

**Bradford Place
Condominiums at Downing
Creek Owners' Association,
Inc.**

**Rules and Regulations
Handbook**

Last revised: August 19, 2018

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Introduction

The Bradford Place Condominiums at Downing Creek Owners' Association, Inc. is comprised of 39 townhome-style condominium units in 11 buildings on approximately five acres of land, located within the greater Downing Creek neighborhood. Our community is a diverse combination of owner-occupied homes, tenant-occupied rental units, professionals, students and families. A neighborhood such as ours requires cooperation among neighbors and consideration for the community as a whole. In order to assist residents in living together peacefully, the Bradford Place Condominiums at Downing Creek Owners' Association, Inc. Board of Directors has compiled this handbook.

This handbook contains Rules and Regulations which govern living in our community along with procedures residents should follow in the event of a problem. Rules and Regulations contained in this handbook are based on local town ordinances and our governing documents (Declaration/Covenants and Bylaws). These Rules and Regulations are not intended to replace the governing documents but to enhance them. These Rules and Regulations were adopted to further assist with the mandate of the Declaration to provide "for the efficient preservation of the values and amenities" in Bradford Place. Compliance with these Rules and Regulations is not voluntary. The Rules and Regulations will be periodically updated, with the most recent version found online at the Community Management company's website.

1.1 Authority Article V Section 5.13(d) of the Bylaws designates power and duty to the Board to adopt "rules and regulations covering the details of the operation, maintenance, repair, replacement, use and modification of the Common Elements."

1.2 Compliance All Unit Owners, their tenants and guests are expected to comply. Owners are responsible for ensuring that their tenants are aware of and comply with all Association governing documents and the community Rules and Regulations at all times.

1.3 Enforcement As specified in the Bylaws (Article V, Section 5.13(k), if an Owner of a unit fails or refuses to bring the matter in compliance within a reasonable time frame after written Notice of the necessity of the maintenance or repair has been delivered or mailed by the Board to said Owner, the Board shall levy a special assessment against such Owner. The written Notice will detail the maintenance or repair needs and expectations as well as the possible monetary penalty for failure or refusal to comply. Failure to comply can result in fines of up to \$100.00 per day, at the Association's discretion.

General Community Information

Bradford Place Condominiums at Downing Creek's Association Management Company - Community Focus of NC is each unit owner's first point of contact regarding association matters (including notification of non-compliance issues), dues payment, as well as reporting repair needs. Electronic copies of governing documents are available at our community's page here: <https://communityfocusnc.com/communities/bradford-place-condos/>

[Community Focus of NC](#)

P.O. Box 52395
Durham, NC 27717

Phone: 919-564-9134
Email: info@communityfocusnc.com
Web: Communityfocusnc.com

Board of Directors - Board of Directors are elected each fall at the Annual Meeting. The Board is comprised of up to 5 association members. Please refer to the Bradford Place community page at the Management Company's website for a current list of Board of Directors.

Downing Creek Community Association - Our community is part of the [Downing Creek Community Association](#) (DCCA) and a portion of the Bradford Place Condominiums at Downing Creek Owners' Association's monthly dues includes access to the DCCA amenities, such as walking trails, tennis courts and the pool. DCCA employs a separate community manager who assists with pool-related matters (including replacement key fobs). Questions and issues regarding DCCA amenities should be addressed to the DCCA community association manager via email to cam@downingcreek.org.

Other Contacts and Phone Numbers - Although we have Chapel Hill mailing addresses, our community is located within Durham City/County limits. Public services are provided through the [City of Durham](#).

Durham One Call is the central point of contact for information and services such as waste, recycling and water: phone (919) 560-1200 (see [website](#) for online form and download the app).

Durham Non-Emergency services, such as barking dogs, loud music, burglaries occurring hours or days earlier, vandalism to public or private property, can be reported to the non-emergency system via phone: 919-560-4600.

Emergency calls should be directed to 911.

Duke Energy: 800-POWERON (800.769.3766)
Street light outages in our community can be reported via the Duke Power web form: <https://www.duke-energy.com/customer-service/request-light-repair>

Frequently Asked Questions

Are we condominiums?

Yes. Although the building appearance is that of a townhome, the Bradford Place Condominiums at Downing Creek Owners' Association, Inc. is incorporated under the North Carolina Condominium Act.

How do I contact the Board?

The Board of Directors can be contacted through the community management company, Community Focus of NC, or via email to BradfordPlaceTownhomesHOA@gmail.com.

What if I have a question or issue with my account balance?

Contact the community management company, Community Focus of NC.

What do I need to do if I decide to sell my unit?

All inquiries, requests for documents/forms and association financial records can be directed to the community management company, Community Focus of NC.

"For Sale" or "For Lease" signs should not be placed on the community grounds at any time. A single sign may be placed inside the unit's front window instead. Please make certain your realtor or property management company is aware of the restriction on signs.

General Association Information

The Bradford Place Condominiums at Downing Creek Owners' Association, Inc. is a legal entity with the purpose to enhance and protect the value, desirability, and attractiveness of the community, including maintenance of the buildings and common areas as described in our governing documents.

Policies and procedures of the Association are set forth in the Declaration of Covenants, Articles of Incorporation, and Bylaws. The Board of Directors, relying upon these documents, makes rules and regulations and provides for the operation of the Association. Committees of homeowners and residents may be appointed by the Board of Directors to work with specific areas of concern. A management company is retained to provide the day to day administrative duties for the Association. The management company reports directly to the Board of Directors.

Legal Documents - Several legal documents provide for the existence of the Bradford Place Condominiums at Downing Creek Owners' Association, Inc., in addition to existing statutory provisions regulating administrative requirements of not-for-profit corporations. Amendments to these documents are voted on by the Membership. Current copies of these documents may be obtained from the management company, Community Focus of NC.

Membership - Membership in the Association is afforded to any person who is an Owner of a unit subject to an assessment by the Association. Membership is mandatory. The membership of the Association meets in October annually. Each Member receives advanced notification of this meeting along with voting materials.

Board of Directors - The Association is governed by a voluntary Board of Directors comprised of up to five Members for a term of one year. Board Members are elected each year at the Annual Meeting of Members. Meetings of the Board of Directors occurs on a regular basis. Members wishing to address the Board of Directors may do so prior to each meeting. Please contact the management company for a schedule of meetings.

Committees - Committees may be established by the Board of Directors to manage ongoing procedures and address specific issues. Please contact the Board if interested in forming or joining a Committee.

Management Company - The Board of Directors has selected a community association management company to perform the day to day administrative operation of the Association. The Management Company carries out the decisions of the Board of Directors. In addition to other duties, the Management Company collects the monthly assessments, pays Association bills, oversees contractors used by the Association, and facilitates correspondence with Members. All suggestions, comments, complaints, or other business of the Association should be communicated directly to the Management Company. As necessary and appropriate, communication is made to individual homeowners, the Board of Directors, the Membership at large, contractors, etc.

If for some reason a homeowner is dissatisfied with any action of the Management Company, the homeowner should express his or her concerns to the Board of Directors.

Monthly Assessments

As provided by the legal documents, assessments are collected in the following manner:

Due Date - Monthly assessments are due on the first of each month and considered late after 30 days, at which time a late fee can be assessed. Assessments that exceed 60-days overdue are subject to litigation. A judgment may be sought against the owner. In addition, a negative credit report may be issued. The past due amount can become a lien against the homeowner's property and may result in foreclosure action.

Form of Payment - Various forms of payment are accepted and all can be arranged through the community management company, Community Focus of NC. Find payment options at their website here: <https://communityfocusnc.com/owner-resources/>

Use or Alteration of Premises and General Appearance

Common Areas - The community's Common Elements are fully described in Article V of the Declaration and Covenants. In general, Common Elements are the land, landscaped areas, surfaced parking areas, paved access roads, curbs and sidewalks, as well as various structural elements of each building. A Guideline for Maintenance and Service Responsibility document, delineating Owner and Association maintenance responsibility by area, is available through the community management company website here: <https://communityfocusnc.com/wp-content/uploads/2017/12/Bradford-Place-Condo-Assoc-Maint-Responsibilities-List.pdf>

The use or alternation of Common Elements are limited under Article VIII of the Declaration and Covenants. As stated in that section, "Except as provided in this Declaration and the rules and regulations adopted by the Board, nothing shall be altered or constructed or removed from any Common Element or Limited Common Element without the prior written consent of the Board. The Common Elements shall not be used for the storage of personal property of any kind. Sidewalks, yards and parking areas shall not be obstructed in any way or used for other than intended purposes. In general, no activity shall be carried on nor conditions maintained by any Owner either in his Unit or upon the Common Elements which detracts from the appearance of the Property." In short, **Owners should not make any alteration to these areas without prior approval of the Association.** Alterations include, but are not limited to, storm doors, personal property, plantings or planters, garden hoses, signs, flags, security devices, decorative objects, furniture, bird feeders, storage containers, sports equipment, bicycles, etc. placed on the grounds or attached to the exterior of any building. The Association does allow one small security sign to be placed in the planting bed at the front of each unit, without prior approval.

Approval for alterations to the Common Elements can be requested through an Application for Architectural Review. The form can be downloaded from the community management company website here: <https://www.communityfocusnc.com/wp-content/uploads/2009/09/Community-Focus-Application-for-Architectural-Review.pdf>

With respect to Use of Premises, business ventures involving clients or customers entering the premises are disallowed. Yard sales are not permitted. Loud music or noise is not allowed, as well as any obnoxious, offensive or unlawful activity. Offended neighbors should use discretion to contact the member involved or call Durham Police Non-Emergency at (919) 560-4600.

Large gatherings (of 8 or more persons) in the common areas are prohibited, unless previously approved by Association. Children playing in the common areas should be under adult supervision at all times. For safety reasons, children should be discouraged from playing in the parking area.

Trash Collection and Recycling

Rollout garbage and recycling containers are provided by the City of Durham through Residential and Curbside services: <https://durhamnc.gov/852/Residential-and-Curbside-Services>. The pick-up schedule, information about replacement bins and additional Solid Waste Management services can be found at the city's website.

Except at holidays and during weather events, trash pick-up is weekly on Tuesdays and recycling pick up is *every other* Tuesday. Trash and recycling containers should be placed on sidewalks (not grassed areas) the evening prior to pick-up and must returned to the side or rear of the unit the evening of pick-up. Each trash and recycling container should be clearly marked with the unit number, for Owner identification purposes.

Please dispose of your waste correctly and responsibly. All trash must fit inside the container. Large boxes should be broken down and placed inside recycling bins. If your recycling needs exceed the biweekly pick-up schedule, recyclable materials can be dropped off at the 24-hour Drop Off Recycling Site in Meadowmont, located behind Harris Teeter: http://www.orangecountync.gov/departments/solid_waste_management/24_hour_drop-off_sites.php.

Bulky Items and Yard Waste services are not available to our community. Residents who dump their household waste improperly are subject to fines as assessed by the Association, as well as any expenses incurred by the Association to cover the cost of hauling waste items to the appropriate facility. Please do your part to keep our neighborhood clean!

Parking and Towing

The Association maintains the private parking area for use of Owners and their guests. Parking spaces are unassigned and are available on a first-come, first-serve basis. Parking is restricted to marked spaces and any vehicle must be parked wholly within the confines of a single parking space at all times. At no time should any vehicle be parked adjacent to curbs, on sidewalks, on lawns, in front of mail boxes, blocking fire hydrants, or where the vehicle obstructs entry to or exit from the community. It's important to maintain unimpeded access at all times, but especially to first responders in the event of an emergency.

Trailers, boats, campers and other recreational-type vehicles are not allowed to be stored in the parking area at any time. Mobile storage pods or temporary construction trash bins are not allowed to be placed in the parking area without prior approval from the Board of Directors.

Contact the community management company, Community Focus of NC, to seek approval for any temporary storage pods or large trash bins.

Automotive repair and maintenance (such as car washing) is not allowed in the parking area (or anywhere on the property) at any time.

Abandoned or unauthorized vehicles are subject to removal or towing at the owner's expense. Section 8.5 of the Declarations and Covenant provide specific fines for violation of these parking restrictions.

Leased Units

Owners may choose to lease their units. Under the community's governing documents, leases of less than six months are prohibited. Short term rentals (such as VRBO and AirBNB) are not allowed and may subject the Owner to fines by the Association, in addition to any cancellation fees imposed by short term rental services. Timeshares of Units are prohibited as well.

Section 8.6 of the Declaration and Covenants states, "Any lease of a Unit or portion thereof shall be in writing and shall provide that the terms of the lease shall be subject in all respects to the Condominium Documents and that the failure by the lessee to comply with all of the terms of such Condominium Documents shall constitute a default under the lease."

Owners are responsible for ensuring that their tenants are aware of and comply with all Association governing documents and the community Rules and Regulations. Fines can be assessed to Owners when their tenants fail or refuse to comply.

Pets

In order to provide a harmonious neighborhood, pet owners are expected to exercise responsibility for their pets at all times. All laws, ordinances, rules and regulations pertaining to dogs, cats, and other domestic animals adopted by local officials are hereby adopted as rules and regulations of the Bradford Place Condominiums at Downing Creek Owners' Association, Inc. Exotic animals and livestock are prohibited within our community.

Both Durham County and the greater Downing Creek Community Association require that all pets must be on leashes and under control of their owner when outside any unit. Pets should not be left unattended in the common areas or while on decks or patios. This includes the tethering of pets to posts, railings, etc. Unattended animals can create a disturbance or can threaten or intimidate those in the immediate area.

If any resident sees a pet off leash in our community, that resident can report the violation to the Community Management Company. Fines may be assessed by the Association against the Unit owner for failure to keep the pet on a leash and under the pet owner's control or is left unattended, in addition to any fines assessed by local enforcement agencies.

Pet owners are responsible for cleaning up after their pet. Free dog waste bags and disposal containers are provided by the greater Downing Creek Community Association at two locations within 500 feet of our community. Dog owners who do not clean up after their dog are subject to fines under the Durham Canine Waste Removal Ordinance: <http://www.dconc.gov/environment/canine-waste-ordinance>

Satellite Dishes, Antennas and Solar Panels

No exterior antenna or satellite dish (including wiring), or solar panel may be attached to the roof or exterior of any building or unit, or placed on the grounds, without prior written consent of the Association. The Association may permit a satellite dish attached to a deck when requesting consent.

Any antenna or satellite dish installed without Association consent may cause the Unit Owner to incur expenses for removal (including wiring), in accordance with Section 8.14 of the Declaration and Covenants.

Decks, Patios and Porches

Each Unit Owner is responsible for maintenance and repair of decks and patios. Any alterations, construction, or painting/staining of decks and patios require approval by the Association via Architectural Review. If a unit owner is re-staining a deck and using a currently approved stain, Architectural Review is not required. Currently approved stain is Olympic Elite Advanced Woodland Oil Stain in colors Chocolate, Redwood and Natural.

Decks, patios and front entrance ways and stoops should be kept clean, neat and orderly. Items such as drying racks, clotheslines, and hanging towels or banners over railings are prohibited. Indoor-outdoor carpeting, hot tubs or other pools are not allowed on any deck or patio. Dead plants should be removed.

Storage of personal property under decks is not allowed (so that crawl space access is not impeded).

According to 2012 North Carolina Fire Code: Chapter 3; Section 308.1.4. Open flame and grilling of any sort is prohibited on all decks, porches, and balconies. All grilling must be at a distance of greater than 10 feet from any deck or building. Open flame and grilling of any sort is prohibited on all decks, porches, and balconies. 5.3.2 Electric grills are allowed because there is no flame. Public charcoal grills are available for community use at DCCA pool and playground area.