

**Trumbull Creek Crossing
Homeowners Association**

**Community Rules and Guidelines
Version 1.0**

Introduction

The Trumbull Creek Crossing Community is governed by a set of Covenants, Conditions and Restrictions (CC&Rs) and Bylaws which are recorded with the County. These documents, along with the recorded plat map for Trumbull Creek Crossing detail the rules and regulations for all residents, while providing information on common property owned by the Association to the benefit of all homeowners.

In an effort to provide additional information and direction for homeowners, the Board of Directors for Trumbull Creek Crossing has adopted this set of Community Rules and Guidelines. Like the CC&R's and Bylaws for Trumbull Creek Crossing, this document includes rules of conduct and potential actions for not following the adopted rules. Unlike the CC&R's or Bylaws, this document provides detailed language in a simpler format on the issues that most commonly arise in a planned community.

Personal Responsibility

When purchasing a home in Trumbull Creek Crossing, each owner agreed to become a member of the Association and abide by all adopted rules and regulations of the community so long as they own their property. While the Board of Directors and any assigned community management firm will attempt to educate and help members of the Association, it is incumbent on each owner to read their governing documents, follow the rules and guidelines as stated and if questions arise, contact the Board of Directors or the relevant community management firm. Just like the laws of the city or the state, ignorance of the rules for this community are the homeowner's personal responsibility.

Homeowner Association 101: Understanding the Association's Role in Trumbull Creek Crossing

Homeowner Associations (HOAs) exist for the purpose of interpreting and enforcing the provisions of the CC&R's, Bylaws and other adopted Rules and Regulations. Plainly stated, the HOA governs all the little things in your community that your local government would prefer to be taken care of by the set of community members who live within the community.

Each HOA includes a Board of Directors, the size of which is stipulated by the governing documents. Initially, during the construction phase of the community, the Declarant serves as the Board of Directors until the community is "turned over" to the homeowners. This takes place at a "Turnover Meeting" and during that meeting a Board of Directors made up of members of your community become the Board of Directors until their elected term is up.

By choosing to serve on the Board of Directors, community members take responsibility for overseeing the annual budget, collection of homeowner dues, compliance with community rules and miscellaneous other duties. This administrative responsibility can absorb a great deal of time and effort, so many communities employ a community management firm to deal with the day-to-day work of the HOA. The board then meets as necessary to discuss policy changes, adopt budgets and conduct elections.

Important Terms for Homeowners to Know

1. **Budget:** Every HOA has expenses for the management of the community and the maintenance of common areas. These expenses often include landscaping, preparation of required documents, utilities, et. al. These budgets are set annually by the Board of Directors.
2. **Budget Reserve:** A Reserve Study is used to determine the cost of replacement and repair of all commonly owned items by the HOA. This study covers 30 years and should be updated annually. The results of this study determine the amount of money each homeowner is responsible for contributing to the HOA to pay for those items over time.
3. **Common Areas/ Common Items:** Nearly all HOA's collectively own property or items (think play structures, parks, water quality facilities) that must be accounted for and maintained.
4. **Architectural Review Committee (ARC):** The ARC is a Board appointed committee (often just the Board themselves) charged with reviewing and setting conditions for approval of changes to the exterior of homes and yards located in the community.
5. **Architectural Review Application (ARC AP):** The document and process each homeowner must follow in order to receive approval of exterior changes to their home by the HOA.
6. **Compliance:** The word used to reference enforcement of the community docs either by the Board of Directors or by the Association Management Firm as an extension of the Board.
7. **HOA Dues:** Once a budget and reserve are determined, the cost of the association is divided over the membership and billed to each homeowner. Billing can be monthly, quarterly or annually and dues must be paid by the due date or the homeowner is subject to late fees, penalties and potentially legal expenses associated with the cost of recovery.
8. **Housing Type or Variety:** Some communities include different housing options within the same community. For instance, Single family detached homes, single family attached homes, alley-accessible homes etc. may be in the same community, but these housing types require different levels of HOA management and expenses, especially for exterior maintenance. This often leads to different sets of dues for different sets of community members.
9. **Community Manager/Management Firm:** The day-to-day administration of an HOA is time consuming and complicated. Many associations choose (some associations are required) to hire a professional manager, (Manager). These companies often manage all billing, compliance, ARC Applications and annual budgeting at the Board's direction.

Trumbull Creek Crossing Community Rules

In accordance with Section 5.6.3 of the Trumbull Creek Crossing Covenants, Conditions and Restrictions (CC&R's) the Board of Directors adopts these Community Rules for the purpose of keeping the community clean, safe and well-maintained. These Community Rules may enhance or further define the CC&R's, but they may not supersede the CC&R's or Bylaws of your Community. These rules may be changed from time-to-time by a majority vote of the Board of Directors at any officially held Association meeting.

Compliance

The Board of Directors is responsible for ensuring that all rules and regulations contained in the governing documents of the Association are enforced. Occasionally, a Board of Directors will take this responsibility on themselves, but most of the time a community management firm is assigned this role by the Board.

Per the contract signed for management by the Board of Directors, the Manager will routinely tour the community looking for violations of the CC&R's. These tours are typically scheduled randomly but must be done according to the minimum number assigned in the contract.

Fines and Fees

If a violation of these Community Rules or any other Governing Documents for the community occurs, notice will be made by the Board of Directors (either directly or via the Community Management firm) to the homeowner via email and through the US Mail. In the event of multiple violations, each violation is considered separately by the Board of Directors.

Fine Matrix:

First Notice	Homeowner has thirty (30) days to abate the issue.	No Fine or Fee.
Second Notice	Homeowner has fifteen (15) days to abate the issue	\$100 Fine assessed to homeowner, \$10 each day thereafter until issue is abated.
Third Notice	Homeowner has fifteen (15) days to abate the issue	\$200 Fine assessed to homeowner, \$20 each day thereafter until issue is abated.
Final Notice	If the homeowner has not abated the issue to the	\$500 Fine assessed to the homeowner. \$50 each day

	satisfaction of the Board of Directors within sixty (60) days	thereafter until issue is abated. Board of Directors (per the CC&R's) may utilize their "Right to Enter" and abate the issue AT THE COST OF THE HOMEOWNER.
--	---	--

The Board of Directors may at their discretion approve tabling or dismissing a fine if the homeowner is making a good faith effort to abate the violation or if a condition exists that is preventing the violation from being abated.

Landscaping and Yard Maintenance

All landscaping in the community must be installed and maintained in accordance with the CC&R's. This includes but is not limited to keeping all landscaping watered, pruned, and mowed regularly, including the boulevard strip and the trees within the boulevard strip. All yards will be kept weed-free and properly fertilized. Installed irrigation must be properly maintained and leak-free.

Architectural Review

Prior to commencing any changes to the exterior of a home or property in the community, homeowners must submit an Architectural Review Application (ARC AP) to the Architectural Review Committee (ARC) of the Association. The application must be filled out completely with pictures, diagrams, drawings or any supporting documentation included for consideration. Once the Application is deemed "complete" by the ARC, the Committee will either

- **"Approve,"**
- **"Approve with Conditions" or**
- **"Deny" the application.**

All ARC Applications will be considered by the Committee within the time allotted by the CC&R's. These common items require ARC Approval prior to commencing work:

- Construction and placement of all fences
- Exterior painting of any kind, including application of the same color
- Major yard construction or changes (check with the ARC for details)
- Seal, replacement, or addition of any exterior hard surface
- Roof replacement
- Major siding repair or replacement
- Addition of any outbuilding, shed, pavilion, arbor pergola, gazebo, or structure, temporary or permanent

- Replacement or addition of windows, doors, shutters, corbels or other previously approved part of the home.

This list is NOT exhaustive, these are the most common items for ARC Review. When in doubt, check with the HOA BEFORE starting your project.

The Board of Directors may require a processing fee for each ARC submittal to cover the labor and material cost of processing.

Fences

Section 12.25 of the CC&R's provide important information for each homeowner regarding the construction and maintenance of a fence for Phase 1 of Trumbull Creek Crossing. Exhibit A provides the revised style of fence for Phases 2 through 5 of Trumbull Creek Crossing. The Board of Directors would like to emphasize the following:

- No fence may be constructed, modified, repaired without the approval of the ARC. Failure to gain approval for these changes may be very costly.
- All fences constructed MUST conform to Exhibit D of the CC&R's and Exhibit A of the Trumbull Creek Crossing Rules and Regulations.

Common Areas

Unless otherwise stated, the commonly held property of the HOA is for the exclusive use of the homeowners, their guests and tenants. These "tracts" of land and/or structures are maintained by the Association and need to remain functioning and in good repair. Any cost associated with damage or neglect by a homeowner, their guests and/or tenants will be the sole responsibility of the homeowner.

Parking & RV Storage, Vehicles in Disrepair

Section 12.4 of the CC&R's cover in detail potential parking violations. In addition to those provisions, the following apply to Trumbull Creek Crossing:

- NO RV, boat or vehicle may serve as a temporary or permanent domicile anywhere in the community.
- No RV, camper, trailer, boat, ATV or other recreational vehicle may be parked in the community for a period greater than 36 continuous hours and may not be on-street for any reason other than the temporary loading/unloading of provisions. Temporary loading/unloading shall be defined as no longer than 12 continuous hours.
- Vehicles of any kind in violation of these rules or the rules set forth in the CC&R's may be towed at the owner's expense provided a 24 hour-notice of removal has been sent to the homeowner via email and through the US Mail. This rule covers private and public

streets where the law allows. The Board of Directors is responsible for checking with applicable state and local municipalities for guidance.

Camping, Squatting or Unauthorized Use of HOA Common Area

Camping, squatting, sleeping or living on any part of the HOA Common Area, including parking spaces, clubhouses, parks and other venues is strictly prohibited. Individuals engaging in this type of activity will be subject to law enforcement intervention and/or removal by the HOA through all legal means.

Tenants and Leasing

Per section 12.31 of the CC&R's homeowners may lease their home under the following conditions:

- Written Rental Agreements Required. There is a written rental or lease agreement provided to the Association, which includes but is not limited to the following:
 1. The tenant will be subject to all provisions of the Declaration, Bylaws, and Rules and Regulations;
 2. Failure to comply with any provision of the Declaration, Bylaws, and Rules and Regulations will constitute a default under the lease agreement;
 3. The term of the lease may not be less than six (6) months;
 4. Tenant must be provided all governing documents;
 5. In addition the homeowner must provide a copy of the leases agreement that shows the full names and contact information of all individuals subject to the lease agreement and any subsequent addition(s) to the list must also be submitted to the Association or Manager.

The homeowner is responsible for any violation of the governing documents by the tenant and is subject to fines and action from the Association if the issue is not abated in the given period provided in the citation notice.

Tenants may use all common areas of the Association in accordance with the governing documents, but tenants are not afforded any voting rights and all communication with the Association or the Board of Directors must come directly from the homeowner.

Rubbish, Trash, Recycling and Storage

Trash, recycling and yard debris bins must be screened from view at all times with the exception of scheduled pickup date. Bins may be rolled to the street 48 hours prior to pickup and must be screened from view again no more than 24 hours after pickup.

All storage must be fully contained and screened from view. All structures utilized for storage must receive ARC approval prior to installation. All mulch bins and devices must remain screened from view at all times.

Frequently Asked Questions

Q: I received a notice for a violation and I don't understand why I am in trouble when I see other violations throughout the community?

A. Receiving a violation of the governing documents can be an unsettling experience. Some people feel anger, others are embarrassed. While these are natural reactions, they are not necessary. An initial violation simply asks you to rectify the issue. It doesn't go on the homeowner's permanent record, nor does it signify you are a bad neighbor. There are a lot of different rules! We all make mistakes. If you left your garbage can out and received a violation, don't get angry or feel any shame, just roll it back into the garage or behind the fence.

Q. I feel like I am being singled out by the Board and/or the management company with these violations. Why isn't everyone else receiving the same treatment?

A. The goal of the Board of Directors and by extension the management company is to apply all rules and regulations fairly and evenly throughout the community. Other homeowners are receiving violations as well, but their violations are dealt with on an individual basis, just like yours. On occasion, violations may be missed or the violation was not occurring when the compliance tour was completed. As a member of the Association, you may always report a violation to the Board or the Management Company as well.

Q. Why does the Association fine homeowners for repeat violations of the governing documents? That seems a little harsh.

A. It is very rare for the Association to issue a fine. 90% of the time violations are issued and abated in the first 30 days. Occasionally, a homeowner will choose to ignore or challenge a violation without utilizing the appeal process. For these situations, progressive fines and removal of the violation at the homeowner's expense are necessary, last resort tools.

Q. I am confused by the CC&R's, these Community Rules and/or other governing documents of the HOA. What should I do:

The first place to seek answers is from the Manager. If you are unsure of anything call Montana Community Management, Jamie Slivka 406-837-4536 or email jamieslivka@montanahoa.com or support@montanahoa.com for support.

Exhibit A

Fence Design Requirements – Phase 2-3

Material: Vinyl

Color: Almond

