

**Solera Chandler Homeowners' Association, Inc.**

# **Rules and Regulations**

**Revised 06.07.17**

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# ARTICLE 1

## PURPOSE, ORGANIZATION AND FINANCE

### 1.1 Governing Documents

The Solera Chandler Homeowners' Association, Inc. (the "Association") was established on September 14, 2000, as an Arizona nonprofit corporation for the purpose of providing management, maintenance and care of the Common Area, community center and any other property placed under its jurisdiction. The duties and powers of the Association are defined in the following governing documents:

- a. Declaration of Covenants, Conditions and Restrictions (CC&Rs) for Solera Chandler HOA
- b. Articles of Incorporation of Springfield Lakes Owners Association.
- c. Solera Chandler Homeowners' Association, Inc. Bylaws.
- d. Solera Chandler Homeowners' Association, Inc. Design Guidelines.
- e. Solera Chandler Homeowners' Association, Inc. Rules and Regulations.

Each Owner in the Association is provided with a copy of above documents. By taking title to a Lot within Solera Chandler, an Owner agrees to comply with the provisions of these documents. Throughout this document, capitalized words will have the same definitions as described in Article 1 of the CC&Rs. These Association Rules and Regulations are supplemental to the other documents. Owners are encouraged to read all the documents to gain an understanding of how the Association operates and what restrictions are placed on their property.

### 1.2 Management

The Board of Directors of the Association ("Board") is responsible for the administration of the Association and is authorized to hire personnel necessary for the daily operation of the Association and its Common Area. The Board is elected by the Association membership. Each Owner of a Lot is a Member of the Association. The Board selects a management team, headed by a manager, to oversee the daily operation of the Association. The manager works closely with the Board to assure the Association is operated in a manner to enhance and preserve the community.

### 1.3 Committees

As the community develops, the Board may appoint individuals to serve on committees to advise the Board on professional, technical and organizational matters. These committees may include:

- a. Architectural Review Committee
- b. Communications Committee
- c. Social Activities Committee
- d. Finance Committee
- e. Building and Grounds Committee

Members will be notified when any committees are appointed. Members are encouraged to advise the manager of any interest in serving on a committee.

## **1.4 Communications**

Communications between Members, Board and management team is an important component in the *success of any neighborhood association*. A newsletter is prepared by the direction of the Communications Committee and made available to all Members in the community center. The newsletter contains an activity calendar listing special events, craft, sport and recreation activities and local happenings. Association policies, procedures, membership programs and other items of interest will be included from time to time.

Bulletin boards, located in the community center, promote Association events and activities, provide sign-up sheets for classes and post other approved notices. Two bulletin boards near the Ceramics Room are available for postings by individual Owners.

Other communication tools used are e-Bulletins and the Association's website ([www.solerachandler.com](http://www.solerachandler.com)).

## **1.5 Finance**

The funds necessary to operate the Association and its facilities are provided by the Assessments levied by the Association against each Lot within Solera Chandler. The Board has the authority to levy assessments for the following:

- a. Annual Assessments to provide for the operation and management of the Association.
- b. Special Assessments for the cost of any construction, reconstruction, repair or replacement of facilities on the Common Area.
- c. Subdivision Assessments for special services provided to less than all Owners of Lots.

### **1.5.1 Assessment Billing**

The financial stability of the Association depends on the timely payment of all Assessments. Billing statements for Assessments will be mailed to each Owner at least 30 days prior to the due date.

The following rules apply to the payment of Assessments:

- a. Assessment payments are due the 1<sup>st</sup> day of January and July.
- b. Assessments may be mailed to the address provided with the billing statement or delivered in person to the HOA office.
- c. If Assessment payments are not made by the 15<sup>th</sup> of the month due, a \$15 late charge will be assessed. Charges for late payment will be applied without notice to the Owner.
- d. If Assessment payments are 45 days past due, a demand payment letter is sent to the Owner and a \$45 fee will be assessed to the Owner's delinquent account.

- e. At the Board's discretion, if payment is delinquent after 60 days, a \$125 lien fee will be added to the Owner's account and a lien will be recorded on the Owner's property. At this point, payment must include all late charges, fees and interest and be paid by cashier's check, certified check or money order. The lien will remain on the property until the account is current.
- f. At the Board's discretion, if payment is delinquent after 75 days, the matter may be referred to an attorney or collection agency for collection. Remedies may include filing a lawsuit against the delinquent Owner. Any fees incurred in the collection of this matter will be charged to the delinquent Owner.
- g. At the Board's discretion, special payment plans based on need may be allowed with a fee of \$15 paid at the onset of each six (6) month payment plan. If the homeowner defaults on the special payment plan, the agreement will automatically be void and collections will resume with the entire balance, minus any payments made, due and owing immediately upon default.

### **1.5.2 Returned Checks**

All checks returned to the HOA due to insufficient funds will result in a fee of \$25 plus the current bank fee.

### **1.5.3 Fiscal Year**

The fiscal year for the Association is the calendar year. The amount of the Annual Assessment shall be determined each year by the Board and all Owners will be notified at least 30 days before the beginning of the new fiscal year.

## **ARTICLE 2**

### **RELATIONSHIP OF GOLF COURSE TO THE ASSOCIATION AND OWNERS**

#### **2.1 Lone Tree Golf Club**

The Lone Tree Golf Club, L.L.C., is privately owned and operates the Golf Course, restaurant and pro shop. Ownership of property in Solera Chandler does not entitle the Association or any Owner to any ownership interest in the Golf Course or its related facilities. The Golf Course is open to the public. Public access to the Golf Course is on Mountain Boulevard from Riggs Road to the Golf Course entrance. The Golf Course has easement access to all Solera Chandler street crossings necessary to get to the next tee. Each Owner is provided with a copy of the Declaration of Covenants, Conditions, Restrictions and Easements for Lone Tree Golf Club (the "Golf Course Declaration"), which governs the use and operation of the Golf Course. The Golf Course Declaration also contains the terms and conditions under which Residents receive preferential treatment when using the Golf Course and related facilities.

## ARTICLE 3

### RULES AND REGULATIONS FOR OCCUPANCY RESTRICTIONS

#### 3.1 Occupancy Requirements

Solera Chandler is an age-restricted community. At least one Resident of the household must be 55 years of age or older. No person under 18 years of age may occupy or reside in a Residential Unit.

#### 3.2 Exceptions

In accordance with the CC&Rs, the Board may permit persons, all of whom are under the age of 55 to occupy a Residential Unit unless such permission would result in fewer than 80% of the Residential Units being occupied by one person 55 years of age or older or otherwise jeopardize the community's status as housing for older persons under the law. A homeowner wishing to have occupants in a Residential Unit where at least one proposed occupant is not 55 years of age or older must submit a written application for an age restriction variance to the Board for approval. Applications for an age restriction variance are available at the HOA office.

Occupancy cannot take place until written approval of the application is granted by the Board.

#### 3.3 Age Verification of Occupancy on Sale of a Residential Unit

At the time a prospective purchaser enters into a purchase agreement, the purchaser will be required to certify compliance with the 55 years and older occupancy requirement. The "Age Verification for Purchasers in Solera Chandler" form must be completed by the prospective purchaser and submitted to the Association for approval. This form is available at the HOA office. On receipt of the verification containing all required information, a determination will be made to either grant or deny the proposed occupancy.

#### 3.4 Verification of Occupancy Requirements for Renters

Owners wanting to rent their Residential Units must comply with Sections 3.29 and 3.30 of the CC&Rs. Owners must submit an "Age Verification for Renters in Solera Chandler" form and a copy of the rental agreement signed by the proposed renter. The "Age Verification for Renters in Solera Chandler" form is available at the HOA office.

#### 3.5 Other Changes in Occupancy

Any time there is a change in the occupancy of a residence, a new age verification form and/or an age variance application is required:

- a. If all previous occupants for whom age verification was performed no longer occupy the residence, a new age verification form must be completed. If no proposed occupant is 55 years of age or older, an age variance is also required.
- b. If a previous age verification included one or more persons age 55 or older and all such persons no longer occupy the residence, an age variance is required.

### **3.6 Visiting Children**

A person under 18 years of age may visit a Residential Unit for a period of not more than 3 consecutive weeks and not more than 30 days in any 12-month period (see Section 3.30.3 of the CC&Rs).

### **3.7 Age Verification Survey**

At least once every 2 years, an Age Verification Survey form (Attachment 1) will be completed to verify occupancy of each Residential Unit in the community. Consequently, one adult occupant of each Residential Unit must certify to the Association whether such Residential Unit is occupied by at least one person 55 years of age or older. Such verification must be supported by official documentation of the age of the occupant(s) of such Residential Unit.

The following documents are acceptable as proof of age:

- a. Valid driver's license
- b. Birth certificate
- c. Passport
- d. Immigration card
- e. Military identification
- f. State, local, national or international official documents containing a birth date of comparable reliability

## **ARTICLE 4**

### **ASSOCIATION PROPERTY AND FACILITIES GENERAL RULES**

#### **4.1 Membership Cards**

Membership cards (also referred to as Proxy cards) will be distributed to Owners on initial payment of Assessment dues for a fee. If future Assessments are not paid within 30 days after they're due, the Association will suspend the right of an Owner or Resident to use the Association facilities. The membership cards verify for Association employees that a person is entitled to use the facilities. Each person who has a membership card should be prepared to show the card whenever asked by Association employees. The facilities are not open to the general public. Only those holding membership cards (and their guests) are allowed to use the facilities.

A maximum of 2 membership cards will be issued to Owners or Residents of a Lot within Solera Chandler.

##### **4.1.1 Associate Membership Cards**

If more than 2 Residents reside in a home, the additional Residents must purchase an associate membership card at a cost of one-half the current Annual Assessment to be able to use the recreational facilities. If an additional Resident can show proof that he/she does not intend to and will not use the recreational facilities, then the Board may waive the fee charged for an associate membership card. An associate membership card will entitle a Resident to full use of the Association facilities. Associate membership cards must be purchased on an annual basis only.



#### **4.1.2 Renter Membership Cards**

If a Lot is being rented, the Residents of that Lot will be entitled to use all Association facilities when they receive renter membership cards. Renter membership cards will be issued for a fee to an Owner for the benefit of the Owner's renters once a rental policy form is completed and the Owner has surrendered his/her membership card. A maximum of 2 renter membership cards will be issued. If additional renters residing within the same Lot wish to use the Association facilities, the Owner of the Lot may purchase an associate renter membership card (see Section 4.1.1).

#### **4.1.3 Guest Cards**

The guest of an Owner or Resident may use the Association facilities, unless otherwise restricted, if accompanied by that Owner or Resident. However, if a guest wishes to use the facilities unaccompanied by an Owner or Resident, the Owner or Resident must register and obtain a guest card for the guest by completing the guest form available at the recreation center. Guest cards will not be issued to any person for more than a total of 30 days for any one calendar year. Persons not possessing a guest card or not accompanied by an Owner or Resident may not use the facilities.

#### **4.1.4 Lost or Stolen Cards**

If a membership card is lost or stolen, it should be reported to the manager immediately. Replacement cards will be issued for a fee to cover the cost of replacing the card.

#### **4.2 Code of Conduct**

All Residents, renters and guests are expected to conduct themselves in a civil, courteous manner and must not jeopardize or interfere with the rights and privileges of others. Loud, profane, indecent or abusive language, harassment of any type or physical abuse of any person by another is prohibited. No person's actions must compromise the safety of another. All persons using Association facilities must obey all safety rules and cease unsafe activity when directed by an Association employee.

Residents and guests violating any of the Association Rules or the Code of Conduct will be asked to leave the premises.

#### **4.3 Resident Guests**

Residents and renters are responsible for their guests while using Association Common Area and facilities. A Resident or adult guest must accompany guests under the age of 18.

#### **4.4 Notices, Advertisements and Solicitations**

Notices, advertisements or posters of any kind must not be placed or distributed on Association Common Area without the prior written consent of the manager. No solicitation is allowed in the community. Any Resident who experiences any solicitation at his/her home is encouraged to report it to the HOA office.

#### **4.5 Alcoholic Beverages**

Alcoholic beverages may be brought to and consumed in or on specified Association Common Area under the following conditions:

1. Consumption of alcoholic beverages in/on Association Common Area is restricted to the hours of **4:00 PM through 10:00 PM**. Any variation of this rule requires the Board of Directors approval.
2. Association members and their guest(s) attending an HOA or Club sponsored or Private event may bring alcoholic beverages (BYOB) to the event solely for their personal consumption. The providing, serving or selling of alcoholic beverages on the Association Common Area is prohibited. Any variation of this rule requires the Board of Directors approval and must follow the conditions stated in item 3.a through 3.b below.
3. Association members conducting a private event in/on Association Common Areas may serve alcoholic beverages only if the following conditions are met:
  - a. The event is catered by an Arizona licensed caterer and/or an Arizona licensed bartender that will serve the alcohol.
  - b. The event shall not exceed 300 patrons.
  - c. The member holding the event may not charge an admission or fee for the event if alcohol is served, and
  - d. Alcohol shall not be sold or purchased at the event; it must be provided at no charge.
  - e. The caterer and/or bartender must possess a current liquor license issued by the Arizona Department of Liquor License and Control.
  - f. A copy of the liquor license has been provided to the Activities Coordinator's office a minimum of thirty (30) days prior to the scheduled event.
4. Specified Common Areas:
  - a. Ballroom and Ballroom patio
  - b. Multi-purpose room
  - c. Patio facing the tennis courts
  - d. Enclosed pool areas

#### **4.6 Pets**

Pets (except for assistance animals) are not allowed inside the community center or in any of the surrounding sports facilities. Restrictions for pets are provided in Section 3.12 of the CC&Rs.

#### **4.7 Community Center**

The community center offers many activities for Residents. Rules and operating instructions may be posted throughout the community center to help Residents and their guests with procedures and operating the equipment. Those using the equipment installed in the community center should familiarize themselves with the equipment before using it.

The following rules apply to the specific areas of the community center:

#### **4.7.1 Days/Hours of Operation**

The community center is open Monday – Friday, from 5:00 AM to 10:00 PM and on weekends and holidays from 5:30 AM to 10 PM. The normal hours for the HOA office are 9:00 AM - 12:00 noon and 1:00 PM - 4:00 PM. The office is closed on various holidays. Hours for activities will be posted in the community center.

#### **4.7.2 Ballroom**

The ballroom, with legal occupancy of 300 people, has a kitchen used for events requiring food services. The ballroom may be used for seminars, lectures and for other activities sponsored or sanctioned by the Association. Private use of the ballroom by Residents is subject to availability. Requests for the ballroom are made on a “first-come, first-served” basis and may be made one year in advance. Reservations must be made at the HOA office with the completion of the Facilities Use Policy form. Fees may apply.

#### **4.7.3 Library**

The “read/share” library operates on the “honor” system. The success of the library depends on participation by the Residents. The Association assumes no responsibility for items donated to the library. Computers are also available in the library on a “first-come, first-served” basis.

#### **4.7.4 Multi-Purpose/Meeting Rooms**

When not in use for Association activities or other events approved by the Board, these rooms are available for use by the Residents. Rental fees may apply for all private parties or events. Reservations are made with the HOA office with the completion of the Facilities Use Policy form. Other rooms in the recreation center are not available for personal use by Residents.

#### **4.7.5 Arts and Crafts Rooms**

These rooms are for Association-sponsored arts and crafts classes and special meetings. They are not available for private use by Members.

#### **4.7.6 Community Center Showcases**

The display cases throughout the community center are to be used only by clubs and organizations within the Association. Questions should be referred to the HOA office.

#### **4.7.7 Billiard Room**

Billiard tables are available for use by Residents and guests. Tables are available on a “first-come, first-served” basis. Equipment is in the room for Residents and guests. Residents/guests may bring their own equipment.

The following rules apply to the billiard room:

- a. Players are limited to 3 games if others are waiting to play.
- b. Food and beverages are not permitted in the billiard room.

- c. Persons may not sit on billiard tables.
- d. A person must have one foot on the floor at all times when taking shots.
- e. Billiard equipment may not be removed from the billiard room.
- f. Equipment must be returned to its proper place after use.
- g. Massé shots (shooting straight down on the ball) are prohibited.
- h. No one under the age of 18 may use the billiard tables. Guests between 16 and 18 years of age must be accompanied by an adult.

#### **4.7.8 Strength and Cardio Rooms**

The strength and cardio rooms contain a variety of exercise equipment. These rooms are not staffed with exercise professionals or Association employees having exercise knowledge. Therefore, those using the equipment are advised to obtain independent advice regarding the status of their health and specific recommendations for exercise before using the equipment. The Association assumes no responsibility for any injury as a result of using the equipment.

The following rules apply to the strength and cardio rooms:

- a. No one under the age of 18 may use these facilities. Guests are required to have a guest pass.
- b. If others are waiting to use the equipment, persons must limit their use of any one piece of equipment to 30 minutes.
- c. Appropriate exercise clothing and athletic shoes are required. Upper-body garments must be worn at all times. Sandals or other loose fitting shoes are prohibited.
- d. Television sets are available for use in the exercise room. Users are encouraged to be considerate of others when selecting programs.
- e. The strength and cardio rooms are open for Residents as posted. Guests' hours for use of the exercise rooms are limited to 11:00 AM - 4:00 PM and 8:00 PM - 10:00 PM each day.

#### **4.7.9 Locker Rooms**

The following rules apply to locker rooms:

- a. All persons may use these facilities for personal showers or shaving only in conjunction with the use of the exercise rooms or sports complex.
- b. No clothing or personal effects may be left in these areas unless stored in lockers or on clothing racks. Overnight use of the lockers and clothing racks is not permitted.
- c. Lockers may be used without charge. Padlocks may be placed on lockers while in use, but they must be removed and the locker cleared after each visit. Residents with special needs may use lockers on a 24-hour basis with approval of the manager.

- d. The lockers may be used by groups, with approval.

#### **4.8 Swimming Pools**

The following rules apply to all pool facilities:

- a. There are no lifeguards on duty. Swimmers swim at their own risk. It is recommended that no person swim alone. An adult must accompany children under the age of 18.
- b. Running, diving, jumping and inappropriate behavior that could result in personal injury or property damage is prohibited in all pool facilities.
- c. Water toys are prohibited. Noodles, lifejackets for handicapped persons and swim boards for exercise in the lap pool are permitted. Inflatable arm devices and lifejackets for small children are allowed in the resort pool.
- d. Association employees may close all pool facilities at their discretion.
- e. Children under the age of 3 years may enter the resort pool area only, but may not enter the water. Diapers are not permitted in any pool at any time.
- f. Children between the ages of 3 and 18 years must use the resort pool only and no children under the age of 18 may use the spa.
- g. Normal pool hours are posted at the pool. Children's pool hours are 10:00 AM - 3:00 PM seven (7) days a week.
- h. All pool users are required to shower before entering the pools.
- i. No suntan oils are permitted, but waterproof, greaseless lotions and sun blockers are permitted and encouraged.
- j. Smoking is not allowed within the pool enclosure.
- k. No glass containers of any type are allowed in the pool facilities.
- l. Alcoholic beverages may be consumed in the pool facilities between the hours of 4:00 PM through 10:00 PM. Intoxicated persons will not be allowed in the pool facilities.
- m. No food may be eaten in the pool facilities. Eating is restricted to designated areas only.
- n. Appropriate swimwear is required for swimming in all pool facilities. Street clothing or cut-off jeans are prohibited. Nude or partially nude swimming is prohibited.
- o. Pets, other than assistance animals, are prohibited in the pool facilities.
- p. Management has the authority to schedule special pool events for groups on request. Timing and length of such events will be at the discretion of management.

- q. The lap pool is reserved for exercise, lap swimming and water walking. Persons must share the lap pool for the various forms of exercise.
- r. "Water walking" will be permitted only during non-peak usage hours. If a lap swimmer requests a lane during non-peak hours and all lanes are occupied, water walkers may share one lane. Lanes may be used for periods not to exceed 30 minutes if others are waiting.
- s. No music, other than the music originating from the community center speakers or scheduled water classes, is allowed in the pool facilities. Personal hand-held entertainment devices are allowed as long as other pool users are not disturbed.
- t. A group pass is required if an Owner plans to bring more than 8 guests to the pool area at one time. Group passes are available at the HOA office.
- u. Climbing, sitting or hanging on rope lane dividers in the lap pool is prohibited.

#### **4.9 Spa/Hot Tub**

The following rules apply to the spa/hot tub:

- a. Use of the spa/hot tub will be limited to Solera Residents, renters and guests 18 years or older.
- b. Persons should consult their physician before using the spa/hot tub.
- c. Use of the spa/hot tub should be restricted to 15-minute sessions to avoid drowsiness. It is recommended that the spa/hot tub not be used if the user has consumed any alcoholic beverages.
- d. Exercising in the spa/hot tub is prohibited.
- e. All users of the spa/hot tub are expected to shower before using it.

#### **4.10 Tennis Courts**

The following rules apply to the tennis courts:

- a. All tennis players must provide their own equipment.
- b. Appropriate tennis clothing must be worn on the courts. Upper body garments are required. Street shoes are not allowed on the courts.
- c. Play periods should not exceed 1½ hours unless no one is waiting for a court.
- d. Reservations for court time, if deemed necessary by Association personnel, may be made by persons up to 48 hours in advance at the HOA office in the recreation center.
- e. A court reserved but not used within 5 minutes after the reservation time may be reassigned to other players.
- f. Children under the age of 18 must have Owner supervision when using the courts.

- g. Management has the authority to schedule special tennis events for groups on request. The timing and length of such events are at the discretion of the manager.

#### **4.11 Bocce Courts**

The following rules apply to the bocce courts:

- a. Equipment is available for Residents to use. Residents should check with the HOA office for the location of the equipment and are expected to return it to the same location after completing play.
- b. Play periods should not exceed one hour unless no one is waiting for courts.
- c. Soft-soled shoes (such as athletic shoes) are required on the courts. Leather soles, golf shoes, sandals and bare feet are prohibited.
- d. Avoid walking on the courts. During play, the concrete walkways should be used to the extent possible.
- e. Children under 18 must have Owner supervision.
- f. Management has the authority to schedule special bocce events for groups on request. The timing and length of such events are at the discretion of the manager.

#### **4.12 Horseshoe Courts**

The following rules apply to the horseshoe courts:

- a. Equipment is available for Residents to use. Residents should check with the HOA office for the location of the equipment and are expected to return it to the same location after completing play.
- b. Play periods should not exceed one hour unless no one is waiting for courts.
- c. Children under 18 may not use the horseshoe courts.
- d. Management has the authority to schedule special horseshoe events for groups on request. The timing and length of such events are at the discretion of the manager.

#### **4.13 Shuffleboard Courts**

The following rules apply to the shuffleboard courts:

- a. Before using the courts, all players must know about shuffleboard court maintenance.
- b. Equipment is available for Residents to use. Residents should check with the HOA office for the location of the equipment and are expected to return it to the same location after completing play.
- c. Play periods should not exceed one hour unless no one is waiting for courts.

- d. Soft-soled shoes (such as athletic shoes) are required on the courts. Leather soles, golf shoes, sandals and bare feet are prohibited.
- e. Avoid walking on the courts. During play, the concrete pathways should be used as much as possible.
- f. Children under the age of 18 must have Owner supervision.
- g. Management has the authority to schedule special shuffleboard events for groups on request. The timing and length of such events are at the discretion of the manager.
- h. All courts must be cleaned according to the instructions provided and equipment returned to the appropriate location.

#### **4.14 Barbecue Grills**

The following rules apply to the barbecue grills:

- a. If not being used for an Association-sponsored event, Residents may reserve the barbecue grills for private events. Reservations may be made 4 months in advance of any event and will be on a “first-come, first-served” basis.
- b. Any person or group using the barbecue grills is responsible for cleaning the facilities after use. Failure to adequately clean the area may result in the Association cleaning the area and charging the person under whose name the reservation was made.
- c. No one under the age of 18 may use the barbecue grills.
- d. Shut off the master gas line after the grills are no longer being used.

### **ARTICLE 5**

#### **GENERAL RULES GOVERNING THE USE OF GOLF CARTS**

##### **5.1 Golf Carts**

All streets within the community of Solera Chandler are private.

The following regulations apply to golf carts operated within Solera Chandler:

- a. Any Resident or guest driving a golf cart must be 18 years of age and have a valid automobile driver’s license.
- b. All golf carts owned by a Resident must be registered with the Association and a registration sticker bought for a fee. The sticker is to be displayed on the lower left corner of the driver’s side windshield.
- c. Golf carts driven by persons with permanent handicap status can receive a handicap sticker from the Association after presenting certification from their physician of the disability.



- d. Drivers of golf carts are responsible for any damage or injury caused by negligence or willful misconduct.
- e. Golf carts will be considered “motor vehicles” and may not be driven or parked on any property within Solera Chandler except the streets, parking lots, concrete driveways and designated golf cart paths. Golf carts driven or parked in violation of this rule will be subject to a fine and may be towed.
- f. Golf carts are to be driven on the streets only, and must be operated in the same manner as automobiles. Drivers must observe all traffic regulations, stopping at posted stop signs and use proper turn or hand signals.
- g. Golf carts are not allowed on sidewalks within Solera Chandler except where they are connected to the golf course.
- h. All golf carts driven in Solera Chandler must have operational headlights and tail lights.
- i. No gas operated golf carts are allowed.
- j. Golf carts driven on the Golf Course are subject to Golf Course rules.
- k. Violators of these golf cart rules will be subject to fines as stated in the Solera Chandler HOA Rules and Regulations.

## **ARTICLE 6**

### **GENERAL RULES GOVERNING THE USE OF LOTS**

#### **6.1 Garage Sales, Estate Sales and Auction Sales -**

No private Garage Sales are permitted within Solera Chandler. The annual Community Garage Sale is the only exception. Homeowners must submit a written request to the H.O.A. General Manager for approval of all Estate & Auction sales. If special circumstances arise, then the request will be presented to the Board of Directors for review. If approved, the H.O.A. General Manager will provide information and requirements to the homeowner.

**6.1.1 Community Garage Sale** – a sale of used or unwanted household belongings involving an entire community or numerous residences at the same time.

- Solera Chandler sponsored Community Garage Sale is allowed as approved by the Board of Directors (historically once per year in the spring).
- The H.O.A. will charge a small fee to homeowners to help cover the cost of exterior signs and preparation of maps (locations of participants).
- The H.O.A. will erect signs near each entrance gate.
- Maps will be passed out by the main entrance gate greeters to non-residents entering the community. Maps for Solera residents will be available at the Concierge Desk.
- Signs are only allowed on a homeowner’s lot. No other signs are allowed, inside or outside of the community boundaries, except for Community Garage sale signs erected by the H.O.A.

**6.1.2 Estate Sale or Auction Sale** - a way of liquidating the belongings of a family or an estate. Used when someone needs a way to sell items due to moving, divorce, bankruptcy or death, conducted by a professional.

- Estate Sales are limited to a maximum of two consecutive days.
- Auction Sales are limited to a maximum of one day.

**6.1.3 Community Garage Sale, Estate Sale or Auction Sale –**

- Sales shall not be scheduled on Trash Days (Mondays & Thursdays) or National Holidays.
- Advertising shall instruct visitors to enter at the Riggs Road & Mountain Boulevard entrance.
- Sales shall be scheduled during attended Main Gate Hours (verify with the H.O.A. office).
- All unsold items must be removed from the driveway, yard, etc. immediately upon close of sale each day.
- Any remaining items intended for pick-up by a charity, liquidation company, etc. shall be stored inside the residence until day of scheduled pick-up.

**6.1.4 Signs for Estate Sale or Auction Sales:**

- Sign(s) can only be displayed on the day(s) of the sale.
- Only one sign is allowed on a homeowner's lot.
- Directional signs may be placed on Common Areas if they do not impede or conflict with any resident activity or create a safety hazard.
- Signs must be free-standing and shall not exceed 18 inches across by 24 inches wide and shall not stand taller than 30 inches above the ground.
- Signs cannot be staked into the ground.
- Signs should be professional in quality (no homemade versions).
- Signs are not allowed on the golf course, walls, fences, poles, electrical boxes, etc.
- No lighting or attention getters (balloons, flags, etc.) are allowed on a sign.
- All signs shall be removed on the last day of the sale.

**6.2 Garage Doors**

Garage doors must remain closed at all times, except when an Owner is performing activities in the garage that do not violate the provisions of the CC&Rs. Owners who ventilate their garages during the summer months may have the garage doors open a maximum of one foot from the driveway surface.

**6.3 Use of Owner Access Easement Areas**

The Holiday Series homes have been built using an open space concept with sidewalks behind the homes (called the Owner Access Easement Area), in addition to the sidewalks in front of the homes. The sidewalks within the Owner Access Easement Areas are for walking or jogging only. No bikes, golf carts, roller blades, skateboards or any type of motorized vehicles are allowed within the Owner Access Easement Areas.

The Owner is responsible for the upkeep and maintenance of the entire Owner Access Easement Area lying within his/her Lot, including sweeping and cleaning the sidewalk. Sidewalk replacement and repair is the responsibility of the Association.

#### **6.4 Maintenance of Lots**

Each Owner of the Lot is responsible for the maintenance of his/her property in a weed-free condition 365 days a year, even though an Owner may be a seasonal Resident. This includes plant and tree trimming and replacement, weeds, pools, waterfalls and drip systems. Seasonal Residents must contract for and make sure that maintenance is being performed during absences from community.

Failure to maintain an Owner's Lot may result in the Association taking action that could include but not be limited to levying fines and performing the maintenance at the cost to the Owner.

6.4.1. Cardboard, plastic, drip pans, etc., are not allowed on the driveway of any residence. Vehicles shall not be allowed to leak oils or fluids on the driveway or streets.

#### **6.5 Window Coverings**

Aluminum foil, cardboard, paper, insulation material or any other such material must not be used to shade the house from the sun. The use of white sheets for inside window coverings is allowed for no more than 30 days after closing.

#### **6.6 Display of the U.S. Flag**

Solera Residents are encouraged to display the U.S. Flag. When doing so, the U.S. flag may be displayed from sunrise to sunset on a house-mounted or stationary flagpole. See Design Guidelines for flagpole installation requirements. Residents are expected to be familiar with and follow the national guidelines for displaying the flag. If the flag is displayed 24 hours a day, it must be properly lighted during the hours of darkness.

#### **6.7 Decorative Items**

##### **6.7.1 Seasonal and Decorative Flags**

Seasonal and decorative flags that are house-mounted may be displayed. Seasonal flags must be removed within 30 days after the date of the holiday the flag pertains to. Flags must be maintained in good condition at all times. Torn, ripped, faded, etc., flags constitute grounds for fines and removal. Flags may not be offensive to neighbors or the Association.

##### **6.7.2 Holiday Decorations**

Holiday decorations may be displayed 30 days before the holiday and must be removed within 30 days after the holiday.

Decorative rope or string lighting must be concealed within the eaves of the home and/or patio so as to not be visible from neighboring properties and common area. Decorative tree lighting, reflectors, aluminum pans, etc., is prohibited.

## **6.8 Trash Containers and Collection**

Trash containers may be left at the curb for pickup no earlier than 5:00 PM on the day before the scheduled pickup is to occur and may remain at the curb until no later than 9:00 AM on the day after the scheduled pickup occurs.

## **6.9 Pets**

The following rules apply to pets owned by a resident:

- a. When in public, Residents must have pets on a leash no longer than 6 feet.
- b. A Resident must control a pet so it is not a nuisance or does not make an unreasonable amount of noise.
- c. A Resident must immediately remove feces deposited by his/her pet on any Lot or Common Area.
- d. No pet should be allowed to roam freely throughout the community.
- e. Refer to Section 3.12 of the CC&Rs for additional restrictions.

## **6.10 Vehicles and Parking**

The Board may exercise its right to tow any motor vehicle, recreational vehicle, golf cart, travel trailer or other vehicle that is parked on any community street overnight or illegally parked in the parking lot. Any expense incurred by the Association in connection with the towing will be assessed to the Owner.

A temporary parking permit for extended street parking by guests on holidays or any special occasion will be considered. An Owner or Resident should make this request to the manager or the person on duty at the gatehouse. See Section 3.18 of the CC&Rs for details.

Oversized vehicles, RVs and trailers may be parked in designated parking areas at the community center for a limited time. Parking permit must be approved and obtained from the HOA office.

## **6.11 Age Restriction**

The Board may levy a fine against an Owner for the failure to comply with the age restrictions of the community as presented in Section 3.30 of the CC&Rs.

# **ARTICLE 7**

## **POLICY OF CORRECTIVE ACTIONS AND SCHEDULE OF FINES**

### **7.1 Notice and Hearing**

No fines will be assessed without notice and an opportunity to be heard. The Board has adopted the following policy for all non-compliance issues of the governing documents. The Association may seek a court judgment to collect passed due fines. In addition to levying fines as penalties for

infractions, the Association also may exercise any other remedy available according to Section 9.1 of the CC&Rs and Arizona law.

## 7.2 Fine Schedule and Appeal Process

The Board may impose monetary penalties as authorized by A.R.S. Section 33-1803. The fine schedule is intended as a guide only and is not meant to create any rights. The Board reserves the right, after proper notice, to accrue daily fines until the violation is corrected, and to impose fines in amounts in excess of those set forth in the fine schedule.

### 7.2.1 Fine Schedule

No fine will be imposed without first providing a written notice to the Owner, describing the violation and stating that failure to correct the violation within 10 days from the date the notice was mailed. ***Another recurrence of the same violation within 6 months*** of the original violation will subject the Owner ***to a fine***.

The fine schedule is:

- a. **FIRST NOTICE:** An initial notice of the violation will be sent by regular mail to the Owner requesting compliance within 10 days—**NO FINE**.
- b. **SECOND NOTICE:** If violation still exists, a second notice requesting compliance within 10 days will be mailed to the Owner. A **\$25 FINE** will be assessed and due immediately with the second notice.
- c. **THIRD NOTICE:** If violation still exists, a third notice requesting compliance within 10 days will be mailed to the Owner. A **\$50 FINE** will be assessed and due immediately with the third notice.
- d. **FOURTH NOTICE:** If violation still exists, a fourth notice requesting compliance within 10 days will be mailed to the Owner. A **\$50 FINE** will be assessed and due immediately with the fourth notice.
- e. **CONTINUING VIOLATIONS:** If the violation continues without resolution after the fourth notice, a **FINE of \$100** will be assessed **every 10 days** until the violation is resolved. In addition, the Board has the right to remedy the violation and/or take legal action, the cost of which will be billed to the Owner.

### 7.2.2 Appeal Process

When a violation notice is sent to an Owner, the notice includes a statement notifying the Owner that he/she has the ***right of appeal***.

To initiate an appeal:

- a. When an Owner wants to appeal a violation, he/she must send the manager written notice within 10 working days of the fine notice that requests an appeal of the violation.

- b. Appeals can demonstrate the violation was issued in error or the Owner is dealing with extenuating circumstances that require deviation from the CC&Rs and/or Design Guidelines. The Owner should include all pertinent backup information to support the existence of the extenuating circumstances.
- c. Any appeal that does not meet the above requirements will be denied.
- d. The Owner appealing the violation will be given written notice when the appeal is scheduled before the Board.
- e. The appeal will be held in a Board Executive Session.
- f. The Owner who is appealing will be asked to state his/her case and present any applicable documentation.
- g. If the appeal is denied, the Owner must bring the violation into compliance within the time frame specified by the Board, provided no further appeal to the Board is requested. If the violation still exists after the specified period, the Owner will be fined \$100 every 10 days until the violation is corrected. In addition, the Board may seek legal action to remedy the violation. All costs of legal action and fines will be billed to the Owner.

## **ARTICLE 8**

### **COMPLAINTS CONCERNING VIOLATIONS**

#### **8.1 Violations**

An Owner or Resident may report an alleged violation to the Association in a signed, written notice delivered to the HOA office or mailed to the following address:

Association Manager  
Solera Chandler Homeowners' Association  
6360 S. Mountain Boulevard  
Chandler, Arizona 85249

ATTACHMENT 1

Age Verification Survey for Solera Chandler

Solera Chandler is intended to be operated for occupancy by persons 55 years of age or older. The Association is conducting this occupancy survey age in accordance with the Housing for Older Persons Act and the requirements of the CC&Rs for Solera Chandler.

To be completed and returned to Solera Chandler HOA not later than \_\_\_\_\_, 20\_\_\_\_\_.

Date: \_\_\_\_\_

Property address: \_\_\_\_\_  
\_\_\_\_\_

Table with 4 columns: Names of Occupants, Birth Dates, Form of Verification\*, Document No. and 4 rows of blank lines for data entry.

\*For purposes of this survey, the occupants of a home may present one of the following forms of identification at the Association office at 6360 S. Mountain Boulevard, Chandler, Arizona 85249, as proof of age of those persons listed above: (1) valid driver’s license, (2) birth certificate, (3) passport, (4) immigration card, (5) military identification or (6) official documents issued by state, local, national or international government that contains a birth date. Or, an adult occupant of the residential home may sign the affidavit below and return it to the Association office along with this completed Age Verification Survey.

AFFIDAVIT

I, \_\_\_\_\_, hereby certify that I am 18 years of age or older and have personal knowledge of the ages of the occupants of this household and that at least one occupant is 55 years of age or older.

\_\_\_\_\_  
Signature

The foregoing information is required to be provided by all occupants of Solera Chandler every 2 years. This Survey is intended and used for the purpose of satisfying 42 U.S.C. '3607(b)(2)(C), A.R.S. '41-1491.04, and the Housing for Older Persons Act and regulations promulgated, 24 CFR 100, subpart E, and will not be used for any other purposes.