

BARRINGTON PLACE HOMEOWNERS ASSOCIATION RULES AND REGULATIONS

The Barrington Place Homeowners Association ("Association"), acting through its Board of Directors, has adopted the following Rules and Regulations ("Regulations") which may be amended, revoked, or altered from time to time by action of the board. These regulations supplement and do not replace the covenants, restrictions, and easements contained in the Declaration of Covenants, Conditions and Restrictions of Barrington Place, to which owners are bound at the time of purchase.

As used in the Regulations: "Residents" applies to the owner of any home located in Barrington Place, the resident's family, occasional tenants, employees, agents, visitors or guests; "Association" means the Association and its management agent, when the managing agent is acting on the Association's behalf; "Home" means any single-family dwelling unit in Barrington Place; and "Community" means Barrington Place.

OWNER-OCCUPANCY REQUIREMENT

Paragraph 22 of the Declaration requires that no Condominium Unit shall be a Non-Owner occupied Unit without prior written approval of the board.

Condominium homes must be **Owner Occupied** which is defined by:

- a. An owner on title must reside in the condo unit
- b. An owner on title must be in residence in the condo unit for at least 6 months and 1 day per calendar year
- c. An owner on title must appear on the Monroe County registry for the Homestead credit to indicate that the condo unit is the primary residence
(*Effective May 26, 2016*)

No part of a condo unit may be rented/leased outside of the City of Bloomington definition of a family member

Units are not available for full rental/lease or use by others. In cases of hardship, a request can be made to the board for an exemption.

Regulation: If an owner is found to be in a rental violation without prior HOA approval, a fine of \$750 per month will be assessed until such time that the unit is either not occupied or is proven to be in compliance. Even if a fine is assessed, the Home Owners Association and the Board of Directors reserves the right to exercise all legal remedies for removal of the unauthorized tenants (*Effective September 22, 2009, updated 2016*).

Waiver of Owner Occupancy application is available at BPHOA Management Office. Owners planning on requesting a waiver should allow enough time to get the required permits and approval prior to offering their unit for lease. Approvals will not be retroactive.

PET RULES

Section 7.01(r) of the Bylaws states that pets kept within Condominium Units shall be subject to the rules and regulations adopted by the Board of Directors. The Board may also adopt rules and regulations governing the access of pets to Common and Limited areas.

Owners found to be keeping a pet in violation of the Bylaws shall be fine \$250 per month until the rule violation is resolved. Even if the fine is assessed, the Association and Board of Directors reserve the right to exercise all legal remedies for removal of the offending animal. (*Effective September 22, 2009, updated May 1, 2014*).

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The Barrington Place Homeowners Association held a special meeting on January 19, 2014. The majority of members (at least 75%) voted to change the pet policy in its Bylaws. Effective May 1, 2014 the following Rules and Regulations will be enforced:

1. No more than two pets shall be kept within a Condominium Unit.
2. The total or combined weight of the pets cannot exceed 50 pounds.
3. Dogs, cats, caged birds, fish, hamsters, and guinea pigs may be kept as pets. Specific pets which do not fall into the foregoing descriptions must be approved by the Board of Directors.
4. No pets shall be left unattended on balconies or in garages
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As a reminder, Section 7.01(r) of the Bylaws places the following restrictions on pets:

1. No pet shall be permitted with the Common Areas except while on leash held by a person capable of controlling the pet. (Note: This includes outdoor areas, hallways, and stairwells).
2. Owners shall be responsible for, and immediately clean-up, any portion of the Common Areas and Limited Areas soiled by their pets.
3. Damage caused by pets to Common Areas or Limited Areas shall be repaired at the pet owner's expense.
4. Any pet causing or creating a nuisance or unreasonable disturbance shall be permanently removed from the property upon ten (10) days written notice from the Board of Directors.
5. Animals shall not be kept, bred, or maintained for any commercial purpose.
6. No animals of any kind shall be raised, bred, or kept in the Common Areas or Limited Areas.

All Pets are also subject to the Bloomington Municipal Code of Ordinances. Information about this code may be referenced on the City of Bloomington's website, which can be found at:

The Board of Directors reserves the right to request proof that dogs and cats have been vaccinated for rabies as required by the city ordinance.

MAINTAINING UTILITIES AND ESSENTIAL APPLIANCES

In order to protect the overall welfare of the community, the Barrington Place Home Owners Association grants authorities to its management company to ensure that utilities are operational and essential appliances are within minimally acceptable settings. These measures are seen as vital for avoiding maintenance issues for the community at large. Owners who may need to leave their unit unoccupied for an extended period of time are of particular concern and should inform the property management company for monitoring and support.

Costs associated with utilities are always at the expense of the unit owner which would include any costs from operating essential appliances. Other costs may include reconnection fees incurred if utilities are found not to be connected and essential appliances not operating at minimum acceptable settings. In such cases, the HOA authorizes the management company to rectify the situation in the most expedient manner in cooperation with the unit owner when possible, or to take the necessary steps to mitigate the issue.

In addition, it is important to note that repair costs resulting from damages to the community that may arise from not having maintained utilities, and/or essential appliances at minimum settings, are the responsibility of that owner.
(Effective: March 15, 2015).

Minimum utilities are defined as: Electrical and Water Service

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Essential appliances are defined as: Furnace, Water Heater, and HVAC Circulating Fan

Minimum settings: (A) *Furnace* = 56 degrees Fahrenheit (13 degrees Celsius) when outside temperature is below 32 degrees Fahrenheit (0 degree Celsius). (B) *Water Heater* = set at any level considered to be “on” and producing hot water. (C) *HVAC Circulating Fan* = operating during summer months when unit is closed-up and unoccupied for extended periods of time (*to reduce the possibility of mold growth*).

PAYMENT POLICY

Article VI, Section 6.07 of the Bylaws states that no owner may exempt themselves from paying any Assessments. Payments made by owners are to be allocated to the oldest charge or charges on their association account first. Any assessment not paid in full within thirty (30) days of the due date will accrue interest at the current rate set forth by the Board of Directors. The Association and the Board of Directors reserve the right to exercise all legal remedies in collecting past due assessments (Effective September 25, 2011).

CHARCOAL AND OPEN FLAME BURNERS BANNED FROM DECKS/PATIOS

Charcoal grills and other open-flame burner devices are not permitted to be used on any outdoor decks, in accordance with the Indiana Fire Code. Effective May 21, 2003, the new Indiana Fire Code Section 307.5 Open-flame cooking states: “Charcoal burners and other open flame cooking devices shall not be operated on combustible balconies or within ten (10) feet (3048mm) of combustible construction. “Please note electric burners are not restricted and owners are allowed to use charcoal or open-flame grills in outdoor Common Areas and stored – NOT USED – in garages. If an owner is found to have a charcoal grill or other open-flame cooking device on their deck, the owner will be fined \$250 and asked to remove it immediately. This is a critical safety issue for all residents – Thank you for your cooperation.

MASTER-KEY ACCESS REQUIREMENT

Section 5.02 authorizes the BPHOA Board of Directors, the Managing Agent, or any person authorized by them to have reasonable access to each unit for inspections and maintenance with prior notice. Prior notice is not required in case of any emergency.

Regulation: All units must be accessible by the BPHOA master-key to allow emergency access to protect lived and property. Any owner who needs/wants to change the locks on their unit is required to coordinate the change with the BPHOA management company to ensure that master-key access is in place.

Failure to provide master-key access will result in the following:

1. In an emergency, the unit will be accessed by any means necessary and the repair cost for that access will be the responsibility of the owner. The unit will be immediately re-keyed to the master-key at owner’s expense.
2. In non-emergency inspections (such as required fire inspections), the owner will be notified that the unit was not accessible for the required inspection, notified of the re-inspection date (at the owner’s expense), and given 48 hours to comply with the master-key requirement. After 48 hours, if the unit is not in compliance, the management company will have the unit re-keyed at the owner’s expense (Effective: December 4, 2014).

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BARRINGTON PLACE LATE ASSESSMENT POLICY

Any monthly or special assessment balance not paid within thirty (30) days after the initial due date will be considered late and bear interest accrued at a rate of 10%. In addition, interest will continue to accrue on the remaining balance each thirty (30) day cycle until paid. (*Effective December 1, 2016*)

GARAGE DOOR REPLACEMENT STANDARD

In order to better insulate main buildings, owners with attached building garages *replacing* their garage doors are required to install a new door with a minimum insulation rating (R-value) of 6.0 or higher. In order to support this regulation, the HOA will provide a subsidy in the amount of \$200 when using an approved vendor. Subsidy funds will be provided as a credit to the owners HOA account upon completion of garage door installation and receipt of an invoice confirming door type installed. Invoices can be sent to the management company.

IMPORTANT REMINDER: Costs associated with unit doors that connect to common areas (unit entry, garage entry, garage door), and windows are the responsibility of owners but any changes, upgrades, and/or replacements must be approved by the HOA to ensure appropriate design, color, and quality for the community.

To make a request please contact the current property management company to begin the process or contact a member of the board.

(*Effective March 10, 2016*)