

Brookview Homeowners Association

Handbook of Essential Information

Policies and Procedures

Rules and Regulations

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Introduction

Living in a Town home community is very different from living in a private home on your own piece of property. Because everything aside from your Town home and your deck is considered a Common Area which is maintained by the homeowners Association, we have Rules and Regulations that ensure that our property maintains its value and its aesthetic uniformity and attractiveness, and that also ensure that all owners can live harmoniously with their neighbors and enjoy their homes. Most of these Rules and Regulations are found in the **Red Book or Offering Plan**, the legal document that each homeowner should have received upon closing.

All Town home Communities such as ours have similar Rules and Regulations. Some of the rules have to do with Safety and Ecology issues and are mandated by the Town of Greece. Others have to do with aesthetics and maintaining the uniform quality that characterizes all of Brookview. Still others have to do with being a “Good and Considerate Neighbor.”

Town home living is different from living in a private home in one major way. Any time you want to make a change that will have an impact on the exterior of your Town home, a neighbor’s Town home, or the Common Areas; **you must seek the approval of the Board of Directors of the Homeowners Association**. This can be done by filling out a **Variance Request Form** and sending it to our Property Management Company who will present your request to the board.

This booklet is designed to make clear to you what your responsibilities are as a homeowner. It is also designed to answer most of your questions, and to provide you with most of the important that you will need. It is **not a substitute for the Red Book (Offering Plan)**.

We urge you to read this booklet carefully. If you still have questions after that, please contact our Management Company, or a member of the board.

Frequently Asked Questions

1. What is the homeowner Association?

The Homeowners Association is made of all the homeowners in Brookview. When you purchased in Brookview, you **automatically** became a member of the Homeowners Association and agreed to follow all the Rules and Regulations of the community.

2. Who directs the Homeowners Association?

Each year, at the Annual Meeting in March, the homeowners elect members to the Board of Directors. There are five members on the Board of Directors. One year two members are elected and the next year three members are elected. The members of the Board are homeowners, like you, who volunteer their time. **They do not get paid for serving on the board.** Each Board Member serves a two year term.

3. What does the Board of Directors do?

It is the board's job to oversee the management of the Common Area and exterior maintenance of the town homes and to see that the Rules and Regulations are followed. The Board meets monthly to discuss issues that affect the homeowners. Minutes of the meetings are sent to all homeowners. **We urge you to read the minutes carefully since they contain important information.**

4. What are the common Areas?

When you purchased your town home, you actually purchased only the structure and the ground **underneath** it. You should have received this information at your closing. The information is available from the Greece Assessor's Office, Everything **from your home outward was legally conveyed to the homeowners Association by the Developer (See Red Book, pages 2, 4, and 16 paragraph 2) and is considered a Common Area which the Board of Directors is responsible for maintaining.**

5. I understand I have to pay a maintenance fee each month. What does that cover?

Your Red Book contains a list on Page 3 of what your monthly maintenance fee covers. Basically it covers the following:

- a. Most exterior maintenance of the town home. (See page 3 for specifics)
- b. Refuse Collection
- c. Fire and Casualty Insurance covering the townhouses, Association property, and liability insurance for the Association. (You will need insurance for the interior of your unit.)
- d. Reserve funds for future repairs
- e. Maintenance including repair and replacement of the common areas, driveways, landscaping, etc.
- f. Snow removal for driveways.

6. How and where do I pay my monthly maintenance fee?

You should have received a coupon book for your monthly payments. Please note that you will have to pay late charges equal to 10% of your monthly payment if you are paying after the middle of the month. (Red Book, p.67)

7. You've mentioned Rules and Regulations, where do these come from?

The Rules and Regulations come from the sources below.

- a. The Town of Greece
- b. The Declaration of Covenants, Conditions and Restrictions found in the Red Book provided by the developer.
- c. The Board, as necessary.

8. What are my responsibilities regarding the Rules and Regulations?

It is your responsibility to become familiar with the rules, regulations, policies and procedures of the Brookview Community. We are trying to make that easier for you by providing you with this booklet. You must also see to it that your visitors, guests and renters understand and follow the rules and regulations.

9. What happens if I violate any of the Rules and Regulations?

As we have mentioned before, the Rules are for everyone's benefit. We hope that you won't violate any of them. However, if you do, you will receive a written notice making you aware of the violation. You will be given a reasonable time to make corrections before being fined. If the violation continues, other Action may have to be taken. (Red Book, p.107, sect.E)

10. What if I notice someone else violating the Rules?

You can take your information to the Management Company who will bring it to the board. Please provide a specific description of the incident or problem, including: the location, time and date of the incident; the name and address of the person involved; and the license plate number or a description of any vehicle involved.

General Information

Monthly Assessments

Monthly assessment payments for Brookview town homes are due on the **first day** of each month (See Red Book, page 67). A late charge of 10% is incurred for any assessment received after the **10th** of the month and there is a \$25.00 charge for any check returned by your bank for insufficient funds or for any other reason. Assessment payment coupons to facilitate your monthly payments are provided before the beginning of the fiscal year. Our fiscal year runs from January through December.

All checks should be made out to Brookview Homeowners Association. Please make sure to note your address on your check. All assessment coupons must be sent to our Management Company at the address below:

**Realty Performance Group, Inc.
1800 Hudson Avenue, Suite 100
Rochester, New York 14617
225-7440**

Maintenance Service

In accordance with the Association's governing documents, the Association is responsible for the maintenance and repairs to the common areas of the property, including the grounds, and the driveways and parking areas as well as the exterior surfaces of the buildings (except windows, window panes, skylights, doors, garage doors, decks stoops and walks) unless necessitated by the negligence of the homeowner. Please review the Maintenance Responsibility Chart located in Appendix A of this booklet for more detailed information on Association and Homeowner maintenance responsibilities.

Requests for maintenance that is responsibility of the Association should be called into the management company's office during regular working hours (Monday through Friday, 8AM-5PM, except holidays) at 225-7440. If you are unable to call during business hours, you may leave a voice mail message.

Emergency Service

If an emergency situation should arise during non-office hours, please call the Management Company number (225-7440) and dial "0" at the prompt. The answering service operator will take your name and address, your telephone number and the nature of the emergency. Maintenance personnel from the management company will then be contacted to correct the problem. **Any major disturbance or incident necessitating the police or fire department should first be called into the 911 emergency network then, if appropriate, to the Management Company's emergency answering service.**

Insurance

The Association's master insurance policy covers property losses for the structure of the homes and liability coverage for the common areas. If you wish to review the policy itself, please contact the Management Company's office. They will send you a copy which you may purchase for the coping price. The current insurance policy is through:

**Key Insurance & Benefits Service
777 Canal View Boulevard, Suite100
Rochester, New York 14623**

If you need a certificate of insurance (For instance, for re-financing purposes), please contact Key Insurance & Benefits Service directly (Phone Number 546-3747).

It is vital for you to take out and maintain a separate insurance policy (Form HO-6, All Risk) for the contents of your home and to provide liability coverage for the interior of your unit. You should also purchase improvements and betterments coverage to the extent that your home has upgrades or improvements that were not originally offered by the original sponsor of Brookview. The Association is not responsible for this type of coverage. If you incur a loss in your home that is totally confined to the interior, you should submit a claim to your own insurance carrier. If the claim involves a loss on the outside of your home, please contact the Management Company which will file any such claim.

Rubbish Removal

Rubbish removal is provided by Suburban Disposal Service. Please call them directly (Phone Number 352-3900) if you have large or unusual items to be picked up, or if you have questions or complaints.

Please be aware of the following:

1. **Pick-up day is Tuesday.** Place your Blue Boxes **at the curb** on Monday evening for early morning pick up.
2. **Trash cans may be placed** either at the curb or near the house on Monday evening.
3. All Blue Boxes and trash cans must be picked up and returned to your home by Tuesday evening.
4. All Blue Boxes and trash cans (both cans and lids) must be labeled with your house number in permanent marker to prevent their getting lost in heavy winds or snow.
5. All trash must be placed in tightly lidded containers to prevent animals from getting at it or to prevent it from being blown around.
6. The following materials may be placed in the Blue Boxes: Newspapers (in paper bags only), flattened boxes, cans, bottles (no broken glass) corrugated cardboard (bundled and tied), cardboard rolls, and plastics # 1 and 2. Pizza boxes and Styrofoam are not recyclable.

Snow Removal

Snow removable service is provided by the association for driveways, TURNAROUNDS AND GUEST PARKING AREAS. The shoveling of sidewalks is the homeowner's responsibility. If you wish to make private arrangements to have your sidewalk shoveled, you may do so through our snow removal company by Realty Performance Group and making the necessary arrangements through them.

Running Brook Lane is a "dedicated" street which means that the Town of Greece is responsible for plowing the road and the common sidewalks.

Town of Greece Ordinances

All Town of Greece Ordinances apply in Brookview. These include but are not limited to parking regulations, leash laws, hazardous materials laws and environmental restrictions.

In addition to the general town ordinances, the following two apply specifically to Brookview:

- 1. No parking is allowed on the street between midnight and 7 A.M. Anyone violating this ordinance may be ticketed by the Greece Police.**
- 2. Round Pond Creek and its banks at the west end of brookview2 commons property belongs to the town of Greece. This is an ecologically sensitive flood-prone area. Anyone found removing vegetation from the banks or spraying chemicals of any type in this area will be reported to the Town of Greece and may be fined. No swimming or wading is permitted in the creek at any time.**

Architectural and Appearance Control

No alterations or changes may be made to the exterior of your town home or to the Commons Areas of Brookview without the prior written consent of the Board of Directors of the Association. Any homeowner who wishes to make any such changes including, but not limited to: installing a storm door, replacing a garage door, adding an awning etc. must submit a Variance Request Form which can be obtained from the Management Company.

Variance Request Required

A Variance Request Form must be completed and submitted to the Management Company for approval by the Board of Directors before installing or replacing any of the following items:

- a. **Combination Storm/ screen Door** - All combination screen and storm doors should be white and full view. (Original equipment: Rochester Colonial # 725 white).
- b. **Garage Door** - Contact the Management Company for replacement information. See Unit # 93.
- c. **Awning** - All awnings must be grey and white to match the exterior of the building.
- d. **Satellite Dishes** - The dish must be no larger than 16 inches in diameter, and must be placed so that it cannot be seen from the street.
- e. **Newspaper Boxes** - Either white or black boxes from the Gannett Corp. may be installed by the front door.
- f. **Windows** - Replacement windows must match the original equipment.
- g. **Exterior Doors/Patio Doors** - Exterior doors must match the original equipment.
- h. **Skylights** - Replacement skylights must match the original equipment.

Advertising and Signs

No advertising signs of any kind are allowed on the Brook View Property. (Red Book, page 82). Signs advertising a town home For Sale are allowed only during an Open House. They must be removed immediately afterwards.

Clotheslines

Clotheslines and outdoor drying of clothing or bedding are not permitted. (Red Book, page 86).

Decks

Decks are the homeowner's responsibility. (Red Book, page 70). Every two years decks should be stained with a **Brown Waterproof Stain (No Paint)** to preserve them. The color must match that of the other decks. Decks should be kept clean and in good repair. No firewood should be stored under the decks since this draws rodents.

Doors, Windows, Garage Doors, Patio Doors and Skylights

The Association is not responsible for the repair or replacement of any of these items. (Red Book, page 70).

Holiday Decorations

Temporary decorations for the holiday season may be displayed between Thanksgiving and mid-January of the following year. Other holiday decorations may be displayed for up to thirty days.

Parking and Vehicles

1. No parking is allowed on the street between the hours of Midnight and 7 A.M. (Town of Greece Ordinance).
2. Overflow parking areas are for **guest parking only**. Homeowners are **not** allowed to park in these areas.
3. All vehicles must fit in the homeowners' garage. Those that can't are considered **oversize** and can only be stored on the property for **72 consecutive hours per month**.
4. Unlicensed and commercial vehicles are not allowed in Brookview unless garaged.
5. No vehicle, whether homeowners or guest, may extend over the sidewalk. (Town of Greece Ordinance).
6. No snowmobiles or other similar vehicles are allowed in Brookview.
7. No boats or trailers are allowed in guest parking areas.
8. No outdoor repair work on any motor vehicles, boats, or machines of any kind, other than minor servicing and maintenance, is allowed.

Pets

1. No more than one domestic household pet (cat or dog) is permitted in any home at Brookview.
2. Dogs must be **walked on a leash** whenever outside the home.
3. Owners are responsible for **picking up their pet's droppings** anywhere within Brookview.
4. Pets **may not be tied up anywhere** on the property where they might be able to encroach upon common areas or to be a nuisance.

5. The Board has the right to either call Animal Control for, or to ask an owner to dispose of, any animal that has become a nuisance, a danger or that is not properly controlled.

Planting and Gardening

Although early Boards may have allowed some homeowners to do plantings of various types around their town homes, it has been the experience of subsequent Boards that this has led to multiple problems. Among them are these:

1. Plantings have been neglected and have become overgrown.
2. Plantings have been put in places where they have interfered with the normal lawn maintenance, or where they have made painting and home maintenance difficult.
3. Homeowners have sold their homes and not notified the new homeowners that they were responsible for maintaining the plantings which the previous homeowners had installed. As a result, these plantings have gone to seed or have become weed infested.
4. Plantings are not in keeping with the rest of the landscaping. They may be too tall, a different type, etc.
5. Homeowners have engaged in “competitions” to see can plant the most items, causing overcrowding of plants.
6. Plantings have been done in places where they may interfere with maintenance by utility companies, for instance, around transformer boxes, which is a violation of RG &E regulations.
7. The Brookview Homeowners Association, which is responsible for maintaining the landscaping, has had to incur unnecessary expense either maintaining neglected plants and shrubs or removing them entirely.

For the reasons stated previously, the following Rules apply:

1. No planting and/or gardening is permitted within the Brookview boundaries without the written consent of the Board.
2. Flower pots are to be placed on **the porch or deck only**, not on the beds. Lawns, driveways or walkways where they interfere with lawn care, where they may be damaged or where they may constitute a hazard in a emergency or create the potential for injury.
3. No lawn ornaments or statuary are permitted anywhere.
4. Homeowners are not permitted to spread any kind of chemicals or lawn treatment applications anywhere on the lawns or other landscaping. This may interfere with the applications done by the landscaping company and may create a hazard.
5. All allowed plantings must be maintained by the homeowner. A homeowner who sells or rents out his/her home must make provisions for the care or removal of these plantings. Failure to do so will cause them to be removed at the homeowners' expense.

Noise and Noxious Activity

1. Out of respect for your neighbors, and in keeping with the Town of Greece Ordinances, no loud or disturbing noises are allowed in the complex. This includes loud car radios, as well as noise from stereos, loud parties etc.
2. No homeowners, at any time shall bring into or keep in their home any flammable, combustible, explosive fluid, chemical, or substance except for normal household use, nor is any substance that emits noxious odors allowed.

Liability Issues

Homeowners are never allowed on the roof.

Work Staff Issues

Homeowners are never to interfere with the work staff, either to prevent them from doing their job, or to make special requests. Any problems or work orders must be handled through the Management Company.

APPENDIX A: Responsibility Chart

Item	Responsibility of Association	Responsibility of Homeowner
Grounds, including all landscaping and other improvements lying outside the main walls of the building and driveways	All	General housecleaning on walks, driveways and decks
Buildings, exterior roof, vertical walls and foundations	All	None
Windows and skylights	None	Routine cleaning and replacement
Doors (same color, grade & style)	None	All doors and door chime assembly
Decks	None	Routine staining, repairs and replacement
Insurance	Building coverage and exterior liability	HO-6 type policy for contents, interior liability, betterments & improvements
Outside electrical and plumbing fixtures	All	None
All underground water and sewer lines from unit grade wall to the town-maintained mains	All	None

APPENDIX B: Variance Request Form

VARIANCE REQUEST

PLEASE RETURN COMPLETED FORM TO:

Brookview Homeowners Association, Inc.
c/o Realty Performance Group, Inc.
1800 Hudson Avenue, Suite 100
Rochester, New York 14617

HOMEOWNER: _____

ADDRESS: _____

PHONE: Daytime _____
Evening _____

TO THE BOARD OF DIRECTORS:

I REQEUST PERMISSION TO MAKE THE FOLLOWING CHANGES TO THE EXTERIOR OF MY TOWNHOUSE OR TO THE COMMON AREA OF THE COMMUNITY. I UNDERSTAND THAT IT IS MY RESPONSIBILITY TO OBTAIN ANY BUILDING PERMITS THAT MAY BE NECESSARY FOR THIS WORK. I HAVE ATTACHED A SKETCH OF PROPOSED CHANGES, LISTED MATERIALS TO BE USED, AND INDICATED WHO WILL DO THE WORK (please be explicit; extra sheets may be attached).

REASON FOR VARIANCE REQUEST: _____

WHO WILL COMPLETE THE WORK? (All contractors must provide RPG a certificate of insurance evidencing appropriate liability and workers compensation insurance): _____

LENGTH OF GUARNTTEE (If applicable): _____

INDICATE ANY FUTURE MAINTENANCE REQUIRED BY THE ASSOCIATION: _____

DATE _____

SIGNATURE OF PETITOINER _____

=====

BOARD OF DIRECTORS ACTION:

_____ APPROVED

_____ DENIED

DATE _____

AUTHORIZED SIGNATURE _____

COMMENTS: _____

LATEST COMPLETION DATE AFTER WHICH ANY APPROVAL IS AUTOMATICALLY REVOKED AND NEW VARIANCE REQUEST IS NECESSARY: _____

DATE ON WHICH ACTED-ON VARIANCE REQUEST MAILED TO PETITIONER _____