

BRITTANY COMMONS HOMEOWNERS ASSOCIATION

Summary of Rules, Regulations and Responsibilities

FEBRUARY 2012

Important

When a townhouse changes ownership, this handbook must be passed on to the new owner by the day of the Closing.
The owner of a rented townhouse must immediately supply a copy of this handbook to the tenant.

INTRODUCTION

Brittany Commons is a defined 100 unit Homeowners Association created in 1984. Its Declarations and By Laws--which conform to New York State laws governing Homeowners Associations--are intended to assure consistency, uniformity, and a standard for maintaining Brittany Commons as an outstanding community, where residents enjoy living and where property values are protected.

Living in a shared community has many benefits. It also imposes certain rules and regulations, which may seem restrictive to those accustomed to living in a private residence. Many of the rules and regulations were modeled from similar townhouse communities and the intent is not to restrict, but to clarify.

Adherence to these rules and regulations is the responsibility of us all. Enforcement is a responsibility of the Board of Directors and is often assigned by the Board to our management company. Variance requests and infractions are reviewed at the monthly Board meeting.

A warning letter will be sent by our management company alerting any homeowner to a violation, necessary corrective action and the date by which resolution is required. Failure to timely and fully comply may result in the problem being resolved by our management company and any related costs being billed directly to the responsible homeowner. In the case of a conflict between matters in this handbook and in the Declarations or By Laws, the latter prevails.

The following pages contain information which we feel is important to you. This handbook does not contain the Declarations or By Laws--the official legal documents of Brittany Commons Homeowners Association. If you do not have copies of those documents, you may request copies from our management company. You will be charged for the copying expense of these 100 page documents..

These documents are extremely important. They include your rights and obligations. When you signed your deed to your townhouse in Brittany Commons, you were signing that you have them and that you will abide by them. You are legally bound by them.

Renters of a townhouse in Brittany Commons are subject to the same rules and regulations as homeowners, unless stated otherwise therein. Homeowners are responsible for fully advising prospective renter(s) of the rules and regulations of the Association.

While this handbook endeavors to set forth certain rights and obligations of homeowners, tenants, residents and guests within Brittany Commons, it shall in no way define or limit the scope of the Declarations or By Laws of Brittany Commons Homeowners Association.

Future clarifications and changes to the operations of and responsibilities in Brittany Commons will be communicated to or voted on by homeowners.

If you have any questions or concerns, please contact our management company.

Realty Performance Group
550 Latona Road, Bldg E – Suite 502
Rochester NY 14626
Telephone 225-7440

Assessments

MONTHLY: These monthly assessment fees are for the various operating expenses for which the Homeowners Association has responsibility and for maintaining a Reserve Fund for current and future major repairs and improvements. Payments are due on the first day of the month and delinquent after the 15th. Payments may be paid by check or arrangements with your bank for direct payment. Specific late fee amounts and policies are in effect and remain so unless modified by the Board of Directors.

SPECIAL: Additional assessments may be established for necessary major repairs, capital improvements and other needs. Approval by the defined majority of homeowners is required for these assessments. All homeowners are assessed equally.

Any assessments, which are not paid when due, shall be delinquent. If the assessment is not paid within fifteen days after the due date, it shall bear a late charge established by the Board.

For nonpayment of any monthly or special assessment fee, the Board has the authority to place a lien on the property. The homeowner is responsible for all legal and other costs related to the lien and collection process.

Single or One Family Occupancy

The townhouse shall be occupied by no more than 2 unrelated adults or 4 adults all related to one another. This shall include adopted and foster children.

Building Changes:

INTERIOR: A homeowner may improve the interior of the townhouse by new or replaced construction, as long as the changes are structurally sound and do not affect the exterior appearance of the townhouse or other areas for which the Association is responsible.

EXTERIOR: No modifications of any kind, in structure or appearance, are allowed without the prior written approval of the Board. Such modifications include, but are not limited to: color of exterior siding or trim, awnings, lights, doors, windows, mechanical devices, TV antennas, chimneys, flower boxes, flags, bunting, storage structure or other exterior features. A homeowner may install storm doors and storm windows, which are of a color and design designated or approved by the Board of Directors. During or after completion, such changes are subject to inspection and approval by the Association.

Possession of a town, county or other permit does not waive the need for Board approval. Although the Board will not knowingly approve a project which is in violation of building, zoning or other codes and laws, the responsibility for compliance is solely that of the homeowner. The Association or its representatives have the right to enter a townhouse for the purpose of repairs and maintenance of work for which the Association has responsibility.

A chart showing homeowner and Association responsibilities is included in this handbook. Questions and concerns should be discussed with our management company.

Variance Request Procedures

A Variance Request form may be obtained from our management company. The fully completed form must be submitted to our management company or a member of the Board of Directors, sufficiently in advance of the start of the work. The homeowner's request will be considered by the Board at its monthly meeting and he/she will be notified in writing of their decision.

The homeowner will be expected to complete the project with a reasonable period of time. Otherwise the approval is automatically voided and another request must be submitted when the homeowner's plans, including timing, are finalized.

Exterior Decorations

Such decorations modify the exterior appearance of the townhouse and our By Laws require prior written approval by the Board. Temporary and minor reasonable exterior decorations will generally be accepted by the Board without prior approval. But each situation is individually subject to review and approval by the Board.

Seasonal lighting may be displayed on or around the front or garage door. Such decorations may be attached to the siding in a manner so as not to damage it. Cost to repair any damages related to exterior decorations will be assessed to the homeowner.

Trash Storage and Removal

Trash containers must be kept in your garage and have covers which close securely. The Board has approved the use of plastic bags, but they must be heavy duty and securely tied. Place containers at the end of your driveway, where they do not interfere with lawn mowing or snow plowing. Placement at the curb may be the morning of pickup day, but may not be sooner than the evening before pickup day. Trash may not be placed outside on any other days or times.

Friday is the current usual pickup day. However such may be delayed one day by major holidays or severe weather conditions. Homeowners will be notified if a different day becomes the regular pick up day.

For large, heavy, special and unusual items (appliances, mattresses, furniture, etc), contact our management company to arrange for pickup, BEFORE placing the item(s) at the curb. Any fee for this special pickup will be billed to the homeowner.

Recycling and hazardous material disposal regulations are established by our trash contractor and/or Brighton and/or other government agencies. Contact our management company for any current procedures upon which you desire further information.

Pets

No animals or reptiles of any kind shall be raised, bred or kept on the properties, except homeowners may keep household pets inside their townhouse units. No more than one dog or cat shall be kept in any townhouse, without specific written approval of the Board of Directors. The Variance Form to request such approval may be obtained from our management company.

Dogs, cats and other pets can present a sanitation problem, damage shrubbery and landscaping, be a potential danger to children and can cause deterioration to community relations. To help avoid any of these problems, the following rules must be strictly adhered to.

1. It is the responsibility of the pet owner to control and CLEAN UP AFTER his/her pet. Any costs, related to failure to comply with this rule, will be assessed to the individual homeowner.
- 2.. When outside, all dogs and cats must be restrained at all times in Brittany Commons by use of a leash not to exceed 8 feet in length or an electronic fence or another system-- approved in writing by the Board of Directors. If these standard restrictions are insufficient or not appropriate, the Board may mandate additional restrictions.
3. No pet houses are permitted outdoors.

If any of the preceding rules or others in effect at Brittany Commons are not fully adhered to or if significant problems result, upon written notice to the homeowner, the Board has the authority to remove any pet or pet apparatus.

Homeowners may report infractions to our management company or to the Board and/or to Brighton Animal Control.

Noise Disturbances

Homeowners are expected to remember and respect the proximity of their neighbors in Brittany Commons and avoid unusual noise or disturbances which unreasonably disturb the comfort of others or constitute a nuisance at any time of the day or night--especially 10 pm - 8 am.

Driving Regulations

The By Laws/Declarations of Brittany Commons Homeowners Association state that the speed limit here is 15 mph. Enforcing safe driving here is coordinated with the Town of Brighton.

Parking

Please park on driveways and in garages as much as possible. Two parking areas are located on Montpelier Circle. When these locations are not available, short term parking on Montpelier Circle is permitted, except in the winter snow plowing season. Please do not park in front of any mailbox unit or any fire hydrant or block anyone's driveway.

NO parking is permitted:

1. on Montreal Place, Neville Lane or Le Marc Court since these have been declared Fire Lanes by the Town of Brighton.
2. on any lawn in Brittany Commons. Resulting lawn damage costs will be assessed to the responsible homeowner.

Vehicles

The following vehicles are not permitted to be parked or stored in Brittany Commons:

1. commercial vehicles, except while making deliveries or providing services
2. abandoned or unregistered vehicles
3. recreational vehicles such as motor homes, campers, trailers, boats (except to load or unload for periods of less than 4 hours; and then are limited to once in any 24 hour period.

Major maintenance or repairing of any auto or other vehicle is not permitted in Brittany Commons. Vehicle restorations or minor repairs must be done within the homeowner's garage. Vehicles may be washed or waxed in the homeowner's driveway.

Individual homeowners will be assessed for any damage caused by their vehicles or those of their renters, friends, guests, etc.

The following may not be driven, parked or stored in Brittany Commons--dune buggies, motor bikes, go carts, dirt bikes, snow mobiles or other similar recreational vehicles.

Rental of Townhouse

Every Brittany Commons homeowner has the right to rent, lease, mortgage or convey his/her townhouse for single family occupancy. However all Association assessments are the personal responsibility of the homeowner.

Each homeowner who rents his/her townhouse must make the Brittany Commons Lease Rider a part of the rental agreement and provide a copy of the entire lease to Brittany Commons Homeowners Association, as well as the Tennant Information Form. Such forms may be obtained from our management company.

The homeowner is responsible if the renter, other occupant or guest fails to comply with any rule or regulation of Brittany Commons. Specific rules and regulations are defined in the Declarations and By Laws and policies established by the Board.

Insurance

The Board is responsible for providing insurance as specified in the Declarations. Accordingly the Association has a master policy, for which premiums are paid from homeowners' monthly assessments.

Personal property insurance and liability insurance are the responsibility of the homeowner.

Signs

No advertising signs (except for one single home security sign and one single For Sale or For Rent) are to be placed or permitted to remain on townhouses or properties in Brittany Commons, without the expressed written consent of the Board of Directors. Such signs may not exceed 6 square feet and must be immediately removed upon the sale or rental of the townhouse.

Yards and Patio

Each homeowner shall clean and keep free from unsightly objects the following areas of his/her townhouse: entries to the unit, front porch, driveway, patio and all yards, windows.

It is the homeowner's responsibility to maintain and care for items in the patio--including but not limited to trees, shrubs, flowers, steps to the house, deck and gate, and air conditioner.

The fence is the responsibility of the Association and thus a homeowner may not make changes to the fence without the prior written approval of the Board.

With the prior written approval of the Board, a deck may be added.

Planting and Gardens

Planting and maintaining lawns, trees and shrubs (other than in the patio) is the responsibility of the Association. All watering is the homeowner's responsibility. No permanent plantings such as trees and shrubs may be planted without prior written approval of the Board.

Flowers and greenery may be planted along the front door walkway, around the trees. Such should be moderate in scale, neatly maintained and not infringe on or interfere with lawns or building and grounds maintenance.

Hanging planters and containers should be limited to the deck, patio and entranceway. They must not be attached to the horizontal siding, gutters, downspouts or interfere with building and grounds maintenance.

Responsibilities

The By Laws and Declarations--legal documents originally creating Brittany Commons Homeowners Association Inc.--define and detail various responsibilities of homeowners and of the Homeowners Association.

Many of these have been summarized on the following 2 pages, in order to make it easier for homeowners to be aware of and understand their responsibilities. This chart is to assist homeowners and does not in any way supersede the official the By Laws and Declarations.

Forms

Below are listed some of the documents and forms currently required in the operations and services of Brittany Commons. Contact our management company for copies and for questions re: these forms and the required use thereof.

VARIANCE REQUEST

A homeowner must request Board approval to make changes to the townhouse, patio and/or yard of something for which the Homeowners Association is responsible or which directly or indirectly differs from situations defined in the By Laws, Declarations or in policies established by the Board.

REQUEST TO HAVE MORE THAN ONE PET

The Declarations limit homeowners and residents to one pet, unless otherwise approved in writing by the Board of Directors. This is the form to apply for having an additional pet.

RENTING YOUR TOWNHOUSE

A form to notify our management company re: your renting and information about the lessees, which must be provided.

Special insurance provisions must be attached to and a part of all leases and rental agreement in Brittany Commons.

Contact our management company to obtain all rental related forms.

EMERGENCY AND IMPORTANT TELEPHONE NUMBERS

(noted to be in effect February 1, 2012)

Ambulance	911		
Fire	911		
Police	911		
Lift Line	224-8330		
Natural gas emergency or smell gas odor	RGE	800-743-1702	
Life threatening electrical emergency	RGE	800-743-1701	
Monroe County Water Authority		442-7200	
Emergencies after 4:30 pm		442-2009	
Poison Control Center	800-222-1222		

Town of Brighton:

Offices	784-5250
Highway Dept	784-5280
Sewer Dept	784-5282
Animal Control	784-5120

Realty Performance Group--management company for Brittany Commons: 225-7440

BRITTANY COMMONS HOMEOWNERS ASSOCIATION

Responsibilities Chart

ITEM

HOMEOWNER

ASSOCIATION

Landscaping

Lawns: front, side, rear	water	mow and maintain
Weed control	gardens and lawns in patio	lawns and front+side shrubs
Leaves - remove	as desired	yards, walkways, drives
Trees+shrubs not in patio	water	trim, maintain, replace
Trees + shrubs in patio	total responsibility	
Plantings by homeowner	total responsibility	

In Patio

Some patios have gates

No work when gate is locked

All plantings, soil, weed control	maintain, repair, replace	
Fence structure and exterior	gates and attachments	repair, replace original fence
Air conditioner and window well	clean, repair, replace	
Stones and pavers	maintain, repair, replace	
Steps to house door	maintain, repair, replace	
Deck and steps to door	maintain, repair, replace	
Electric outlet, faucet, dryer vent	maintain, repair, replace	

Snow removal + related

Street-Montpelier Circle only		plowed + salted by town
Plow driveways and 3 side streets		total responsibility
Shovel walkways + front porch		maintain per contract
Sidewalks around Montpelier Cir.		town decision is not plow
Damage due to ice damming	interior--see insurance section	exterior

Trash removal

Weekly service		contracted removal
Non standard item pickup	request service, pay any fee	schedule homeowners' requests

Driveways and parking areas

Driveways + side streets		seal, repair, replace
Walkways to front door		maintain
Sidewalks and curbs at street		jointly with town

Garage

Garage door opener	maintain, repair, replace	
Overhead garage door	maintain, repair	replaced as decided by Board
Cement slab floor	maintain, repair	
Cement block walls	maintain, repair, replace	common walls structure
All improvements and steps	maintain, repair, replace	

Doors

Hardware and doorbell	maintain, repair, replace	
Front door	maintain and paint per policy	replace as per Assn policy
Sliding or other door into patio	maintain, repair, replace	
Storm and screen doors	maintain, repair, replace	

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Utility wires, pipes, etc

Electric and gas lines	inward from meter	exterior to meter -- RGE
Electric + gas meters		RGE
Cable TV and satellite related	maintain, repair, replace	
Water lines	interior	exterior: Assn and/or MCWA

Basement

Cement floor slab	maintain, repair, replace	
Cement block walls	interior surface	exterior surface + structural
Water, electric, heating, cooling	maintain, repair, replace	
All improvements including walls	maintain, repair, replace	
Drains and sump pump	maintain, repair, replace	

Windows + skylights

Glass and Hardware	maintain, repair, replace	
Screens and storms	maintain, repair, replace	
Frames and caulking	interior	exterior

Lights-exterior

Porch, patio, garage outside	bulbs, repair all wiring	replace fixtures
Yard pole lamp		maintain, repair, replace

Mailboxes -- locks and keys contact Post Office

Townhouse-exterior related

Roof incl flashing + gutter related		maintain, repair, replace
Vents	inside house, including attic	on roof

Townhouse - interior related

Fireplace + related	maintain, repair, replace	
Improvements + personal property	maintain, repair, replace	
Drain pipes inside house	maintain, repair, replace	

Pest control + animals

Termites, carpenter bees/ants	interior	exterior
Other insects, rodents and birds	resolve or discuss w/Board	as decided by Board
Pets	total responsibility	enforce Association rules
Other animals	contact town animal control	no responsibility

Insurance

Personal property + contents	total responsibility	
Personal liability + umbrella	total responsibility	
Fire	any extra coverage desired	Assn coverage has deductible
Association's insurance deductible	total responsibility	