



English Hill Homeowners' Association

P. O. Box 154 ♦ Redmond, WA 98073-0154

ENGLISH HILL HOMEOWNERS' ASSOCIATION ACC Rules & Guidelines

Page # 2 through 6

ENGLISH HILL HOMEOWNERS' ASSOCIATION Infraction Schedule

Page # 7

ENGLISH HILL HOMEOWNERS' ASSOCIATION Dispute Resolution Policy

Page # 8

Effective:
March 1, 2008

ENGLISH HILL HOMEOWNERS' ASSOCIATION

ACC Rules & Guidelines

Introduction

The Architectural Control Committee (ACC)'s responsibility is the external appearance of properties within the English Hill Homeowners Association in accordance with provisions in the Covenants, Conditions and Restrictions (CC&Rs). Under the CC&Rs and applicable state laws, the Board is responsible for making appropriate rules and policies for the Association. To provide guidance to Association members and to the ACC, the Board has adopted the following Rules & Guidelines, which will become effective March 1, 2008.

General Rules & Guidelines

Owners must submit plans and specifications for work which alters the external appearance of a property to the ACC for approval as set out in the CC&Rs. ACC approval must be received before the work is commenced.

The ACC's general criteria for approval of any work will be its harmony with surrounding houses and the neighborhood in general, but the ACC's decisions are also governed by the CC&Rs and the ACC may make additional policies concerning external improvements in accordance with the CC&Rs.

Homeowners are responsible for obtaining any government permits required for the work they plan to do. Neither the ACC nor the homeowners association is liable for any failure to obtain necessary permits.

Specific Rules

To help administer the ACC's responsibilities, the Board of Directors has adopted the following rules and schedule of fines for violation of the rules:

REPLACEMENT OF OR ADDITIONS TO DWELLINGS

Infraction = Level 3

CC&Rs: see Article V, Section 5, which provisions are hereby included in the Rules.

FENCES AND WALLS

Infraction = Level 2

CC&Rs: see Article V, Sections 5 and 11, which provisions are hereby included in the Rules.

Rules & Guidelines: The solid portion of fences shall be no less than 4 feet high and no more than 6 feet high. A one-foot lattice section may be added to the top of a fence's solid portion, but overall height shall not exceed 7 feet. Natural wood (cedar preferred) or wood-appearing materials shall be used. Where the fence has a "good" side and a "bad" side, the "good" side shall face the street. Stain or paint color shall be submitted to the ACC for approval in advance. Chain link or front yard fences will not be approved.

The requirement that walls be approved by the ACC shall include necessary retaining walls.

OUTSIDE ANTENNAS AND SATELLITE DISHES

CC&Rs: see Article V, Section 13. To ensure consistency with current FCC regulations, the following **Rules and Guidelines** have been adopted:

Rules & Guidelines:

In order to promote a high quality of life and to protect individual property, while preserving the Owner's ability to receive acceptable over-the-air signals, the following Rules apply to installation of antennas:

- The term "TV antenna" includes antennas, aerials, and satellite dishes which are designed to receive (i) direct broadcast satellite service (DBS), including direct-to-home satellite services; (ii) video programming services via multipoint distribution services, including multichannel multipoint distribution (MMDS); and (iii) television broadcast signals (TVBS).
- A TV antenna one meter (39 inches) or less in diameter shall be
 - (i) mounted, installed, attached, or placed in the rear yard of a lot unless this requirement unreasonably impairs the viewer's ability to receive reception of an acceptable quality, in which case this requirement shall be diminished only to the extent absolutely necessary to allow reception of an acceptable quality;
 - (ii) mounted, installed, attached, or placed no higher than absolutely necessary to obtain reception of acceptable quality;
 - (iii) located so that it is not visible from the street or the adjoining property unless this requirement unreasonably impairs the viewer's ability to receive reception of an acceptable quality or unreasonably increases the cost of installation, in which case this requirement shall be diminished only to the extent absolutely necessary to allow a reasonable cost and acceptable quality; and
 - (iv) screened with landscaping (except for antennas which are attached to the home at or above the first story eaves) unless this requirement unreasonably impairs the viewer's ability to receive reception of an acceptable quality, in which case this requirement shall be diminished only to the extent absolutely necessary to allow a reasonable cost and acceptable quality.
- These Rules are intended to and shall comply with and be subject to Section 207 of the Telecommunications Act of 1996 and any future amendments thereto, and the regulations of the Federal Communications Commission promulgated pursuant thereto.
- Antennas designed to receive direct broadcast satellite services or multipoint distribution services which are greater than one meter (39 inches) in diameter may not be installed.
- With the exception of TV antennas permitted by this Section, no radio, television, or other electronic emitting or receiving antennae, satellite dish, antenna tower, or exterior receiver or transmitter shall be allowed on any Lot without the prior written approval of the ACC except as provided by the Rules.

EXTERIOR PAINT COLOR

Infraction = Level 3

Rules & Guidelines:

Changes of exterior paint color (including siding, gutters, doors, and window frames) shall be submitted to and must be approved by the ACC before owners may commence painting.

SIDING MATERIAL

Infraction = Level 2

Rules & Guidelines:

A change in siding design or material shall be submitted to and must be approved by the ACC before the work may commence.

ROOFS

Infraction = Level 3

Rules & Guidelines:

Roof replacements shall be submitted to and must be approved by the ACC before the work may commence. Roof valleys shall be cut (not woven), and high definition ridge caps shall be used. Zinc strips will not be approved.

WINDOWS, EXTERIOR DOORS, AND GARAGE DOORS

Infraction = Level 2

Rules & Guidelines:

Window and door replacements which alter the exterior appearance of the building shall be submitted to and must be approved by the ACC before the work may commence.

DECKS, PATIOS, PORCHES, WALKWAYS & DRIVEWAYS

Infraction = Level 2

Rules & Guidelines:

Any construction of or alteration of a deck, patio, porch, walkway, or driveway shall be submitted to and must be approved by the ACC before work may commence.

STORAGE SHEDS

Infraction = Level 2

CC&Rs: see Article V, Section 6

Rules & Guidelines:

Construction, installation or alteration of a storage shed shall be submitted to and must be approved by the ACC before work may commence. Sheds shall be of good quality (wood preferred) and must be screened from view from the street. Metal sheds will not be approved.

RECREATIONAL EQUIPMENT

Infraction = Level 2

Rules & Guidelines:

Recreational equipment (such as, but not limited to) play equipment and tree houses may not be placed or maintained within any utility easement. Recreational equipment should be placed within the fence setbacks with a minimum 2 foot setback from interior lot lines. Recreational equipment more than 7 feet high as measured from the ground shall be submitted to and must receive the approval of the ACC prior to installation. Recreational equipment shall not be placed in the front portion of a lot. Basketball hoops are exempt from the above stated rules except that they shall not be mounted on the house or garage.

STORAGE OF CAMPERS, TRAILERS, BOATS, VEHICLES, ETC

Infraction = Level 2

CC&Rs: see Article V, Section 4

Rules & Guidelines:

“Other similar items” shall include, but is not limited to vehicles (e.g., cars, motorcycles, etc.) which are not being regularly used.

STORAGE OF MOWERS, WHEELBARROWS, TRASH & RECYCLING CONTAINERS, FIREWOOD STACKS, BUILDING MATERIALS, AND OTHER SIMILAR ITEMS

Infraction = Level 1

Rules & Guidelines:

These items shall be stored in such a way that they are not visible from the street and shall not be stored in the greenbelt areas. Building materials may be stored in sight only if they are in active use during the construction of a project.

HEAT PUMPS, GENERATORS, AND CENTRAL AIR CONDITIONING EQUIPMENT

Infraction = Level 1

Rules & Guidelines:

These items shall not be visible from the street.

LANDSCAPING

Infraction = Level 1

Rules & Guidelines:

Lawns and planting beds shall be regularly maintained and reasonably free of weeds. Owners shall maintain their vegetation adjacent to public sidewalks and keep sidewalks free of excessive debris to ensure that pedestrian traffic is not impeded. Where applicable, roadside ditches bordering on properties shall be maintained and be reasonably free of weeds.

MAINTENANCE OF LOT AND BUILDINGS

CC&Rs: see Article VIII

Excerpts from CC&Rs

Article V, Section 4 (in part) – “No camper, trailer, boat, or other similar item shall be openly stored upon any lot. They may be stored only in a suitable screened area. The type of screening and area selected for such storage must be approved by the Architectural Control Committee”.

Article V, Section 5 (in part) – “No ... fence or wall shall be placed or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the Architectural Control Committee as to quality of workmanship and materials, harmony of external design and color with the existing structures, and location with respect to topography and finish grade elevation.”

Article V, Section 6 (in part) – “... no building ... shall be located on any lot nearer than 20 feet to the front property line, nearer than 10 feet to any side street line, or nearer than 5 feet to any interior lot line.”

Article V, Section 11 – “No fence, wall or hedge shall be erected, placed or altered on any lot nearer to any street than the building setback line, except nothing shall prevent the erection of a necessary retaining wall, the top of which does not extend more than two (2) feet above the finished grade at the back of the wall.”

Article V, Section 13 – “No outside television or radio antenna of any kind shall be placed on any lot or upon any structure without written consent of the Architectural Control Committee.”

Article VIII (in part) – “Each individual Owner ... shall be obligated to provide exterior maintenance of his own Lot and the buildings located thereon. In the event an Owner ... shall fail to maintain the premises and the improvements ... in a manner reasonably satisfactory to the Board of Directors, the Association after approval by two-thirds (2/3) vote of the Board of Directors, shall have the right ... to enter upon said Lot to repair, maintain and restore the Lot (including the cutting of grass and pruning of trees) and the exterior of the ... buildings and any other improvements The cost of such repair and restoration maintenance ... shall be added to and become part of the assessment to which the Lot is subject ”.

ENGLISH HILL HOMEOWNERS' ASSOCIATION

Infraction Schedule

It is the Homeowners Association's desire to work with individual owners to resolve problems prior to issuance of a fine. In the event resolution cannot be reached, the following fines will apply to infractions listed above:

Infraction Level 1: \$50 for the first violation and \$25 per month thereafter until compliance is restored

Infraction Level 2: \$150 for the first violation, and \$75 per month thereafter until the infraction is resolved

Infraction Level 3: \$1,000 and \$500 per month thereafter until the infraction is resolved

These fines will be in addition to any legal fees or court costs that the Association may be entitled to receive in connection with efforts to resolve any infraction.

For dispute resolution, please see the English Hill Homeowners' Association Dispute Resolution policy

ENGLISH HILL HOMEOWNERS' ASSOCIATION
Dispute Resolution Policy

The process set forth below applies to violations of any covenant provision, policy, ACC guideline, or rule:

1. The association must provide the owner with a notice of the violation that contains:
 - (a) A reference to the rule or rules that the owner allegedly violated;
 - (b) A short statement of the evidence of the rule violation;
 - (c) The name of a person with firsthand knowledge of the facts that support the determination that the violation occurred;
 - (d) A short statement of the action that the association intends to take, including the amount of any fine, subject to the owner's right to request a hearing;
 - (e) A statement that if the owner wishes to contest or explain the violation, he or she must submit a written request for a hearing to the association within fifteen days of delivery of the notice of violation;
 - (f) A statement of the owner's rights to a hearing, to attend the hearing, to be represented by counsel, and to review the evidence supporting the alleged violation;

2. Upon the timely request for a hearing from an owner, the association must set a hearing date no less than thirty or more than sixty days from the association's receipt of the request. The association must notify the owner of the hearing at least twenty days before the hearing and must include with the notification a copy of the association's rules of procedure for conducting a hearing.

3. Upon a timely request by the owner who requested a hearing, the association must, at least 10 days before the date of the hearing, either provide the owner with a copy of all its evidence concerning the alleged violation, including copies of the complaint signed by a witness with firsthand knowledge of the facts that support the determination that the violation occurred, or identify a reasonable time and place at which the owner may inspect such evidence.

4. The association must permit the owner to be represented by counsel at the hearing;

5. The association must provide the owner with a written decision, including a statement of the reasons for the decision, within thirty days after the hearing.

6. The chair of the hearing may adjourn or continue the hearing, if necessary, to gather additional information that the association needs in order to make a decision.

7. If an owner does not request a hearing within fifteen days of the association's delivery of the notice of violation, the association may take the remedial action stated in the notice, including the imposition of any fine listed in the notice.