

Rules and Regulations of 1000 East Homeowners Association

Revised: August 29, 2023

TRASH DISPOSITION –As of this writing, trash and recycling collection is each Monday morning at approximately 8:00 AM. Trash and recycling materials must be placed in appropriate containers and left on the passenger side of the roads either at the intersection of the unit driveway and the road, or across the street

Trash and recycling containers may not be put out for collection before 6:00 AM the day of collection. This is a necessary precaution to prevent animals from getting into trash containers during the night.

Trash and recycling containers must be removed from the roadway and returned to the owner's property no later than 24 hours after pickup.

It is the responsibility of each homeowner to be aware of holiday schedules for trash and recycling collection.

Bins, schedules and information about preparation may be obtained by calling Solid Waste at 505-955-2207 or on the city website at:

<https://santafenm.gov/public-utilities/trash-and-recycling/residential-collection>

USE OF UNIT - Units are to be used and occupied solely as single family residences. All Owners and Tenants of 1000 East Hyde Park Rd. are expected to abide by all Rules and Regulations as published.

RENTAL - Rentals must comply with the following HOA Rental Policy revised June 30, 2023.

Rentals of units must be registered with the 1000 East Homeowners Association's Property Manager. Rental Registrations Forms must be submitted by email no less than 24 hours prior to renting to: simonks@aol.com

Definitions:

Long Term Rentals - LTRs are for a term greater than 30 days

Short Term Rentals - STRs are for a term less than 30 days

Rental registration must be accompanied by a \$1,000 rental deposit before rental can commence. These should be mailed to:

1000 East Homeowners Association

890 Camino de Jemez Santa Fe, NM 87501

The security deposit for LTRs will be refunded at the end of the rental term less any unpaid violations of the HOA's Rules and Regulations. The security deposit for STRs will be refunded, less any unpaid violations of the HOA's Rules and Regulations, at the termination of the required city STR Permit or when the owner states the permit is no longer going to be used or the unit is sold.

LTR Rules: LTRs must comply with the following:

- a) the above Rental Registration procedure
- b) a signed acknowledgment by the renter of receipt of the 1000 East Condominium Association Rules and Regulations and
- c) notification to the homeowners within 200 feet when a unit is rented.

Failure to follow the Rental Registration procedure will result in an assessment of \$500 per violation.

Fines for violating the LTR Rules b) and c) above will be as follows: 1st Violation \$1,000; 2nd Violation \$3,000; 3rd and subsequent Violations \$5,000.00.

STR Rules: STRs must comply with the following:

- a) comply with the above Rental Registration procedure
- b) obtain a City of Santa Fe Short Term Rental Permit
- c) comply with the City of Santa Fe's Short Term Rental Ordinance
- d) comply with all City ordinances

e) notify the HOA and homeowners within 200 feet when a Permit is issued or renewed

f) notify the HOA and homeowners within 200 feet if the required "local operator" changes

Enforcement: Failure to follow the Rental Registration procedure will result in an assessment of \$500 per violation. Fines for violating the STR Rules b) through f) above will be as follows: 1st Violation \$1,000; 2nd Violation \$3,000; 3rd and subsequent Violations \$5,000.00.

STRs without a City Permit are illegal rentals and they will be reported to the City of Santa Fe. The HOA fines will be in addition to the City of Santa Fe fines.

Notice of the above violations will be provided in writing to the property owner as soon as possible after the violation has been reported. The property owner will be given an opportunity to offer an explanation to the Board before penalties are imposed and if acceptable, the Board may grant an exception to the penalty. Penalties not paid within 30 days of billing will be subject to a late fee of \$100 per month for each month that the penalties are not paid. Unpaid assessments, interest and late fees will be enforced through the imposition of a lien on the property that was rented in violation of the Rental Policy.

COMMON AREAS - There shall be no alteration to or obstruction of any common areas without prior consent from the Board.

VEHICLES/ PARKING: Our narrow roads cannot be blocked by any vehicles such as delivery trucks, construction vehicles, moving trucks or passenger cars because we need to maintain access for emergency vehicles at all times and for the convenience of our homeowners. Parking, storage and/or servicing of commercial and recreational vehicles is prohibited. This includes campers, boats, trucks, disabled vehicles and heavy equipment. Parking is permitted only in unit garages or driveways and in common parking areas. Parking along the roadside is prohibited throughout the community. When hosting large gatherings please

make arrangements for guests to park in the common parking areas, neighbors' driveways (with their consent) or on Hyde Park Road.

Vehicles parked along the roadside or in another unit's driveway without permission, will be towed. Any vehicle that is towed will be towed at the vehicle owner's expense and at no liability to the Association.

GARAGE/STORAGE ROOM DOORS - These doors should remain closed when not being used for entry/exit.

HOUSEHOLD PETS - Dogs must be on a leash or restricted to a fenced-in area when outside at all times. Owners are expected to clean up any waste left by their pets.

A warning will be issued by the Board of Directors for any violation of these rules. Subsequent violations will incur a \$75.00 fine for each violation.

The Association reserves the right to report non-compliance issues regarding the dog and Owner to the City of Santa Fe Animal Control office.

LIGHTING- Outdoor lighting along the main HOA roads is maintained by the Association and is necessary for safety and visibility. Owners are supplied with rolls of brightly colored tape to "tag" any lights that are out. This tape will be available at the annual meeting. The landscapers will then replace bulbs or fixtures on a weekly basis. The lights along each unit's driveway and those surrounding the house or in the patios are the responsibility of the owner.

ADDITIONS AND IMPROVEMENTS.

1. ***ALL proposed changes to the exterior of any structure and/or the Limited***

Common Area of a Unit must be submitted to the Architectural Committee in writing prior to the commencement of any work. This includes, but is not limited to changes in walls, fences, roofs, stucco, exterior doors on patios or courtyards, the addition or replacement of air conditioning units, solar panels or any other equipment outside the structure. All requests should be submitted to the Chairperson of the Architectural Committee.

2. Unit owners are not permitted to make any changes to the Common Elements of the Association or to make changes within the Limited Common Elements that extend into or encroach upon the Common Elements. Any questions relating to boundaries between Common Elements and Limited Common Elements will be determined by reference to the plats of the community in the possession of the HOA president.

3. All requests for approval of a change that involves a structure or equipment must include:

- a) a photo of the area where the proposed change will occur,
- b) a sketch of the proposed change including accurate dimensions of the proposed change, and
- c) if the change involves a structure on a roof, an accurate indication of the relative position of the change vis-a-vis the parapets.

4. Any proposed change to an exterior color, e.g. stucco, trim, garage door, courtyard gate, roof must be submitted to the Committee, even if the proposed color is one of the Association's approved colors. Any approved color will be automatically accepted but a written request is still required so that a complete record can be maintained. If a color other than an approved color is proposed, a 12"x 12" color sample must be submitted with the request. A list of approved colors and small samples of all approved colors are available from the Committee Chairperson. Any roof replacements or repairs must be a tan color as per the vote of the membership at the annual meeting on Aug 14, 2023.

5. The Committee will always contact any neighbors who may be able to see or be affected by the proposed change. All contacts will be via e-mail so that a written record can be preserved. If the Association does not have a current e-mail address for a homeowner, that homeowner will not be contacted. The Committee will generally request a response within 5-7 days so as not to delay a project unduly. If no response is received in that timeframe, a second request will be sent to affected neighbors with a final date for response. Failure to respond in that timeframe will be deemed to be consent to the project.

6. While the input of neighbors will always be considered, it is not controlling. It is the role of the Architectural Committee to consider all input and to reach a conclusion that it believes to be in the best interests of all members of the community. All decisions of the Architectural Committee are final.

7. The Committee's decisions will also, of necessity, take into account local codes, ordinances, utility regulations, and other legal requirements. And in view of recent concerns raised by insurance companies, fire hazards and fire prevention will also be given consideration.

8. The Committee is not always in a position to be aware of the commencement of unapproved projects. Anyone seeing such a project should either suggest to the homeowner that they submit a proposal before proceeding further or contact the Committee directly. Waiting until a project is completed to raise objections only increases the problems created and the potential expense incurred to rectify the situation.

9. Since the Committee attempts to have complete documentation of all projects in the event that questions arise in the future. ALL communications concerning a proposal presented to the Committee must be in writing. Any meetings between Committee members and homeowners will be summarized in a written document that is sent to all participants for review.

10. Since Article IV, S4.3, of the Declaration requires that the Association maintain, for a minimum of 5 years, a complete written record of all applications, approvals and disapprovals, ALL communications concerning a proposal presented to the Committee must be in writing. Any meetings between Committee members and homeowners will be summarized in a written document that is sent to all participants for review. Even though records are required to be maintained for a minimum of 5 years, it has been the Committee's practice to maintain records indefinitely so that a complete history is available to owners and the Association.

11. A penalty of \$1,000 will be assessed by the Homeowners Association for failure to request prior permission for a change covered by the architectural guidelines. Violations must be remediated within 30 days of notification by the Architectural Committee. Failure to bring a unit into compliance if an unapproved change has been made will be subject to an escalating penalty. If the mediation is not completed within 30 days, an additional penalty of \$300 will be assessed by the Board for each 30-day period that the unit remains out of compliance.