

# HIDDEN VALLEY VILLAGE OWNERS ASSOCIATION [HVVOA] RULES, REGULATIONS, POLICIES & PROCEDURES

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(Section 3 Pets)

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## Introduction

The Hidden Valley Village Owners Association Board of Directors and management is resolved to protect the rights and privileges of all Association members and to promote fair and equitable use of all facilities for the benefit of all Association members, immediate family members and bona fide guests. It is each Association member's responsibility to make members of their immediate family, their guests and tenants aware of these Rules and Regulations and to ensure their compliance when using the Hidden Valley Village facilities.

- ✓ Each HVVOA member, family member, authorized guest and tenant of a member shall be responsible for their own safety and well-being. All persons using HVVOA facilities do so at their own risk. The HVVOA assumes no responsibility for injuries, damages or loss to individuals or the private property of individuals while on HVV premises.
- ✓ HVVOA Members will be held financially responsible for any damages to common area property caused by them, members of their family, their guests or tenants.
- ✓ Any accident/incident involving personal injury or property damage must be reported immediately to the on-duty managers.
  
- ✓ These Rules and Regulations may be amended from time to time by the Board of Directors.
- ✓ Any inquiries concerning the overall operation of common area facilities should be directed to the HIDDEN VALLEY VILLAGE BOARD OF DIRECTORS at P.O. Box 9151, Mammoth Lakes, CA 93546-9151, (760) 934-7303 or (760)-914-1776

### ***I. General Enforcement of Governing Documents:***

It is the intention of the HVVOA to establish and implement procedures to assure due process in situations in which there is a question of compliance by a member, his family, his guests or tenants with the provisions of the Declaration of Covenants, Conditions and Restrictions (CC&Rs) Bylaws, and other governing instruments of the Hidden Valley Village Owners Association, in an effort to assist the Board of Directors in effectively managing and conducting the affairs of the HVVOA without the necessity of seeking action in or through a court of law.

All members/units owners are responsible for compliance with the Hidden Valley Village Owners Association Bylaws, CC&Rs, and Rules and Regulations (the "Governing Documents"), by themselves, their families, their guests, their tenants and any individuals associated with their particular unit. The member/unit owner will be penalized and held responsible for the action of all of the individuals identified above. Written notices, including those that contain proposed fines and/or other disciplinary action, will be initiated by the Board of Directors action. The Board of Directors may direct management to deliver the notices.

In cases where a violation(s) of the Governing Documents expose others to immediate threat to health & well-being or danger of injury, the managers or other authorized representatives of the Board shall immediately instruct the violator(s) to vacate the area of the violation following established procedures and a fine may be assessed to the owner of the unit occupied by or associated with the violators.

#### **1.1 Procedure Re: Violations of the Governing Documents ("Violations")**

At the sole discretion of the HVVOA Board of Directors, first violations may result in a verbal warning and a notice of complaint, with a written follow-up to the owner of the unit to which the offender(s) is or are associated. However, violations for which the Board seeks disciplinary action beyond a warning shall be processed in accordance with the hearing procedure described below.

## 1.2 Notice of Hearing

In all instances in which the Board seeks disciplinary action against a member, the Board shall notify the member in writing, by either personal delivery, first class mail, or, if member has authorized, email, of a hearing before the Board to consider such discipline. The Notice of Hearing shall be delivered at least 10 days before the hearing, and shall contain the date, time and place of the meeting, the nature of the alleged violation for which the member may be disciplined, and a statement that the member has a right to attend and may address the Board at the meeting. The owner may also submit a response to the Board in writing.

## 1.3 Hearing

At the time and place set forth in the notice of hearing, the Board shall hear and consider evidence of complaint against the member, take evidence by the member in response to the complaint, determine whether the member, or person associated with the member's unit, has violated one or more of the Rules and Regulations of the HVVOA, and may set the appropriate warning or penalty, if any. The Board shall make its decision after considering all the evidence, whether orally or in writing, received on or before the time of the hearing. All written evidence shall be served on all member parties as well as the board of directors as soon as possible. The hearing shall be held in Executive Session. After the Hearing is concluded, the unit owner will leave allowing the Board to discuss the matter. When the Board discussion concludes, there will be a motion and a second regarding the alleged violation.

## *1.4 Disciplinary Penalties*

If a fine is assessed it will be billed on the monthly billing statement after the due process hearing is held. Owners who do not pay their fine in accordance with the association's collection policies will be considered delinquent and the association's policy regarding delinquent owners will be enforced. That owner may have the use of common area amenities suspended for him/herself and all guests and renters. The Board of Directors will utilize any legal remedy to satisfy collection of the fine.

Penalties that may be assessed by the Board in its discretion in accordance with these procedures are as follows:

First Violation: A warning, or a fine not to exceed \$250.00.

Second Violation: A fine not to exceed \$500.00, plus loss of use of the common area facilities for up to 30 days.

Third Violation: A fine not to exceed \$1,000.00, plus loss of use of the common area facilities for up to 60 days.

Fourth and Subsequent Violations: A fine not to exceed \$3,000.00, plus loss of use of the Common Area Facilities for up to 180 days. The board may adjust the fine amounts from time to time when necessary as determined by the Board of Directors.

## 1.5 Continuing Violations

Definition of continuing violations: A violation will be considered a repeat or continuing violation if a similar violation occurs within 12 months after the date of the written notification from the Hidden Valley Village Board of Directors of a previous violation.

Continuing violations, beyond the first four levels of penalty, will accrue fines of up to \$5,000.00 plus the loss of use of the common area facilities for each subsequent month during which the violation continues to exist.

## 1.6 Imposition of Discipline

The primary purpose of any written notice and/or verbal warning and/or fine or penalty is to correct the behavior or conditions causing the violation. In the event the Board decides to impose discipline in accordance with these procedures, the Board shall provide the member with a written notification of such action, by either personal delivery, email, if member has authorized use of email, or first class mail, within 15 days following the action, and the discipline shall not become effective until 5 days following the delivery or mailing of such notice

## 1.7 Actions by the Board

Actions by the Board of Directors in connection with any violation of the HVVOA governing documents (CC&Rs, Bylaws, Rules, Regulations, etc.) may include, but are not limited to:

- a) Verbal and written warnings, or written notices proposing fines and/or other actions.
- b) Hearing before the Board in Executive Session.
- c) Fines levied in accordance with the fine schedule noted in Section 1.4

## 1.8 Other Remedies Available to the Board

- a) Assessments charged to Owners for damage to the Common Area caused by such Owner, or to reimburse the Association for costs incurred in bringing an Owner's residence to compliance, as outlined in CC&R Section 4.6 (B)(1) and 4.6 (B)(2).
- b) Suspension of voting rights and/or rights to use any Common Area facilities.
- c) Instituting Internal Dispute Resolution or Alternative Dispute Resolution.
- d) Other actions, including court action, or a combination of actions, as permitted by law.

## 1.9 Complaints

Owners, and their tenants, have the right to submit a complaint concerning any person violating the HVVOA rules or policies. It is encouraged that complaints be submitted in writing using the complaint form available through the management office or online using the HVV website, then delivered to the on-site manager without delay for processing.

HIDDEN VALLEY NUISANCE COMPLAINT FORM

Name of Person Creating Nuisance \_\_\_\_\_

Unit Number \_\_\_\_\_ Owner of Unit \_\_\_\_\_

Date of Nuisance \_\_\_\_\_ Time of Nuisance \_\_\_\_\_

TYPE OF NUISANCE/DISCRPTION

- Noise: \_\_\_\_\_
- Pet: \_\_\_\_\_
- Excess People in Unit: \_\_\_\_\_
- Smoking: \_\_\_\_\_
- Pool/Spa Violations: \_\_\_\_\_
- Trespass: \_\_\_\_\_
- Parking Violation: \_\_\_\_\_
- Other: \_\_\_\_\_

Name of Complainant: \_\_\_\_\_

Signature of Complainant: \_\_\_\_\_

Unit Number: \_\_\_\_\_ Owner of Unit: \_\_\_\_\_

Date of Form Submission: \_\_\_\_\_

Is this a Repeat Offense? \_\_\_\_\_

Additional Comments may be included on the back of this form:

**II. General Rules of Conduct**

Quiet use and enjoyment of condominium units is a property right for all owners and their tenants. The General Rules of Conduct are designed to help owners, tenants, and management maintain a culture of quiet enjoyment at Hidden Valley Condominiums. Use of the Hidden Valley Village common areas and facilities are restricted to owners, their immediate family members, tenants and accompanied guests.

## 2.1 Tenants and Guests

- Owners must notify the HVV management of the name and phone contact of one responsible individual occupying the owner's unit, and confirm that tenants/guests have been advised of the Rules and Regulations of the Hidden Valley Village Homeowners' Association.
- The Board of Directors shall at all times have the power to limit the number of persons (other than immediate family members of the owner) who shall have the right to use the common areas and facilities.
- The Board of Directors does hereby state that guests of owners and tenants shall have no authority to invite or allow any person(s) to utilize the common area and facilities.

Short Term Rental activity is permitted in this multi-family residential property in the TOML, as allowed by Title 17 Zoning.

- Rental activity is permitted by the HOA only after written notification to Management and the Board of Directors of such rental activity and after issuance of a Business Tax Certificate and Transient Occupancy Tax Certificate pursuant to TOML Municipal Code Sections 5.04 and 3.12. Both certificate copies must be delivered to the HVV Management office prior to any rental activity commencing. The Business Tax and Transient Occupancy Tax Certificates must be maintained at all times. Rental activity must adhere to all applicable TOML Municipal Code sections as well as the California Building Code and the California Residential Code and any amendments thereto. Any violation of the aforementioned codes is considered a violation of this rule.

### Occupancy Limits by Unit Type:

The maximum number of person who may occupy any condominium unit as a renter or guest occupant shall be limited to two persons per bedroom plus two. Lofts that meet California Building Code egress requirements are considered a bedroom for the purposes of this occupancy calculation.

- Studio                      4 occupants maximum
  - Studio+Loft              4 occupants maximum
  - One Bedroom              4 occupants maximum
  - One Bed+Loft              6 occupants maximum
  - Two Bedroom              6 occupants maximum
- Each rental occupancy unit must have a notice posted within the unit in a location clearly marked and accessible to the tenants and guests containing all HOA Rules and all information as specified in TOML Municipal Code Section 5.40.040 Par B.
  - The non-owner occupancy Operator, which may be a rental management company, the unit owner, or other designated party managing rental activity, is required to notify Management in writing (email preferred) of each occurrence of occupancy for the unit.

### Information shall include:

1. Unit number
2. Arrival date
3. Departure date
4. Number of occupants
5. The contact name of one occupant
6. The contact phone number of one occupant
7. The local operator contact name and phone number



- Any vehicle parked on property associated with tenants and guests must display a parking permit identifying the unit number and dates of occupancy.
- Parking permits are provided to the tenants and guests by management or the rental management company as applicable.
- Issuance of parking permits and parking of vehicles shall be limited and administered in accordance with the Parking Rules as set forth in Section 2.5 of these Rules and Regulations.
- Any tenant or guest vehicle that does not have the necessary and appropriate parking permit visibly displayed shall subject the Owner of the Unit to which the vehicle is associated to fines in accordance with Section One of these Rules and Regulations

## 2.2 Homeowners

Homeowners and homeowner family members must notify management of their arrival and departure dates and number of unit occupants via email, phone or personal conversation. Homeowners may use a special, non-dated homeowner parking pass, which must be displayed on their vehicles when parked on Hidden Valley Village property. Homeowners must provide management with contact information.

## 2.3 Nuisance – Quiet Enjoyment

Quiet use and enjoyment of condominium units is a property right for all owners and their tenants. Rules regarding nuisance are designed to help owners, tenants, and management maintain a culture of quiet enjoyment at Hidden Valley Condominiums.

The noise nuisance definition and enforcement can be found in the Town of Mammoth Lakes Municipal Code, Chapter 8.16 Noise Regulations. It is important to realize that HVV building construction allows easy transfer of noise to adjacent units, especially lower units with upper units above them.

Types of noise include, but are not limited to:

- |                               |                                    |               |
|-------------------------------|------------------------------------|---------------|
| *Television and stereo volume | *Foot traffic especially on stairs | *Loud Talking |
| *Slamming of doors/cabinets   | *Movement of Luggage               | *Appliances   |
| *Barking/howling dogs         |                                    |               |

Although it is not practical or feasible to eliminate all noise, minimizing noise when possible is deserved and appreciated by all those residing at our complex. Between the hours of 10:00 PM to 8:00 AM it is particularly crucial to minimize all noise as to not disturb other occupants in adjoining or nearby condominium units. This simply means be considerate of one's neighbors.

On occasion excessive noise is caused by persons using the pool and the upper and lower jacuzzi. In any event of noise nuisance a courteous reminder to the person or persons creating the disturbance is acceptable and appreciated if possible. It is advised that anyone experiencing excessive noise and/or nuisance contact the onsite manager. The onsite manager will investigate and document the complaint asking the occupant(s) to discontinue the excessive noise/nuisance. In some cases, it may be appropriate for the complainant to contact the local police for unreasonable and excessive noise especially after 10:00 PM. In addition to Management documentation of nuisance issues the complainant should document noise and nuisance problems by filing the Hidden Valley Nuisance Complaint Form with the onsite Managers.

The Association shall hold owners of condominium units strictly responsible for the control of excessive noise or other nuisances generating from their condominium unit or from their guests or tenants using any common area. Complaints of excessive noise may result in fines assessed to the owner. Owners leasing or renting their units shall assure compliance to all rules and policies by their tenant(s)/guest(s). In addition to fines levied by the Association, the municipal code allows for enforcement and fines by the local authorities.

## 2.4 Vehicles

Movement of autos, motorcycles, or other power driven vehicles are restricted to appropriate common areas only and are limited to 10 mph, in a safe manner and operated only by licensed drivers. Owners, tenants and guests shall IMMEDIATELY comply with requests from the managers to move vehicles to accommodate snow removal, construction or other activities. Managers shall try to afford at least 72 hours prior notice of such requests when circumstances permit but may not always be able to do so and owners and guests shall comply regardless.

## 2.5 Parking

Each unit is allowed two (2) parking spaces. All vehicles parking on Hidden Valley Village property must display an approved parking pass. No trailer, camper, mobile home, commercial vehicle, truck (other than standard size pickup truck or standard size van), boat, inoperable automobile, or similar equipment shall be permitted to remain upon any area within HVV, other than on a temporary basis (Section 7.4 of the CC&Rs). "Temporary basis" shall mean no longer than 48 hours in any 30 day period.

Any vehicle not displaying the approved parking pass shall subject the owner of the unit to which the vehicle is associated to a fine in accordance with Section One of these Rules and Regulations. The managers have the right to require the identification of any owner, tenant, or guest and to confirm their right of parking by demonstration of unit occupancy.

## 2.6 Vehicle Repair

Any major repair or maintenance of motor vehicles in the parking area is not allowed except on an emergency basis.

## 2.7 Management Authority Shall Be Respected

The Board of Directors has delegated authority to the managers to supervise and police the use and activity of Hidden Valley Village common areas as necessary to maintain order, ensure the safety and comfort of users and protect the physical state of the common area. Each individual utilizing the Common Area shall comply with directions given by the managers during the performance of their duties.

Owners, guests and tenants shall call upon and respect the authority of the managers, including the assistant manager, to police and implement conformity with the CC&Rs, the Bylaws and these Rules. The managers have the authority, in their sole discretion after such warning as he or she shall deem appropriate, to temporarily revoke or restrict use by anyone of all or any portion of the common area and, where necessary, to call for police assistance, in the event of any use of the common area in contravention of these rules and regulations or the CC&Rs.

- The managers have the right to require the identification of any owner, tenant, or guest and to confirm their right of use by demonstration of Unit occupancy.

- Aggressive and/or threatening conduct directed at the managers or other Association representatives shall not be tolerated.
- Penalties in violation of any item of section 2.7 after a Board hearing as required in the Bylaws shall be as follows: a fine in accordance with the monetary fine schedule shown in Section 1.4, plus loss of use of the common area for 30 days.

## 2.8 Vandalism

It shall be a violation of these rules and regulations for any person to damage Association property through vandalism. The penalty for each violation shall be the cost to repair or replace Association property to like condition before damage, plus any other related Association costs, plus a fine in accordance with the monetary fine schedule. All such penalties shall be in addition to penalties that might arise from any criminal prosecution.

## 2.9 Disruptive Conduct

Fighting, drunkenness, profanity, loud music, and/or other activities within the Association common areas and facilities that may be or become a nuisance to owners, their guests, immediate family or tenants is prohibited.

## 2.10 Smoking

The smoking of any product including but not limited to cigarettes, electronic cigarettes, cigars, or pipes is strictly prohibited in any Common Area in the development that is within twenty feet 20 feet of any condominium unit or building. Common Areas include, but are not limited to; condominium unit decks, stairways, porches, pathways, pool/spa areas, barbeque areas, and driveways. TOML Ordinances may also prohibit or restrict smoking in areas outside the development.

## 2.11 Bear Control Regulations

No person shall leave or store any refuse, food product, pet food, grain or salt in a manner which would constitute a lure, attraction or enticement for Bears. This includes, but is not limited to: failing to clip the dumpsters closed, leaving food in vehicles, leaving ice chests or other food containers visible in cars and trucks, leaving food or trash in the common area including decks, walkways and the pool/spa areas. Those responsible for bear damage may be held financially responsible for damage done. Fines for bear enticement violations will be in accordance with the monetary fine schedule

## 2.12 Delinquent Owners:

The association's policy regarding delinquent owners is as follows: Common area assessments are due on the first day of each month and are considered past due if not received by the 15<sup>th</sup> day of the month. If payment is not received within 15 days of the due date, a 10% late charge is assessed. If an owner is delinquent for 30 days (that is, has not paid within 30 days of the original due date), the delinquent owner is mailed a letter putting him on notice that unless payment in full is received in 15 days, the matter will be referred to the Association's attorney or to a collection service. If the matter is referred, the collection action may take the form of an assessment lien and foreclosure proceedings (either judicial or non-judicial), and/or a suit against the owner personally either in small claims court. More than one method of collection may be pursued until recovery of all delinquent common area fees, late charges, interest, collection costs and attorney fees. The Board of Directors may temporarily suspend a delinquent owner's right to use the common area after notice and hearing, as provided in the Bylaws (5.2E of the CC&Rs). Where delinquent owners have assigned their rights of use to a tenant or guest, the tenant or guest is likewise not entitled to the use and enjoyment of the common area.

## III. Pets-(Adopted May 16, 2023)

Restrictions on pets are created to eliminate nuisance to others and promote safety. CC&R requirements in section (7.6) require that only owners and tenants with a minimum lease term of one-year are allowed to have a pet at Hidden Valley. People who rent Hidden Valley Units without a minimum lease term of one-year (Short Term Renters) are not allowed to bring pets into any unit. The following rules governing pets, and pet owner behavior will be monitored by HVV Management.

### 3.1 Forms

Forms are required to correctly identify pets and enable management to communicate easily with owners and/or tenants who have pets and/or Service/Support Animals at Hidden Valley. Forms can be found on the Hidden Valley website, <https://www.hiddenvalleymammoth.com/>:

Forms must be completed and signed by both the Service/Support Dog owner/handler and the Hidden Valley Unit owner, or management company representative who provides lodging accommodations. *It must be submitted to HVV On-site Management prior to the guest starting occupation of the HVV unit with their Service or Support animal.*

A. Homeowner Pet Form: This form is for Homeowners and Tenants with a minimum lease term of one-year only.

B. Service/Support Dog Registration Form: This form is for Guests with disabilities who require a Service/Support Animal. It is to be submitted to management at the time the unit is booked and prior to the arrival of a disabled guest who requires a Service/Support animal.

### 3.2 Service Animals

According to the ADA; a service animal is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability. Service Animals are allowed at Hidden Valley Village subject to reasonable regulations. Persons who own service animals and the owner supplying a unit in which a disabled person with a service animal are staying must sign and submit the required HVVOA Service Dog registration form to the on-site manager. It is a crime (misdemeanor) for someone to lie about whether his or her animal is a legitimate service animal (Penal Code Section 365.7).

### 3.3 Support Animals

According to CALIFORNIA AB468 Article 4-Section 122317(a)(2&3): Support Pets are not entitled to the same rights and privileges accorded by law to a guide, signal, or service dog. Support Pets are allowed in Short term Rentals at Hidden Valley Village Condominiums only after providing a copy of an ESA letter, dated January 1, 2022 or later, from a licensed healthcare professional within the jurisdiction of the disabled person who has a client provider relationship with the disabled individual established prior to providing the documentation.

### 3.4 Pets of Owners and Long-Term Renters

Unit owners and long-term tenants with a minimum lease term of at least one year must submit a Pet Owners Form to management with the name and description of their pet and contact information. Long term tenants must submit a copy of their lease agreement to management along with their Pet Owners Form.

### 3.5 Clean Up After Pet

Those attending to pets are responsible for the immediate pick-up and proper disposal of their pet's leavings.

### 3.6 Pet Noise

As judged by management, pet noise must be kept to a minimum to avoid becoming a pervasive nuisance. Dog owners **MUST BE IMMEDIATELY RESPONSIVE** to complaints about excessive barking or howling of dogs.

### 3.7 Leash Law in Effect:

Mammoth Lakes Leash Laws will be enforced within the common areas. Loose dogs shall be reported to the Mammoth Lakes Animal Control for collection after a reasonable attempt has been made to contact the owner.

### 3.8 Pets to be Under Control:

No person may allow his/her pet on Association property unless said pet is restrained by a substantial leash and is in the control of a person competent to restrain such pet. Pets must be kept a reasonable distance from those who request that an animal be kept away.

### 3.9 Proof of Insurance:

Per the CC&R, all owners who have a pet (of any kind) in a unit, or who have tenants with a lease term who have a pet (of any kind) in a unit, must maintain a policy of liability insurance with coverage of at least one million dollars (\$1,000,000). A current copy of this insurance requirement must be provided to Management along with the HVV Pet Registration Form.

## ***IV. Swimming Pool, Spa, and Sauna:***

Pool Rules are created to eliminate nuisance to others and promote safety.

4.1 The pool is open to owners and tenants and their accompanied guests from 10:00AM to 10:00PM Jacuzzi and sauna are open from 2:00PM to 10:00 PM.

### 4.2 No Glass Containers

No glass containers of any kind are allowed in the pool, spa or sauna areas.

### 4.3 Children:

Children under the age of 14 are not permitted in the pool, spa or sauna areas unless accompanied by a parent, legal guardian, or an adult assigned by the child's parent. Children under the age of 2 are not permitted in the pool, Jacuzzi or sauna.

### 4.4 No Roughhousing

Running, roughhousing or excessive splashing is not allowed. Flips or other diving stunts off any side of the pool or spa are not allowed.

### 4.5 No Pets

No pets of any kind are allowed in the pool, spa or sauna areas, except as may be required to comply with state law.

### 4.6 Clothing Required

Appropriate swimming attire shall be worn while swimming and while using the pool, spa, and sauna. Individuals not properly attired shall not be allowed to enter or remain in the pool, spa, or sauna.

### 4.7 No Open Sores

Persons with open sores or other open wounds are not allowed to use the pool, spa or sauna.

#### 4.8 No Skateboards

No skateboards or wheeled toys in pool/Jacuzzi area

## V. Unit Modifications

The following rules are designed to insure the structural integrity and uniformity of appearance of the project buildings, as well as the right of project residents to quiet enjoyment of the units.

### 5.1 *Necessary Unit Maintenance*

At the direction of the Board, Owners may be required to perform necessary maintenance to their unit, and may be subject to such work being done without their consent, in accordance with the terms of Section 2.4 of the CC&Rs.

### 5.2 *Unit Modifications*

Unit modifications that may impact the structural elements of a building, or that may affect the Common Area in any other way, may only be carried out in accordance with the procedure for Board approval detailed in Section 7.10 of the CC&Rs.

#### 5.2-A *Unit Remodeling and Work Request Policy*

For purposes of this operating rule the following policy shall apply:

1. Notification: Prior to beginning any unit project that exceeds the scope of items described in sections 2.4 or 7.10 of the CC&R's unit owners must notify onsite management of the specific work being done by completing the "REQUEST FOR WORK/REPAIR/REMEDATION FORM". Items beyond the scope of sections 2.4 or 7.10 include, but are not limited to: electrical work, interior wall or post removal or relocation. Flooring changes other than carpet replacement, plumbing work beyond fixture replacement, window replacement etc.
2. Unit Owner Responsibilities:
  - a. Prior to beginning work the unit owner must allow onsite management to inspect the unit.
  - b. During the work project unit owners must show onsite management all permits required for the work being done.
  - c. Demolition and trash removal is the sole responsibility of the unit owner. Common area dumpsters are not to be used for the removal of construction debris or waste.
  - d. Construction materials, tools, appliances, demolished items, furniture etc. may not be left out on the common area decks in the evening hours between 5:00 PM-8:00 AM. The common area near the work site must be cleaned up daily.
  - e. Unit owners must allow management to inspect the work project provided management gives reasonable notification of inspection.
  - f. Upon completion of work the unit owner must show onsite management all approved town inspection forms and schedule a time for management to re-inspect the unit.
3. Management Duties:
  - a. Management must forward a copy of the "request for work/repair/remediation" form to all board members, the unit owner, and keep a copy in the Hidden Valley Management office within one week of receiving the form.
  - b. Management must inspect the unit prior to the beginning of the remodel project.
  - c. Management must keep documentation of town permits and inspections in the Hidden Valley Management office.
  - d. Management is to inform the board via email if there is a concern that permits are not being pulled or homeowners are exceeding the scope of the work listed on the request for work form.
  - e. Management is to inspect the project during construction and at the completion of the project.

- f. Management is to assist the unit owner and contractors/laborers with reasonable requests for assistance in terms of job site parking, delivery and removal of unit owner's waste containers (at unit owners expense), acceptance and short term storage of deliveries of items ordered via FedEx, or UPS etc. provided the unit owner has signed an agreement that management is not responsible for lost or incomplete deliveries.
4. Board Duties:
    - a. With management recommendations, the Board is to approve the "request for work" form as soon as practicable not to exceed 3 weeks of receiving the request by the unit owner forwarded by management.
    - b. The board is to support management with warnings and fines if the construction is creating a nuisance. Causing undue disruption of the right to quiet enjoyment by neighbors or any other violation of Hidden Valley Rules
    - c. The board is to support the unit owner by completing all required paperwork for the project in a timely manner.
  5. Town Code Compliance: All modifications, must meet local and state building codes. Permits must be obtained as required by Town Building Codes and must be presented to onsite management prior to beginning work. All construction including, but not limited to, relocation of electrical outlets, changes to the interior main electrical box in a unit, relocation or replacement of heaters, and removal of walls or support posts must be compliant with all town codes and inspections.
  6. Hours of Construction work: All work within units must be done between the hours of 7:00 AM and 8:00 PM. Monday-Saturday, 9:00 AM to 5:00 PM on Sundays.
  7. Special Considerations:
    - a. If hard flooring is being installed unit owners must comply with the Hidden Valley Unit Flooring Replacement policy.
    - b. If windows are being upgraded or replaced unit owners must comply with the Hidden Valley Unit Window Replacement Policy.
    - c. If a washer/dryer is being installed a hold harmless is required. Unit owners must comply with the Hidden Valley Washer/Dryer Installation Policy.
    - d. If entry door hardware and lock are being changed as part of the remodel, the lock must be keyed to the Hidden Valley Management master. The unit owners must comply with the Hidden Valley Door Hardware and Key Policy.
  8. Acceptable Options: Unit owners can delegate the responsibilities of notification and job site supervision to a contractor. The contractor must communicate with onsite management. The ultimate responsibility of completing all Hidden Valley requirements for a remodel or work request are the sole responsibility of the unit owner.
  9. Financial Responsibility: The cost and responsibility of maintenance or replacement of unit modifications is the unit owner's sole expense.

### 5.3 *Unit Flooring Replacement Guidelines* (Adopted January 2022)

Consistent with the assurances of quiet enjoyment for each unit as contained in Sections 7.1 and 7.3 of the CC&Rs, no flooring shall be installed within a unit other than carpeting and padding of at least standard thickness without the prior, written approval of the Board of Directors. Such approval will be given if and only if the Board, acting in the reasonable exercise of its discretion, is satisfied that the proposed new flooring will not cause excessive noise transmission to adjacent units and common areas. The owner seeking such approval will provide the Board with all information requested by the Board in order to make its decision with a sufficient amount of time before the preparation of the agenda for the Board meeting at which the request will be considered so that such information can be included in the agenda packet for the Board members.



For purposes of this operating rule the following policies shall apply:

1. Notification: Homeowners must notify onsite management prior to replacing unit flooring with any type of floor surface other than carpet per paragraph 5.3 of the HVVOA Operating Rules, Regulations, Policies, and Procedures.
2. Sound Abatement Requirements:
  - a. All hard surface flooring installed after April 23, 2020 must include a sound abatement system between the subfloor and the finish flooring. The sound abatement system must include a rubber-based sound reducing mat underlayment material. The rubber-based underlayment material must meet the following guidelines:
    - Material must be natural or recycled rubber with minimum density of 44 pounds per cubic foot (700 kilograms per cubic meter), and minimum thickness of 3/32 inch (2 millimeters).
    - Examples of rubber-based underlayment materials: AbsorbaSound, Technoflex Technofloor Acoustic, GenieMat RST02, Acoustical Solutions Iso-Step, Centaur Sound Reducer 2.
    - Underlayment mat thickness is in addition to any sound abatement layer that is part of the finish flooring product.
    - Installation of all underlayment materials is to be according to manufacturers' specifications with special attention to sound/impact attenuation details (e.g., perimeter isolation strips, acoustical sealants).
    - Nail-down floor installations using fasteners that penetrate the rubber underlayment are prohibited.
  - b. If a layer of gypsum concrete is currently installed on a subfloor, that layer shall remain in place under the new floor installation.
3. This policy shall apply to floor replacements on all levels (first, second, loft) to mitigate structure-borne sound transmission to other units.
4. Interior stairway tread replacement materials are also subject to board approval. Stair tread replacement materials shall be selected with attention to sound abatement but are not subject to the specific guidelines of paragraph 5.3, item 2.
5. "Like for Like" repairs of existing hard surface flooring that do not exceed 10% of existing hard surface floor area are exempt from the specific guidelines of paragraph 5.3, item 2.
6. Management Responsibilities:
  - a. Management must forward a copy of the "request for work/repair/remediation" form to all board members, the unit owner, and keep a copy in the Hidden Valley Management office within one week of receiving the form.
  - b. Management must inspect the unit prior to the beginning of the floor installation project.
  - c. Management must keep documentation of town permits and inspections, if required, in the Hidden Valley Management office.
  - d. Management is to inspect the project during installation and at the completion of the project.
  - e. Management is to assist the unit owner and contractors/laborers with reasonable requests for assistance in terms of job site parking, delivery and removal of unit owner's waste containers (at unit owner's expense).
7. Board Responsibilities:
  - a. Board is to review and respond to the flooring and underlayment materials specified in the "request for work" form as soon as practicable not to exceed three weeks after receiving the request by the unit owner forwarded by management.

- b. The board is to support management with warnings and fines if the construction is creating a nuisance or causing undue disruption of the right to quiet enjoyment by neighbors or any other violation of Hidden Valley Rules.
8. Owner Responsibilities:
- a. All flooring replacement work shall be done in accordance with the HVVOA Operating Rules, Regulations, Policies, and Procedures paragraphs 5.2 Unit Modifications and 5.2A Unit Remodeling and Work Request Policy.
  - b. Homeowners are responsible for verifying compatibility of all flooring and underlayment materials selected.
9. Town Code Compliance: All modifications must meet local and state building codes. Permits must be obtained as required by Town Building Codes and must be presented to onsite management prior to beginning the work. All construction completed in conjunction with a floor installation including, but not limited to, relocation of electrical outlets and heaters and removal of walls or support posts must be compliant with all town codes and inspections.
10. Financial Responsibility: The cost and responsibility of maintenance or replacement of unit flooring is at the unit owner's sole expense.
11. Exceptions to Policy: Material options not listed may be reviewed and accepted on a case-by-case basis pending approval by the HVV Board of Directors.

#### **5.4 Unit Entry Door Hardware/Lock/Screen Door Replacement Rule** (Adopted January 2022)

For purposes of this operating rule the following policy shall apply:

- 1) **Notification:** Homeowners must always notify onsite Management prior to changing a unit entry door hardware. A Work Request form must be filled out and submitted to Management with appropriate cut sheet/specifications for Board review and Approval prior to commencement of the work.
- 2) **Keys:** All unit entry door locks, regardless of the date of installation of the lock, must be keyed to have a master key that is consistent with the key that Management uses to access all units.
- 3) **Brand/Model:** All unit entry door locks installed must be a brand/model intended for outdoor use that can be keyable to the Hidden Valley Village master key. Homeowners must confirm compatibility with Management.
- 4) **Color:** All door hardware must be similar to the Schlage colors called "aged bronze" or "oil rubbed bronze". If the Schlage color names change it is understood that the color of the hardware must closely match the dark brown color tone that has been adopted as the standard for Hidden Valley Village Condominiums unit entry door hardware.
- 5) **Style:** Lever style doorknobs are not allowed. Doorknobs must be round and keyless (doors shall be locked by the deadbolt only to prevent inadvertent 'lock-outs').
- 6) **Special Considerations:** Buildings G, H, I, J, and K have entry doors that have inset doorknobs. These doors require a longer than standard bolt. Re-drilling doors to accommodate a shorter bolt is not acceptable.
- 7) **Entry Screen Doors:** Screen doors must be the retractable style. They must be brown or bronze ("aged" or "oil rubbed" bronze) in color. They may not extend into the common area outside the plane of the exterior trim framing the unit door.

8) Financial Responsibility: The cost and responsibility of maintenance or replacement of a unit entry door and hardware, which includes a round doorknob and basic manual deadbolt that meet the above architectural and functional criteria, are the responsibility of the HOA. Pre-approved screen doors, door weather stripping, and/or upgrades to door hardware are at the homeowner's sole expense. Hardware upgrades must meet the requirements stated in the Rule and be pre-approved by the Board by submitting a Work Request form to Management.

9) Door Hardware Definition: Door hardware includes all components necessary for the functioning and locking of the entry door. This includes the hinges, strike plate, lockset, doorknob, and standard deadbolt.

10) Unit identification numbers are the responsibility of the HOA and homeowners shall not change them.

11) Drilling, nailing or any other penetration into entry doors installed in 2021 or after is prohibited as this activity will void the door's warranty. This includes, but is not limited to, the installation of peep holes or kick plates. Unit numbers currently located on entry doors will be relocated immediately adjacent to the entry door by Management when the new door is installed. **It is the homeowner's responsibility to check with Management to determine if their door was installed in 2021 or after.**

12) Violations: Homeowners who install non-compliant door hardware, as determined by the Board's Architectural Review committee, will be notified by Management and given 30 days to remove and install compliant door hardware. If the hardware is not replaced within 30 days, Management will replace the non-compliant door hardware with standard door hardware at homeowner's expense. Homeowners who install a non-compliant entry screen will be notified by Management and given 30 days to remove and install a compliant entry screen. If the screen is not replaced within 30 days, Management will remove the non-compliant entry screen and it will not be replaced.

### ***5.5 Unit Washing Machine/Dryer Guidelines***

For purposes of this operating rule the following policy shall apply:

1. Notification:

- a. Homeowners must always notify onsite management prior to installing or changing a washing machine or dryer in a unit. A Work Request form must be filled out and submitted to management.
- b. Unit owners proposing to install a washer and or dryer must first sign a hold harmless agreement and have it recorded with the Mono County Recorder's Office the hold harmless burdens that unit in perpetuity.

2. Style:

- a. All unit dryers must be manufactured as a ventless dryer.
- b. Vented dryers with aftermarket indoor venting systems are not allowed.
- c. Vented dryers that vent to an outside area or into any common area space are not allowed.

3. Unit Owner Responsibilities:

- a. Notification must be given to onsite management and then relayed to the HVV Board of Directors of the style, model and manufacturer of the washer and dryer being installed in the unit.
- b. Demolition and trash removal is the sole responsibility of the unit owner or contracted installer. Common area dumpsters are not to be used for the removal of construction debris or waste.
- c. Construction materials, tools, demolished items, etc. may not be left out on the common area decks in the evening hours between 5:00 PM-8:00 AM. The common areas near the work site must be cleaned up daily.
- d. Unit owners must allow management to inspect the work project provided management gives reasonable notification of inspection.

- e. Upon completion of work the unit owner must show onsite management all approved town inspection forms and schedule a time or management to re-inspect the unit.
  - f. Unit Owners must file their completed Hold Harmless documents with the Mono County Recorder's Office within 30 days of completion of the installation of the washer and ventless dryer. Failure to complete this requirement will first result in warnings and fines. If the hold harmless filing is not completed within one year of the completion of the installation the association shall have the right to remove the washer and dryer from the unit and restore the plumbing and electrical changes to the original standards of the unit at the owner's expense.
4. Management Duties:
- a. Management is to supply homeowners with the board approved Hold Harmless form and inform the board that the form has been given to the unit owner within one week of issuing the form.
  - b. Management is to inspect all forms and town permits submitted by the unit owners and board of directors prior to the beginning of the installation process. Management is to forward all completed forms to all board members, the unit owner, and keep a copy in the Hidden Valley Management office within one week of receiving the forms.
  - c. Management is to inform the board via email if there is a concern that homeowners are exceeding the scope of the work listed on the request for work form or if the construction is creating a nuisance or interfering with the right to quiet enjoyment of nearby units
  - d. Management is to assist the unit owner and contractors/laborers with reasonable requests for assistance in terms of job site parking, delivery and removal of unit owner's waste containers (at unit owner's expense).
  - e. When the installation is complete management is to inspect the installation and review all town inspections forms. Notice of satisfactory completion of the project is to be submitted to the board of directors within one week of project completion
  - f. Management is to follow up with Mono County Recorder's Office to assure that the hold harmless has been properly recorded by the unit owner. Management is to notify the board of the date of the recording at a regular meeting of the board.
5. Board Duties:
- a. With management recommendations, the Board is to approve the "request for work" form as soon as practicable not to exceed 3 weeks of receiving from management the request by the unit owner.
  - b. The board is to support management with warnings and fines if the construction is creating a nuisance. Causing undue disruption of the right to quiet enjoyment by neighbors or any other violation of Hidden Valley Rules.
  - c. The board is to support the unit owner by completing all required paperwork for the project in a timely manner, as soon as practicable not to exceed 3 weeks.
  - d. The board is to note the filing date of the hold harmless deed in the minutes of a regular board meeting.
6. Special Considerations: Ventless Dryers units may be one of two acceptable types: Condenser Dryers, or Heat Pump Dryers. They may not be a vented dryer that has been converted to operate with an interior vent.
7. Town Code Compliance: All installation work, must meet local and state building codes. Permits must be obtained as required by Town Building Codes and must be presented to onsite management prior to beginning work. All construction including, but not limited to electrical and plumbing work must be compliant with all town codes and inspections.
8. Hours of Construction work: All work within units must be done between the hours of 7:00 AM and 8:00 PM. Monday-Saturday, 9:00 AM to 5:00 PM on Sundays
9. Financial Responsibility: The cost and responsibility of maintenance, replacement of washer or dryer, and any damage caused by the operation or use of the washer or dryer is at the unit owner's sole expense.

## ***5.6 Unit Window and Sliding Glass Door Replacement Rule***

For purposes of this operating rule the following policy shall apply:

1. Notification: Homeowners must always notify onsite management prior to changing a unit window or glass door. A Work Request form must be filled out and submitted to management.
2. Color: The only window and screen color allowed at Hidden Valley is brown (usually referred to as bronze, or dark bronze by manufacturers)
3. Style:
  - a. Windows and glass doors must be metal or vinyl construction (wood windows are not allowed)
  - b. The style of the window and sliding glass doors must be like for like when replacing windows with the following single exception:
  - c. The fixed window in any unit which is located in the same wall as the entry door (usually referred to as the "dining area window") may be replaced with a single, side hinge, crank operated opening, casement style window.
  - d. All windows and sliding glass doors at Hidden Valley must be double pane glass and be a "single light" window. (Window panes are not allowed)
4. Unit Owner Responsibilities:
  - a. Notification must be given to onsite management and then relayed to the HVV Board of Directors of the style of window and number of windows and sliding glass doors being replaced in the unit.
  - b. Demolition and trash removal is the sole responsibility of the unit owner/window vendor installer. Common area dumpsters are not to be used for the removal of construction debris or waste.
  - c. Construction materials, tools, demolished items, new windows etc. may not be left out on the common area decks in the evening hours between 5:00 PM-8:00 AM. The common areas near the work site must be cleaned up daily.
5. Management Duties:
  - a. Management must forward a copy of the "request for work/repair/remediation" form to all board members, the unit owner, and keep a copy in the Hidden Valley Management office within one week of receiving the form.
  - b. Management is to inform the board via email if there is a concern that homeowners are exceeding the scope of the work listed on the request for work form or if the construction is creating a nuisance or interfering with the right to quiet enjoyment of nearby units
  - c. Management is to assist the unit owner and contractors/laborers with reasonable requests for assistance in terms of job site parking, delivery and removal of unit owner's waste containers (at unit owner's expense).
6. Board Duties:
  - a. With management recommendations, the Board is to approve the "request for work" form in as soon as practicable not to exceed 3 weeks of receiving from management the request by the unit owner.
  - b. The board is to support management with warnings and fines if the construction is creating a nuisance. Causing undue disruption of the right to quiet enjoyment by neighbors or any other violation of Hidden Valley Rules.
  - c. The board is to support the unit owner by completing all required paperwork for the project in a timely manner, as soon as practicable not to exceed 3 weeks.
7. Special Considerations: Buildings A, B, C, D, E, and F were originally built with metal windows that were silver color. Windows and glass doors replaced in these buildings should still conform to the "brown" color standard established in this policy.
8. Town Code Compliance: All modifications, both standard and non-standard, must meet local and state building codes. Permits must be obtained as required by Town Building Codes and must be presented to onsite management prior to beginning work. All construction must be compliant with all town codes and inspections.
9. Hours of Construction Work: All work within units must be done between the hours of 7:00 AM and 8:00 PM. Monday-Saturday, 9:00 AM to 5:00 PM on Sundays
10. Financial Responsibility: The cost and responsibility of maintenance or replacement of unit windows and sliding glass doors is at the unit owner's sole expense.

