security guard along with the unit address they are showing. Agents are **NOT** to give their clients their gate codes to enter. It is strictly prohibited for clients to view/enter any home(s) unaccompanied by their agent/representative. Be advised that any agent/representative that is not present with their client and gives gate codes or key codes to enter the property or homes will not only be reported to their agency supervisor but will **NOT** be welcomed on the property. This unprofessional behavior compromises the security of our community. This will not be tolerated.

Any visitors that come without their agent/representative to view a home will be asked to leave the premises until their agent/representative is present. Any agent /representative without professional identification and business cards for the security guard will be asked to return prepared. Agents/representatives are required to leave a business card to show the unit. Agent(s) will **NOT** be allowed to show or enter property after 8:00 PM. Rules will be strictly enforced. Thank you for your cooperation.

**MOVE IN/ MOVE OUT POLICY:** Residents are allowed to move in our move out Monday through Saturday between 9:00 A.M. -8:00 P.M. Sunday are prohibited, **NO EXCEPTIONS.**

**FOR SALE AND RENT SIGNS:** All for Sale/Rent signs must be placed inside the unit window, not in or on the common areas. Only one sign per unit may be posted, no other signs may be displayed. All signs must be removed within one (1) week of sale or lease of unit. Signs

must be no larger than 12"x12". Advertising signs for business or commercial activities are prohibited anywhere on the property. This includes windows, door, garage doors and patio doors. **GARAGE SALES:** Are **NOT** allowed in our community and/or your property.

**NO EXCEPTIONS**

**GUESTS POLICY:** Residents are responsible for familiarizing their guests with the rules and regulations pertaining to all of the facilities in the community. Residents are also responsible for any damage incurred by their guests including attorney's fees. Residents are responsible for the parking of their guest. If a car is parked incorrectly or illegally it will be towed at owner's expense. Residents with more vehicles than parking spaces on their property must park at an alternative location off the property or make arrangements with their neighbors. If you park on a vacant unit's property you are parking at your own risk of being towed.

Daily guests must be accompanied by their host when using common facilities at all times with **NO EXCEPTIONS**. Guests who exceed a stay of more than 14 days, must be registered with the Association. The Association has the right to require the same protocol as a tenant on any guests they deem undesirable.

**ENFORCEMENT PROCEDURE:** Any member of the Community, upon noticing a violation or repeated violations, or being directly or indirectly affected by the actions of any other members, or be subject to annoyances which in themselves violate any provisions of our Associations, may report their complaint to [vpw.management@gmail.com](mailto:vpw.management@gmail.com) for violations or [vpw.management@gmail.com](mailto:vpw.management@gmail.com) for general concerns.

Management will contact the person reported to be in violation in order to work out any problems. Failure to correct the violation will necessitate the condominium Association's Board of Directors to enforce the authority granted to them through fines and/or legal proceedings whose costs would be incurred by the unit owner.

**VIOLATIONS:** The resident in violation will be given a written notice of the complaint by the property manager via regular mail, informing him or her of the violation for which they have been cited. Upon receipt of the NOTICE OF VIOLATION that owner will have either 48 hours, 14 days or 30 days (depending of what kind of violation) to submit a written response disputing the violation. If such request is not received, that NOTICE OF VIOLATION shall be deemed as a valid violation.

**PETS IN OUR COMMUNITY:** **NO** animal other than a dog or cat or other animal reasonably considered to be household pets (birds), shall be kept anywhere on the property. Nor shall any animal be kept boarded, or maintained for any commercial purpose. Household pets shall not

include reptiles, livestock or exotic mammals. All pets must be registered with the Association. **NO EXCEPTIONS.**

All pets must be leashed when outdoors at all times. No pets are permitted inside the pool and/or pool deck. Excessive dog barking is not permitted in our community, please consider your neighbor and be courteous.

All pet defecation must be removed immediately from any common areas. Pet stations are available for your convenience within the community. Owners must clean up on their limited common areas, i.e. driveways, backyards, sidewalks and/or street.

**COMMUNITY LAKES & WILD LIFE:** The water retention lakes/ponds are off limits to residents and non-residents alike. For safety purpose, fishing, swimming, or playing around the lake is not permitted in our community lakes. Children should not be left unattended around the lakes areas. Canoes, kayaks, fishing boats are not allowed in the lakes.

At **NO** time should litter or debris or food be thrown into the lakes. Feeding any wild life is prohibited. You may **NOT** toss any food outside of your backyard/patio. This is considered littering and may cause harm to the animals.

**LAW ENFORCEMENT, COMMERCIAL SERVICES AND CITY OFFICIALS:** Off duty city officials and/or service members please adhere to the gate code policy. If you are a resident expecting guests, they must use the call in method at gate. Your guest must follow the same rules. The code provided to you are for on duty and professional use only. Sharing gate codes with friends and/or family is strictly prohibited. For the security and privacy of our residents we ask that you adhere to the rules and regulations, by-laws and policies like everyone else. Thank you for your cooperation.

Any company providing a commercial service to a resident in this community **MUST** be licensed. Unlicensed companies and/or work are strictly prohibited. Any company found working on the premises that do not have the proper licensing or insurance, will be asked to leave premises at the servicing resident's expense. **NO EXCEPTIONS.**

**LANDSCAPING** : When doing any landscaping the Homeowner needs to be careful with the sprinkler system, homeowners will be responsible for any repairs to the system.

All request for the planting of flowers, trees or installation of water fountains, address boxes, benches, rocks, driveways solar lamps, etc. must first be submitted in writing using an Architectural Modification Form for Committee approval (prior to doing any changes on you property).

Pet owners must carry doggie bags or use the pet station baggies to clean up after their pets. **NO EXCEPTIONS.** No pet shall be tied to any trees, stakes, picnic tables, balconies, cars, garages, etc. at any time. Any damage to the common elements by pets as determined by the Board of Directors, will be repaired under the supervision of the Board or Property Management Agent. All costs will be assessed to unit owner.

**NO** pets shall be allowed to create a nuisance, unreasonable disturbance, or damage any common or limited common property. Additionally, **NO** pet shall be allowed to damage property of any resident or guest.

The Association, will not be responsible for the maintenance of any bushes, plants, trees, shrubbery, flowers, etc., which were not installed by the Developer of the Property Owners Association, even if permission for the planting of such items was approved by the Property Owner's Association.

Residents shall not instruct or make demands upon any employee or contractor in the care and maintenance of any landscaping. All complaints and suggestions should be addressed to the property manager in writing.

**PATIOS AND PORCHES**: BBQ grills, firewood, household furniture, toys and alike are **not** permitted on the front porches or driveways. Front porches are not allowed to be used as storage room.

No resident shall display, hang or use any signs, banners or other objects that the Board may deem inappropriate from patios, porches or windows.

Clothing, sheets, blankets, posters, laundry and similar objects shall not be hung out or exposed on balconies, windows, decks, patios and/or garages. All patios must remain clear and free of any clutter or trash.

**ALTERATIONS OR MODIFICATIONS TO YOUR TOWN HOME:** The right of the Association to establish uniform rules and regulations pertaining to the portions of each lot visible from any portion of the common properties for the purposes of enhancing the aesthetic uniformity of the properties, including, but not limited to, prohibitions against or guidelines for the planting of trees, flowers, hedges and other plants or against the temporary or permanent placement of personal items including awnings, swings, hammocks, toys or other recreational devices.

No alterations of any kind may be made to any part of the common or limited common elements. **Any alterations, additions or improvements whatsoever which changes the appearance of any building, landscaping or common elements must be requested, in writing, by submitting an Architectural Modification Request Form (ACC) to the management company for approval from the Architectural Committee prior to any changes.**

**Villa Portofino West POA reserves the right to order any outdoor furniture or grills deemed to be unsightly removed from the property at any time.**

**HURRICANE SHUTTERS:** Temporary hurricane shutters are those which are not fully operational at all times but which require the installation of closings of some portion thereof to make them ready for use. The only hurricane shutters permitted in our community are the ones that the property came with (please maintain in good condition and stored in the designated place where they came with and store in the garage). An ACC form must be submitted for the installation on Accordions.

**All panels or accordion shutters may be installed and/or closed no earlier than 72 hours prior to the declaration of a "Hurricane Warning" and must be removed no later than 48 hours after the hurricane has left the area.**

**TRASH AND RECYCLE PICK UP:** Garbage cans and recycle bins must be out of sight and/or removed from view after pick up day. Place them inside your garage or back yard. **THEY CANNOT BE LEFT IN FRONT/SIDE OF THE UNIT.**

Trash is picked up twice a week and the pick-up days are Tuesdays and Fridays. Residents are required to place their garbage cans at the curve of their driveways, not blocking access to any driveway.

Garbage can must be put out no earlier than 6:00 pm the evening before collection day; it must be out of sight at all times with the exception of the collection days.

If you are placing your garbage can in your back patio, **it must be kept clean and odorless at all times. Rodent and/or smell problems are NOT permitted to be a disturbing issue with your neighbors, be courteous at all times.**

**CHRISTMAS AND SEASONAL DECORATIONS:** Seasonal decorations should not be

- Holiday decorations: **November 27th (Thanksgiving Day) of the current year and removed no later than January 10th of the New Year.**

- All other Holidays: **One (1) week prior to Holiday and removed one (1) week after Holiday.**

below: • **NO** decorations that create a safety hazard or damage to common areas will be installed earlier than dates listed

permitted.

- **NO** outdoor decorations are permitted except for decorations which can be placed on the unit's door, patio or porch.

- **NO** graffiti is allowed on walls, windows and garage doors.

- Holiday lights on bushes/trees are exceptions. Any damage caused by the installation and removal of decorations shall be repaired by the unit owner at his/her expense.

**CHILDREN AND TEENS IN THE COMMUNITY:** Children, teen's parent and guests are expected to behave in such a way that does not cause a nuisance to their neighbors. Parents will be held responsible for the actions for their children, teens and guests. For the safety of your children, we ask that they don't roam the property.

All toys, recreation equipment, bicycles, scooters, etc. cannot be left in front of the unit or the common areas after use. Any games or other activities that create a nuisance, damage any Common Elements, or disrupt the peace are prohibited on or in any portion of the Common Elements.

**NUISANCE:** There shall be no sports or leisure activities on any common or limited common areas (specifically the street) that may be destructive to the property or a nuisance to neighboring residents:

- No noise such as television, music or loud outdoor conversation will be permitted at any time in such a manner as to disturb or annoy your neighbors. This is especially before 8:00 a.m. and after 9:00 p.m.

- No loitering past 9:00 P.M. in the community. All garage doors shall remain closed except for access to and from the garage.

- No noxious odors shall be permitted in any dwelling units. **NO COOKING INSIDE OR OUTSIDE THE GARAGES OR IN FRONT OF THE UNIT.**

- Homeowners who keep their dogs in the backyard are responsible in cleaning up all of their pet defecation. It must be removed immediately. Keep in mind that the units are too close to each other and this becomes a nuisance to your neighbor.
- If you go out of town, no pets should be left unattended in the backyard or inside the garage. Continuous barking from your dog becomes a nuisance to your neighbors.
- A nuisance will be as determined by the Board of Directors upon receipt of such complaint.

**FIREWORKS:** Due to the overwhelming complaints received by the Board of Directors the board has decided for the safety and precaution of the association has decided to eliminate fireworks. No fireworks shall be ignited in common areas and/or streets. **Illegal fireworks or commercial fireworks are strictly prohibited.** Please refer to City of Homestead fireworks ordinance for further information.

**City of Homestead Fireworks Ordinance Violations for fireworks are handled as follows:**

- 1<sup>st</sup> violation: verbal warning
- 2<sup>nd</sup> violation on the same day: resident will be fined \$100.00.

**COSTS:** In the event of any offense where costs are incurred by the Association, the owner will be responsible for those costs. This includes but is not limited to:  
Property Damage, personal injury, restoration costs, legal costs and attorney's fees.

**\*\*\*\*NOTE THE FOLLOWNG: \*\*\*\***

**- People coming into the community by foot or by bicycle must use side entrance doors with their own keys any person seen coming in through the vehicle entrance without a vehicle will be given a warning and they will have 48 hours to purchase the key. We will let owner as well as tenant where applicable that if the key is not purchased we will fine the owners as well as the tenant where applicable \$100.00.**

**- The visitor's gate (entrance) should only be used by visitors, all residents must purchase a transponder per vehicle and attached to the vehicle. If a resident is caught coming in through the visitor's side they will be given a warning and they will have 48 hours to purchase the transponder. We will let owner as well as tenant where applicable that if the transponder is not purchased we will fine the owners as well as the tenant where applicable \$100.00.**