

Farrington Tonwhomes HOA - Rules and Regulations

Farrington at Five Oaks Rules and Regulations as codified by the 2011-2012 board of directors per recorded minutes. (*“Decking” Amended Nov 2018*)

Parking

1. Vehicles must be parked completely in the parking pad/driveway.
2. Parking is prohibited at any time on Beechnut Drive and on the driveway access area to 4201 - 4205 Five Oaks Drive. Violations may be reported to the management company by Farrington homeowners, renters of any property located in Farrington and the management company. If homeowners or their guests are in violation of this regulation the following warnings and fines will be issued:
 - A. 1st violation - the homeowner will receive a written notice of the violation by letter or email by the management company.
 - B. 2nd violation - the homeowner will receive a \$100.00 fine.
 - C. 3rd violation - the vehicle will be towed expenses to be paid by the homeowner or owner of the car.
3. Visitors must park on the owners/renters parking pad/driveway or must park on Pine Cone Drive or Five Oaks Drive.
4. Parking on lawns or common area is prohibited.
5. No trailer, camper, boat or mobile home is permitted to be placed on any Farrington at Five Oaks property at any time, either temporarily or permanently. Space may be rented on the FORA Clubhouse grounds for a minimal fee.

Decking

1. Fire and grilling of any sort is prohibited on all decks.
2. Fire wood must be stored at a distance greater than five feet from any deck or building To prevent termite and wood destroying insect infestation.
3. Altering of deck is prohibited without submitting an architectural request to the board of directors that includes a written description of the alterations, drawings and materials to be used.
4. Deck railings are to be painted “Farrington brown” as approved by the board of directors or clear coated. Any other color of stain must be approved by the board of directors.
5. Decking may be clear coated. Any other color of stain by a unit owner must be approved by the board of directors.
5. Decks and all related components are the sole responsibility of the owner to maintain, repair and replace as needed. Any alteration in size, style, design or color is subject to approval in writing by the HOA.
6. In the event that damage to the HOA-maintained areas of the building has been caused By certain unforeseeable aspects of the original deck installation, the HOA may assist the owner with up to 50% of the related repairs. See “Decking Update 2018” below.

Sidewalks

1. Sidewalks are to be maintained by the home owner's association.
2. Owners may not alter concrete sidewalks without board of director's approval.

Windows, Doors and Satellite Dishes

1. Exterior front doors are to be "Farrington brown" as approved by the board of Directors. All front doors are to uniform in size, design, style and color.
2. Storm doors are to be full glass doors and are to be dark brown in color. Owners must acquire board approval prior to installing storm doors.
3. All alterations to windows/sliding doors must be approved by the board of directors by submitting an architectural request that includes written description of request, type of window/sliding glass door, and photographs of above items.
4. The installation of new skylights or solar tubes are prohibited.
5. Towels, sheets, clothing, rugs, posters, art and blankets are not to be hung from windows or to be used as window covering.

Roofing and Gutters

1. Gutters installed at owner's expense are to be the "Farrington brown" when installed on the trim and the color of the siding when installed on the building structure.
2. Roofing and venting shall be maintained by the home owners' association.
3. Electronic attic ventilation fans are prohibited.
4. 18" satellite dishes may be mounted at the back of townhouses only. If dish company recommends other placement, the placements must be approved by the board of directors. Dishes may not be located in the common area. Unit owners are responsible For damage caused by their satellite dishes.

Lighting

1. The repair and general upkeep of the outdoor lighting fixtures are the sole responsibility of the owner of the townhouse. Lighting fixtures must be uniform in style and design. Light fixtures must be approved by the board of directors if altered from the original fixtures by submitting an architectural request to include written description of request and photographs of lighting fixture/s.

Plantings, Landscaping, Trash cans, Recycle cats, Grounds and Fencing

1. All rubbish, recycling and other trash must be regularly removed from your property. Before putting out any large items, such as mattresses and furniture, you must call the City of Durham to arrange a specific day for pickup. The Association will bill you for if items remain at curbside longer than 24-36 hours. Trash and recycling containers

MUST be returned from the curb to a screened area within 24 hours. Please check with the City to determine your schedule for pickup. **City of Durham Solid Waste Management Information - 560-4185.**

2. **Outbuildings, decks, patios, walls and fences** of any type may not be erected and any structural changes to existing townhomes are not permitted without board approval. All proposed changes must be presented in an architectural request to include a written description of the proposal, a detailed plan and materials to be used.
3. **Grounds maintenance:** the Association each year enters into an agreement with a selected landscaping firm to maintain the front grounds of all townhomes. Patio areas are the responsibility of the homeowner. The Association through its landscape contractor provides **grass cutting and seeding** for the patio area. Details concerning the current contract can be obtained from our management company.
4. Landscaping may not be changed unless approved by the board of directors in the front grounds of all townhomes. Changes to landscape may be submitted by an architectural request to include a written description of the proposal, a detailed plan map that provides types of plantings and well as any structures and materials.
5. Planting on the common area is prohibited.
6. The storage of personal belongings on common area is prohibited.
7. Children's toys and play objects must be stored out of sight.

Sump Pumps

1. Sump pump outlets shall be placed to ensure that water removed from any one unit is not likely to harm other units or common property.
2. Disputes regarding sump pump drains will be resolved by the board of directors.

Pets

1. Please remember there is a leash law in effect in the City of Durham. Dogs are to be leashed at all times.
2. Dog waste is to be cleaned up immediately and bagged in a plastic bag and disposed of in a trash can.
3. All pets shall be properly tagged and licensed as required by Durham County.
4. Please be courteous to your neighbors, dogs left unattended in patio areas frequently bark when left alone. Be sure your pet does not do this; their barking can be very disturbing to neighbors. You will be subject to a written warning and fines if this is a repetitive problem with your pet.
5. Household pets including dogs, cats, birds, fish, hamsters and gerbils are permitted.
6. Livestock is prohibited.
7. Commercial animal activities are prohibited.

Real Estate and Other Signs

1. No advertising signs (with the exception of real estate signs) are permitted at any time on any Farrington at Five Oaks property.
2. One real estate sign and informational box is allowed per unit.
3. The board of directors reserves the right to remove any sign.
4. Disputes or questions regarding signs shall be resolved at the board of director's discretion.

Mailbox Kiosks

1. Mailbox keys and locks are the responsibility of the individual homeowners.
2. Signs, notices or announcements are not allowed to be placed on the mailbox kiosks. The kiosks are the property of the United States Postal Services.

Building Structures

1. Repair and general upkeep of the following are the sole responsibility of the owner of The townhouse: patio or deck, screens and screen doors, windows, glass doors, Exterior doors and window fixtures, outdoor yard lighting fixtures, and other hardware.
2. The board of directors and our approved management company will take care of proper maintenance and upkeep of the following: common areas and facilities, recreation and parking areas and sidewalks, and all townhouse exteriors and roofs.

Financial Matters

1. Fees for any returned checks made payable to the Association will be charged to the resident issuing the check.
2. Any legal fees necessitated to recover delinquent accounts or violations of rules and regulations will be assessed to the resident.
3. A late fee is assessed for any dues payment over 30 days past due.
4. Homeowners in the process of selling their property are required to inform their Real estate agent and the buyer that there are two (2) assessments: Farrington Town Home Association, Inc. has a monthly fee and the Five Oaks Recreation Association (FOR A) has a monthly assessment. Property owners are responsible For regular payment of both of these amounts.

Decking Update November 2018:

At the Farrington Townhomes Association Inc Annual Meeting, on November 26, 2018, the newly elected board discussed concerns related to deck repairs. While decks are clearly required to be maintained by the individual owner in the associations governing documents, the areas where decks attached to the units provide some unclear maintenance responsibilities. This newly adopted policy is intended to address the ongoing issues related to these areas. After much consideration, the Farrington Townhomes Association Inc Board of Directors has adopted the following policy regarding deck repairs:

Damage Policy Regarding Decks 2018:

In any instance where damage to the siding, trim and adjacent areas that are typically required to be maintained by the HOA are revealed during a decking project, the HOA will review the damage and determine whether the cause of the damage is related to the attached decking components or caused by other circumstances.

If the damage found to HOA maintained areas is fully caused by unforeseen decking issues (such as a lack of flashing on the original deck) that the owner could not have otherwise prevented, the HOA will pay for 50% of the repair costs for the damage to the areas of the building where the deck was attached. Any costs related to the repairs to deck, decking boards or any other deck component as part of the effort to repair the building would be solely on the owner. The HOA will not cover the cost of replacing decking boards that are not able to be recovered after removal to provide access to the areas where the deck meets the building.

Farrington Townhomes HOA, Inc

Board of Directors – 2018-19

Fine Policy

Resolved (Date to be determined) Farrington Townhome Association Fine System

Process

- Rules violations will be identified per community rules posted at Farrington at Five Oaks Community web site.
- Violated rules will be documented via photography, video or written description and may be noted by community manager, board member or any community owners.
- Owners of units found to be in violation of rules will be notified of the violation in writing and will be granted an opportunity to remedy the complaint issue within a specified time period. In the event of a non-compliant issue that requires action by the homeowner, the homeowner must take one of the following actions for the violations:
 - Either correct the violation willfully, or;
 - Submit a written letter explaining their intention to appeal the violation within the specified time period allowed. Attend the NEXT scheduled Farrington HOA board meeting to appeal the violation in person, or;
 - Provide a detailed plan with benchmarks for violation remediation
- Owners who take no action when notified of a rules violation shall incur a fine of **\$25 per day unless otherwise specified in the above rules and regulations until the violation is corrected.**
- The board of directors shall be the sole judge as to whether a unit is in compliance.
- Owners who fail to pay incurred fines will have a lien placed against their unit.
- Owners who have outstanding fine balances or liens placed on their units stemming from rules violation shall be denied voting status within the association.
- All notices, correspondence, corresponding meeting minutes regarding a rules violation shall be placed in a units achieve file.
- The community boards of directors shall have sole discretion on a case by case basis as to how fines, fine waiver and remediation benchmarks shall be processed.
 - Board decisions shall carry by simple majority.
 - Community members shall have unlimited appeal and meeting remedy at appropriate times with appropriate notice.