

Rules and Regulations

Emerson Point Condominiums

Effective December 12, 2012

On behalf of the Board of Directors and the Association Management team, we would like to welcome you as a resident of Condominiums.

The purpose of the Rules and Regulations is to address frequently asked questions and to clarify topics that are addressed in the **Articles of Incorporation, Declaration and Bylaws**. This document also focuses on important covenants and enforcement of the rules and regulations in the building.

Please take a moment to read over this material and keep it handy for future reference. Updates to this document will be distributed periodically. Your understanding and adherence to these guidelines will help to maintain, preserve, enhance and protect the property values and assets of the community.

Emerson Point Condominiums is governed by a Board of Directors, which is elected by the homeowners at the Annual Meeting of Association Members.

Day to day operational management is contracted with Capitol Hill HOA Management Co. If you have any questions or concerns about the covenants, rules, and regulations, please feel free to call or write Capitol Hill HOA Management at:

1660 Race St.
Denver, CO 80206
303-320-1660
FAX 303-320-6030
CHillHOAMng@aol.com
CHillHOAMng.com

Quiet Time

Courtesy quiet shall be maintained between the hours of 10:00 P.M. and 8:00 A.M. Televisions, stereos, radios, laundry and party noises shall be kept to a minimum during these hours, and all noises shall be kept to reasonable limits during the other hours of the day. Since noise carries from the Common Elements (lobbies, stairwells, garage and grounds), we expect that you will move about quietly within the building. At no time shall noise from any unit or Common Elements interfere with the comfort of persons living in another unit.

Parking Space

No items may be stored in the parking space other than your car. This is in compliance with Denver Fire Code.

There are three (3) additional parking spaces along the alley. There is a rotating schedule for the four units to have equal use of the three spaces. The rotation schedule is attached to these Rules and Regulations.

Pets

Except, that by special application to the Board of Managers, an owner may by permit be allowed to keep one cat OR one dog (hereinafter referred to as a “permitted animal”) in said owners Condominiums Unit; provided that such permitted animal be confined to the Condominiums Unit and that said owner accepts responsibility to pay for any damages caused by such permitted animal to the project premises. Every owner of a permitted animal shall maintain strict control over said permitted animal and shall prohibit said permitted animal from making disturbing or loud noises or any other behavior annoying to other owners. (Association Declaration, 30(c))

Homeowners shall bear the responsibility for any and all pets residing within their units, including the pets of tenants, guests, and visitors. This shall include financial liability for any damage and any threat or inconvenience caused by these pets.

Any solid waste deposited on any of the interior or exterior Common Elements by a pet must be removed immediately and the area cleaned appropriately by the person responsible for the pet.

All pets shall be restrained from constant barking or making loud noises at all times. All pets must be accompanied by their owner or other responsible party in the Common Elements.

Trash

Large trash items, such as furniture, mattresses, and appliances, are not allowed in or around the trash area. Large boxes must be crushed. Disposal of such items are the responsibility of the unit owner/tenant. Charges made to the HOA will be forwarded to the homeowner.

Littering is not permitted. No items, including cigarette butts, shall be thrown or emptied by any resident or his family, friends or invitee on the property or other Common Elements of the building.

Secure Building

The Capitol Hill neighborhood can be a target for criminals. Please do what you can to prevent crime in our building by doing the following things: (1) Please close the lobby and garage doors when you come and go. (2) Do not allow strangers from the lobby into the building. Let them call the person they are visiting. (3) Lock your windows, especially on the ground floor.

Emergency Keys

All owner keys will be kept in the management office in case of an emergency. The keys are not for purposes of convenience.

Newspapers and Mail

Let’s treat our front lobby as the entry to our homes. Please do not leave junk mail or unread newspapers in the lobby area. If you want a newspaper, please don’t “borrow” your neighbor’s paper; there are several places in the neighborhood to buy your own. White/Yellow Pages phone books will be thrown out by the cleaning crew on the following Tuesday after they arrive; please take a directory before then.

Architectural Covenants and Changes

The Board of Directors constitutes the Architectural Control Committee of the Association to ensure architectural harmony with the rest of the complex. Any resident contemplating any visible exterior changes to his or her unit must submit plans in advance to the Board for approval. Such requests should include detailed plans, product information, construction time table, contractor name, and proof of liability insurance. An example of this would be changes to windows (including political or sports signs of a permanent nature in windows) or porches.

No exterior television or radio antennas of any sort will be allowed unless approved in writing by the Board of Directors.

Major renovations to the interior of a unit must have a proper City and County of Denver Building Permit filed. Copies of the approved permit must be submitted to the Board for their review and files.

Maintenance and Repair of Interior and Exterior Common Areas

If maintenance or repair to a Common Area is required as a result of a willful or negligent act of an owner, tenant, family, guest or invitee, the cost of this maintenance or repair will be assessed and added to the owner's Association fee.

Barbecue Grills

The use of electric powered barbecue cookers, barbecue cookers installed and supplied by the building's natural gas system and gas grills with a total container capacity of one pound or less of L.P. gas will be permitted on balconies. Two extra one pound L.P. gas containers may be stored on the balcony. This wording is from City and County fire code IFC-308-1.

FIRE SAFETY

Please make sure you are checking that your home fire alarms are working twice a year. It is required that batteries are replaced once a year.

Bicycles

At no time are bicycles permitted to be stored temporarily or permanently, in Common Elements. Any bicycles left in the Common Elements will be removed promptly.

Bicycles are not allowed in the stairways at any time. Bikes may be moved from floor to floor via elevator only. Bicycle tires leave difficult-to-remove rubber scrapes on the paint.

Rental Units

The Association must be provided a copy of the lease/rental agreement as well as the name, e-mail and telephone number of the tenant within ten business days of possession.

A copy of all Rules and Regulations must be attached to and made part of the rental/lease agreement. Continued infractions of the Rules and Regulations by renters will subject the owner to fines as outlined in the violation policy.

Enforcement

The rules and regulations contained herein and those contained in the Covenants will be enforced by the Board of Directors.

Complaints from a Homeowner, resident, or tenant must be in writing and must clearly indicate the nature of date, time, and location of the violation. The name(s) and or addresses of the violators must also be included. This written complaint must then be mailed, hand carried, or emailed to Capitol Hill Management & Company (CHill-HOAMng@aol.com).

The Board of Directors has the right to add, change or delete the Rules and Regulations as necessary. Homeowners and/or tenants will be notified of any changes via a notice posted in the laundry room and/or a notice mailed to the residents and tenants.

Flagrant or consistent violation of any state statute or city ordinance may result in the matter being turned over to local law enforcement authorities by the Board of Directors.

Violators of the Rules and Regulations whether tenants or homeowners will be given one warning in writing. If a second complaint is received, opportunity for a hearing and a \$50.00 fine will be assessed to the owner of the unit and added to the Association Fees. If there should be a third violation, a \$100.00 fine will be assessed and added to

the Association Fees. Continued flagrant or habitual violators will be subject to legal action and any remedies afforded the Association.

The owner shall be considered the penalized party, even though renters, tenants and or invitee of the said parties may have committed the infraction(s). It is recommended that lease arrangements between the owner/tenant incorporate this policy for all fines and assessments.

The Board of Directors may suspend any owner voting rights in the Association during any period or periods during which such owner or owner's tenants fails to comply with the Association's Rules and Regulations.

Reminders

The Board recommends that owners and tenants should accept responsibility and report any infraction that they may observe to the Board of Directors or Management Company so that appropriate action can be taken to protect you, your property and your investment.

Association Assessments

Emerson Point Condominiums is chartered as a non-profit corporation under the provisions of the Colorado Interest Ownership Act. Homeowners' Assessments are required to cover common expenses, which include: Water & Sewer, Trash Removal, Grounds Maintenance (i.e. lawn care, snow removal, etc.), Common Element Repair and Maintenance, Fire and Liability Insurance for the Association Common Elements (The Association Insurance **DOES NOT** cover personal property of owners/residents. It is **HIGHLY** recommended that all homeowners acquire a "Condominium Insurance" policy to cover personal property. Renters should acquire an appropriate insurance policy to cover their individual property.), Emergency Reserve Funds, Professional Management and Capital Reserve Funds.

Each Homeowner is obligated to pay, on time, their monthly Association Fees. All fees are due on the first (1st) day of each month. A \$25.00 late fee will be assessed to any fees not received by the 10th of each month.

Homeowners will be assessed a fee for any occurrence in which payment is returned due to insufficient funds determined by the fee at the bank plus the HOA late fee, \$25.00.

No homeowner may claim any voting rights if their fees are not current. Nonpayment of fees shall be basis for the filing of a lien pursuant to law against a condominium unit.

We hope that these guidelines will make your life at home at Emerson Point Condominiums a pleasant one. We welcome any suggestions, questions, and comments through the Management Office.