

OVERLOOK AT QUALCHAN HOMEOWNERS ASSOCIATION **HOMEOWNER HANDBOOK**

Overlook at Qualchan Homeowners Association (HOA) is a single family development in the Qualchan Hills area in southwest Spokane. It is located close to shopping, downtown Spokane, the freeway, Spokane International Airport and within minutes of several beautiful municipal golf courses. It is a quiet neighborhood with many home sites offering excellent views.

The purpose of this Handbook is to provide homeowners with information regarding communication methods and Rules and Regulations adopted by the Overlook Board of Directors (Board) as authorized by the HOA Bylaws.

A. Communication Methods: *The Board is committed to keeping homeowners informed about everything that is going on in our HOA and to seeking their input, suggestions and questions.*

Section 1. HOA Website:

The Overlook website can be found at www.overlookatqualchan.com. The names and positions of the Board Members are available here, comments and questions can be addressed to the Board by clicking on the contact us tab and then on info@overlookatqualchan.com. Information regarding current projects and activities as well as Board and Homeowner meeting minutes and financial statements are also posted on the website. By subscribing to the mailing list under the contact us tab, this information will also be emailed directly to you.

A link to WEB Properties Inc. (WEB), our property management company, is available under the contact us tab where you can find HOA documents such as HOA Covenants, Conditions and Restrictions (CC&Rs), Bylaws and State Regulations governing HOAs.

Section 2. Other Communication Methods

In addition to postings on the website and email notifications, there will be

occasional notices and/or newsletters provided by the Board through WEB Properties mailings, they will also issue the assessment quarterly billings.

Section 3, Meetings:

There are two categories of meetings held for the purpose of conducting business of the HOA; Board meetings and general Association Membership meetings, commonly referred to as Homeowner meetings.

Board meetings are conducted for and by Members of the Board. These meetings are used to discuss and act on any and all matters effecting the HOA as specified in the controlling documents. These meetings are held monthly at a time and place determined by the Board unless cancelled by agreement of the Board. The time and place of these meetings will be posted on the website; they are open to all lot and homeowners (owners).

Homeowner meetings are conducted by the Board for all owners in the HOA. The annual meeting for owners is held in January of each year at a time and place designated by the Board. The primary purpose of this meeting is election of Board Members and adoption by the Board of the HOA annual budget. Other business of the HOA may also be conducted at this meeting. Additional owner meetings may be called by the Board during the year. Owners will be notified of these meetings by posting on the website and by mail from the property management company.

B. Rules and Regulations: *The purpose of the Rules and Regulations (R&Rs) is to clarify and expand on the CC&Rs, Amendments to the CC&Rs, Bylaws and other controlling documents of the HOA as well as the State Regulations with the intended result of improving the appearance of our neighborhood and maintaining and increasing owners` property values. The HOA Board and the management company will work closely together to implement and enforce these R&Rs but the participation and cooperation of every homeowner is essential in achieving the desired result.*

Section 1. Applicability of R&Rs:

The R&Rs are applicable to and binding upon all owners, family members, other occupants, guests and renters of dwellings as well as owners of undeveloped lots. It is the obligation of owners to provide these R&Rs to renters. Owners will be held accountable for violations of the R&Rs by their renters. Where ever the term "owner" is used hereafter in these R&Rs, it is intended to include all of

the above referenced parties.

Section 2. Maintenance:

Owners are responsible for maintaining their lots, homes and other improvements in good appearance and repair. Such maintenance includes but is not limited to painting and/or other appropriate exterior care; seeding, watering, weed and tall grass control and regular mowing of lawns and trimming/pruning of all trees, bushes and shrubs. In those cases of undeveloped lots, owners are responsible for keeping all weeds and grasses cut down and/or sprayed and for keeping lots free of debris and refuse with such frequency as to not negatively affect the appearance of the neighborhood. All owners are also responsible for keeping the sidewalks adjacent to their property clean and in good repair.

Section 3. Landscaping:

Appropriate landscaping must be completed following occupancy of each home by the initial occupant as follows; Front yard must be completed within six (6) months and side and rear yards within one (1) year. Until completed, lot must be maintained in accordance with undeveloped lot requirements in Section 2 above. Following completion, it must be maintained in accordance with the maintenance requirements in Section 2 above.

Section 4. Architectural Control:

No building shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location of the home have been approved by the Architectural Control Committee (ACC) including quality of workmanship and materials, harmony of design with existing structures and as to the location with respect to topography and finished grade elevation. All additions, changes and alterations following completion of the home must be approved by the ACC including installation of fences, sheds, other structures and any other improvements. Requests may be submitted through the website.

Section 5. Nuisances:

No noxious, offensive, threatening or illegal activity shall be carried on, in or around any lot, home or common area which may be considered an annoyance or nuisance or, in any way, would interfere with the quiet enjoyment of other

owners or that would affect the appearance of the neighborhood. Interference of quiet enjoyment of other owners determined to be a nuisance is based on what would be considered as such by customary social norms.

Section 6. Satellite Dishes, Antennas/Towers and Solar Panels:

No satellite dishes greater than twenty-four (24) inches in diameter shall be permitted and shall not be installed in any location other than on the home. No antennas or towers of any type shall be permitted without prior written approval of the ACC. No solar panel shall be permitted on the roof of a home or in any other location on the owner`s property without prior written approval of the ACC and then only in accordance with State and local Regulations.

Section 7. Animal Care:

No animal not recognized as a domestic pet or that is kept in violation of any City, County or State ordinance or law may be kept on any owner`s property. The exception to this R&R would be a service animal which is determined by a qualified health professional to be necessary for an owner`s health or well being. All animals must be under reasonable control by its owner at all times and not allowed to be a nuisance to others. Pet owners must immediately pick up any pet waste caused by animal.

No kennels or runs may be erected on any lot without the prior written approval of the ACC and then only if not visible from any street or neighboring property.

Section 8. Garbage and Other Waste:

All garbage and other waste including lawn and other landscape clippings and re-cycle materials must be stored in a City approved container. All such containers will not be placed or kept in front of lots or on any street except on the day before and the day of scheduled collection. All containers must be stored out of sight from the street or neighboring property except on days specified above. All items such as wood piles may not be stored in front of lots and, if stored in sight of street or neighboring property, must be screened.

Section 9. Commercial Uses:

No activities shall be allowed which could be construed to be a commercial activity nor shall any type of commercial vehicles or equipment other than passenger cars or pickup trucks be allowed to remain overnight or for a period in excess of eight (8) hours.

Section 10, Parking Restrictions:

Owners shall keep passenger cars and other vehicles in garages with doors closed when practical to do so and shall require all other occupants and guests to comply with Section 9 above. Owners shall not permit guest`s vehicles to remain on street for more than twenty-four (24) hours. No vehicles of any kind shall be parked in any common area. Owners shall not park, store or keep on any lot or street or in any common area any recreational vehicle for longer than seventy-two (72) hours; any longer than that time period is considered by the Board to be a nuisance. The Board or management company may permit a greater period of time under special circumstances. This includes but is not limited to; motor homes, fifth wheels, camp trailers, trucks with campers, buses, snow mobiles, trailers of any kind, three and four wheelers, boats or similar vehicles or equipment.

No vehicles of any type may be parked or stored on vacant lots.

Section 11, Inoperable Vehicles / Maintenance of Vehicles:

Inoperable vehicles of any kind shall not be kept on any lot, street or in any common area unless stored in owner`s garage with doors closed. Owners shall not perform any repairs or restoration of any vehicles or equipment except wholly within owner`s garage with doors closed. Such activities shall, at no time, be allowed if considered to be a nuisance to the neighborhood.

Section 12, Signs:

With the exception of for sale or rent signs and political signs, no sign shall be placed on any lot and no signs of any kind may be placed on common areas. Signs shall not exceed five (5) square feet and must be placed within the lot boundaries. Political signs may be displayed only during the time of active campaigns, must be maintained in good condition and must be removed immediately following the related election.

Section 13, Display of Flags:

The flag of the United States is the only flag that may be displayed on a permanent basis on any lot or home and such display must comply with WA. State Regulations and the Federal Flag Display Law. No flags of any kind may be displayed on any common area. For purposes of this Section, flag of the

United States does not mean a flag depiction or emblem of lights, paint, roofing, siding, paving materials, flora or balloons or of any similar building, landscaping or decorative component. Installation of flag poles must be approved by the ACC.

Section 14, Holiday Decorations:

In order to maintain a consistent appearance of the neighborhood, holiday decorations, including lights, may not be displayed on any lot or home more than forty-five (45) days prior to any holiday and must be removed no later than forty-five (45) days after the holiday, weather permitting.

Section 15, Sports Equipment:

For safety reasons, owners are discouraged from placing basketball hoops, skateboard ramps, playground equipment or other similar equipment on any street or sidewalk. Owners who place such equipment in these areas do so at their own risk and the HOA and/or Board of Directors shall not be liable for any property or personal damage resulting from the use by owners of such equipment in these areas. No such equipment shall be placed in any common area.

Section 16, Clotheslines:

No exterior clotheslines may be erected on any lot where they are visible from the street or neighboring property.

Section 17, Use of Common Areas:

Common areas are those parcels of land within the HOA boundaries which have been deeded by the developer to the HOA to be used only for the common purposes of HOA lot owners and, as such, are exempt from real estate taxes. No owner may use these areas or any part thereof exclusively for their own purposes. These areas may not be sold.

Section 18, Dedicated drainage areas:

The City of Spokane requires that housing developments install and maintain dedicated drainage areas, commonly referred to as 208 swales. These areas are necessary to contain ground and storm water runoff and to protect the underground aquifer, they are to be utilized for these purposes only. For this reason and for safety and environmental reasons, entry into these areas by

persons, vehicles or equipment is prohibited other than by authorized personnel. Entry upon or use of roads or paths intended only for access to these drainage areas is also prohibited.

Section 19, Spokane City Codes and Ordinances:

Any and all City codes and ordinances affecting and/or applying to housing developments within the City of Spokane are hereby included by reference and are part of these Rules and Regulations for enforcement purposes.

C. Payment of HOA Assessments: The obligation to pay assessments is found in the HOA CC&Rs and Bylaws. Assessments are secured by a continuing lien on the property against which the assessment is made.

Section 1. Common Area Assessments:

Vacant as well as developed lot owners must pay their prorata share of all costs of insurance, maintenance and upkeep and taxes (if any) for common areas as periodically determined by the Board. However, when a private street serves only a specific lot or lots, the cost of maintenance, snow removal and street cleaning shall be charged only to those lots serviced by the private road on a prorata basis.

Section 2. Failure to Pay:

Failure of a lot owner to pay an assessment within thirty (30) days of date due will result in a late charge of \$25.00 per month for unpaid assessments or portion thereof plus interest at the rate of one (1) percent (%) on any balance due. In addition, a lien may be filed against the property for the outstanding balance of unpaid assessments including accumulated late charges and interest as well as all costs associated with filing said lien and applicable attorney fees. Collection actions, foreclosure and possible litigation may also be initiated if deemed necessary.

D. Enforcement Procedures: Enforcement procedures may be necessary to achieve Compliance with the CC&Rs, Bylaws and the above Rules and Regulations.

Section 1, Violations:

If a violation is determined by the Board or management company, a first courtesy notice of violation will be issued with a reasonable time period in which to resolve the violation. If the violation is corrected within the time specified in the courtesy notice, the violation will be considered resolved. If the violation is not corrected within the time specified, a second notice will be issued specifying an additional time period for correction and a fine if not corrected. If violation remains unresolved following the second notice, a notice of fine will be issued and additional fines will be charged until the violation is resolved. Repeat and/or similar violations will not receive a courtesy notice prior to charging a fine. Failure to pay fines may also result in collection, lien or litigation.

Section 2. Schedule of Fines:

First notice of violation; \$50.00

Second notice of unresolved violation; \$75.00

Third and subsequent notices of unresolved violation; \$100.00 each notice.

Section 3. Right to Hearing:

If a violation and/or fine is disputed, a hearing may be requested within seven (7) days of receipt of notice. If a hearing is requested, the violation and fine will be reviewed by representatives of the Board at the hearing and a determination will be made by the representatives. The determination of the representatives will be final.

Adopted by the Board of Directors at an open Board Meeting on the 13th day of April, 2016. The Rules and Regulations specified in this Handbook shall become effective on June 1, 2016.