

Central Square Villas

Homeowners Association Supplemental Rules and Regulations v6

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Revised – August 2024

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The Central Square Villas Condominium (“CSV”) has governing documents in place, comprised of a declaration and amendments thereto (collectively, the “Declaration”), which provide guidance and structure to the Board of Managers (“BOM”). At times these documents can be ambiguous, outdated, or incomplete. Among the BOM’s responsibilities is rulemaking: see “Powers and Duties of Board of Managers” (page 94 of the Declaration), subparagraph (g): “Adopting and amending reasonable rules and regulations governing the operation and use of the Property and delivering any such rules and regulations or amendments thereto to each Unit Owner.” It is the BOM’s desire to use this authority to resolve basic problems and to keep the CSV running smoothly.

At times, the Declaration can be inconclusive about important issues. If the Declaration fails to provide enough guidance to the BOM, it is the BOM’s obligation to implement a new policy or interpretive resolution. The BOM’s new rules seek to clarify vagueries in the Declaration. This can include any rules related to the use of CSV amenities and facilities, enforcement procedures, and guidelines for the appearance and structure of a unit owner’s home. As time goes on, it may be necessary to not just adjust current rules, but to add a rule.

Rules, covenants and restrictions form the foundation of a condominium association by establishing standards for what unit owners must do or must refrain from doing for the benefit of the community. Well-planned rules can protect property values, promote safety and aesthetic appeal, and generally improve a neighborhood’s quality of life.

The following rules has been promulgated by the BOM for the harmony, protection and general welfare of the CSV and all unit owners therein. These rules supplement the Declaration. The intent of this supplement is to provide unit owners with a clear understanding of CSV rules based on most common occurrences and frequently asked questions.

The BOM wishes to foster a community of friendly neighbors who respect the rights of others. Compliance with CSV rules is a necessary component to accomplish this. No unit owner, resident or guest should be permitted to infringe upon the rights of his/her neighbor. It is the responsibility of the BOM to enforce all CSV rules equitably. Violations of CSV rules should be reported in writing to a BOM member and/or the management company. These CSV rules become effective September 2021. Revisions have been adopted in 2022 and 2023 (see Change Log at end of document).

Fair Housing



The Fair Housing Act, also known as Title VII of the Civil Rights Act is a federal law which prohibits discrimination in housing and housing-related services due to race, color, religion, sex, national origin, disability, and familial status. Because the FHA applies to entities that set terms and conditions for housing and provide services and facilities in connection with housing, it applies to HOAs and other community associations such as the CSV.

The BOM will not knowingly accept or permit any advertisement for real estate that is in violation of the law. All persons are hereby informed that all dwellings advertised are available on an equal opportunity basis.

When it comes to buying, selling or leasing a home or renting an apartment, several state and federal laws were enacted to ensure equal opportunity in housing for all people. The Civil Rights Act of 1966 prohibits all racial discrimination in the sale or rental of property. Moreover, the Fair Housing Act declares a national policy of fair housing throughout the United States, making illegal any discrimination in the sale, lease or rental of housing, or making housing otherwise unavailable, because of race, color, religion, sex, handicap, familial status, or national origin.

Other laws also impact the purchase, sale or lease of a home or renting an apartment. Title III of the Americans with Disabilities Act prohibits discrimination against persons with disabilities in places of public accommodations and commercial facilities. The Equal Credit Opportunity Act makes discrimination unlawful with respect to any aspect of a credit application on the basis of race, color, religion, national origin, sex, marital status, age or because all or part of the applicant's income derives from any public assistance program. In addition, state and local laws often provide broader coverage and prohibit discrimination based on additional classes not covered by federal law.

As someone seeking to purchase a home, you have the right to expect that housing will be available to you without discrimination or other limitations based on race, color, religion, sex, handicap, familial status, or national origin. This includes the right to expect equal professional service, the opportunity to consider a broad range of housing choices, no discriminatory limitations on communities or locations of housing, no discrimination in the financing, appraising, or insuring of housing, reasonable accommodations in rules, practices and procedures for persons with disabilities, and to be free from harassment or intimidation for exercising your fair housing rights.

Complaints alleging discrimination in housing may be filed with the nearest office of the United States Department of Housing and Urban Development (HUD), or by calling HUD's toll-free number, 1-800-669-9777 (voice), or 1-800-543-8294 (TDD). You can contact HUD on the internet at <http://www.hud.gov>.

Architectural Control

All architectural changes to any unit must be approved by the BOM. Unit owners must submit all desired changes in writing in advance to our management agent. They will process your request and send it to the Architectural Review Committee of the BOM (the “ARC”) for review. You will be notified by management on its status and reason/s for denial if applicable.

A sample illustration (photo) with contractor’s insurance must be submitted with an architectural form to the management company. Any request that is missing this information will be sent back to the owner for revisions.

Unit owners are not permitted to make any additions or changes to any part of the exterior of the building without prior written request to the BOM is approved in writing by the BOM. Under no circumstance will a verbal request be considered. The BOM has the right to remove and/or repair any unauthorized changes to CSV buildings and/or grounds that a unit owner fails or refuses to correct after being notified. The cost of the removal and/or repair will be billed directly to the unit owner.

Architectural changes include, but are not limited to: patios, privacy panels, landscaping and all general exterior changes or alterations. Unit owners are encouraged to seek out advice and answers from the BOM or ARC if there is any ambiguity about what is or is not an architectural change.

NOTE: An architectural form issued by either a committee or a sitting board member that purposefully, or unintentionally circumvents the current bylaws or rules and regulations is wholly invalid.

Fences & Privacy Panels

In order to maintain a homogenous and aesthetic appearance, **no** fences or gates, temporary or otherwise, are allowed. Backyard enclosures of any kind are not permitted. However, privacy panels between units are allowed.

Privacy panels can be no taller than 6’ and can be no longer than 12’ long or it will encroach into the common area. Panels must be positioned perpendicular to the unit and may not be used to enclose a patio or yard. They must be white and the “Lexington” (Certainteed) or similar style with flat post caps. A brochure or photograph of the privacy panel must also be provided with the arch form. Maintenance is the sole responsibility of the owner, and should be clean of mold, mildew, and undamaged. Any damage shall be repaired within thirty (30) days of written notification by the Association.

It is incumbent upon the Unit Owner to inform the Property Management Company when a project is complete so a final inspection can be made by the Property Management

Company, the BOM or an ARC representative. At no point shall a duly authorized person be denied access to the completed project. If the project does not conform to the rules set forth herein, the Unit Owner will be responsible for the cost of alterations, and fines may be levied by the BOM.

Landscaping

All landscaping must be approved by the BOM and/or ARC. Requests for additions or changes to a Unit Owner's landscaping must be submitted through the Property Management Company in writing. No verbal request will be considered.

All common area landscaping should generally be left undisturbed. However, if unit owner/s choose(s) to mulch, weed, trim, etc., CSV will not be responsible for the cost of labor, materials or maintenance.

A summary of the current CSV contract for landscaping includes the following:

1. Weekly cutting and grass trimming.
2. Garden bed weeding once per month, except for privately added beds.
3. Shrub trimming twice per season; late June - early July and late September - early October.

Mulch is NOT included in the seasonal contract. Additional services, such as trimming and weeding are available through our current landscape contractor or a contractor of choice at the unit owner's cost.

Landscaping includes any (organic materials only) plants, trees or rock. Currently, the choices for ground coverings effective August 2023 are; black mulch and 1" to 3" river rock and decorative stone.

If the Property Management Company and/or the BOM is notified that a project does not meet these basic requirements, it is the unit owner's responsibility to bring the project into conformance. Should this happen, the unit owner will have no more than 30 days to correct the issue, and fines may be levied by the BOM.

Since landscaping is a design element, consideration should be given to the relationship to the unit owner's unit and adjacent units. This is especially true for all shared areas. In the event a dispute occurs between neighbors, and as long as the project is conforming with the CSV rules, reasonable efforts should be made to settle differences prior to any intervention from the BOM.

Any landscaping that was provided by the sponsor (Marrano) that is dead (with confirmation from the landscaper) will be removed by the CSV but not replaced. Any landscaping that is alive but unsightly may be removed at the unit owner's cost after approval by the BOM of a

submitted architectural form. The replacement landscaping shall be the unit owner's responsibility to maintain.

Front Door Painting

Unit owners are responsible for the maintenance of their front doors. This includes painting of the doors. A Unit Owner may paint their front doors in a color of their choice with approval of the BOM and must submit an Architectural Change Request.

Noise & Nuisance

In the context of the CSV, nuisances are activities that impair a unit owner's or unit owner's guests', or invitees' right to quiet enjoyment of the unit and/or the CSV common areas. Nuisances are also conditions reasonably considered offensive, dangerous, including noxious or offensive odors, as well as activities that violate federal, state, or local laws, or CSV rules.

Noise is an example of a nuisance because it interferes with the CSV community's quiet enjoyment. Other examples include odors (cigarette smoke or garbage), and health and safety issues (outdoor fires or pests). Nuisances can also result from items that are visually unappealing, such as litter on patios or lawns.

Unit owners or their invitees who find a neighbor too loud should first attempt to speak with that neighbor. Approaching the offending neighbor in a polite manner can usually remedy the issue. If the noise persists, the local police may be contacted. Most municipalities have noise ordinances that prevent excessive noise in during certain hours. The police can only enforce the rule if the person has violated local laws. If no illegal activity has occurred, the police can do nothing to enforce a CSV rule.

Unit owners and their invitees shall exercise reasonable care to avoid making or permitting to be made loud, disturbing or objectionable noises and in using, playing or permitting to be used or played musical instruments, radios, phonographs, televisions, amplifiers and any other instruments or devices in such manners as may unreasonably disturb owners or occupants of other homes. Uncontrolled barking dogs also applies. Homeowners are urged to exercise restraint in using noisemaking tools and appliances between 11:00p.m. and 8:00a.m.

As a last resort, unit owners or their invitees may bring their complaint to the attention of the Property Management Company or the BOM's. To do so, the unit owner or invitee must submit a complaint letter containing specific details about the alleged offense. The Property Management Company will consult with BOM and decide if a violation has indeed occurred. Complaints received by the Property Management Company and/or the BOM may result in fines as set forth in the Declaration.

Prohibited Activities

Noxious, offensive, or loud activities shall not be carried on upon any CSV property. Each Unit Owner or invitee shall refrain from any act or use which could reasonably cause embarrassment, discomfort, annoyance or nuisance to the neighborhood. Each unit owner shall keep and maintain all portions of that unit owner's property in a neat, orderly, and well-kept manner.

Social Media

Social media can be an effective way to foster communication and establish connections in our neighborhood. However, this can come with significant challenges. The following are best practices to not only protect individuals in the CSV community, but the CSV community itself. There can be far-reaching consequences by portraying CSV in a negative or detrimental way: vendors may not want to do business with us, potential buyers may not want to move here, etc.

Permitted Content

BOM members must only post content that's related to the association. This includes meeting dates, community event details, new CSV rules, changes to existing CSV rules, polls, etc.

Prohibited Content

This applies to any content that specifically references CSV as a community. All CSV association members, including BOM members on social media, must refrain from posting any CSV content that falls under any of the following:

- Profane, offensive, defamatory, or violent in any way
- Personally attacking specific groups or individuals
- Deliberate disorderly comments meant to abuse, harass, threaten, or intimidate (i.e. trolling)
- Links to files that contain viruses, spam or click-bait
- Content related to confidential association business or related information
- Content that advocates, or perpetuates discrimination based on a person's race, religion, gender, color, national origin, age, sexual orientation, marital status, or disability
- Sexual content or links to sexual content
- Content that encourages or conducts any activity that is offensive, harmful, or illegal
- Personal information
- Copyrighted or trademarked content (such as images)
- Images of children without parental consent
- Content that promotes or advertises a product/service, brand, or individual ▪ community gossip
- Personal opinions as representing the association's views
- Rants and/or criticism

If a member violates any of these CSV social media rules, the BOM reserves the right to do one or all of the following, **at minimum**:

- Delete the post or comment in question without prior notice ▪ Remove the offender from the group
- Revoke the offender's posting or commenting abilities/privileges

If any of the above results in demonstrable damages to an individual or CSV as a community, legal action may be taken. See generally: **Communications Decency Act of 1995.**

<https://www.congress.gov/bill/104th-congress/senate-bill/314/>

Harassment & Abuse

Unfortunately, harassment is a significant and growing problem in community associations as the number of complaints about owners harassing board members, managers, maintenance staff, vendors, and sometimes other owners rise every year. This isn't a community association problem per se; it is a societal problem that community associations, which are microcosms of society, reflect. Human interactions in all areas have become less civilized. People are more inclined to shout their disagreements and less inclined to discuss them; they are more demanding and insistent on having their way and less tolerant of people who don't give them what they want or think they are entitled to have. In short, emotions generally get ahead of what could be positive discourse.

Black's Law Dictionary defines harassment as "words, gestures, or actions which tend to annoy, alarm, or abuse another person." To annoy, Black's suggests, is "to disturb, irritate" or "cause discomfort," while abuse consists of "insulting, hurtful, or offensive wrongs or acts."

While unit owners retain the right to complain, this rule includes specifics that prohibit certain forms of speech (e.g., threats of violence, insults, name calling, profanity, obscenity, confrontational words, defamation) and other forms of harassment (e.g., physical aggression/intimidation/harm, offensive emails/voicemails, stalking, etc.).

For open meeting sessions: *No attendees may engage in obscene gestures, shouting, profanity, or other disruptive behavior. If an attendee become disruptive, they may be expelled from the meeting and fined/sanctioned by the BOM.*

In general: *Unit owners and other residents of the CSV shall not engage in any abusive or harassing behavior, either verbal or physical, or any form of intimidation or aggression directed at other unit owner, residents, guests, occupants, invitees, or directed at the Property Management Company, its agents, its employees, or vendors or the BOM or its members.*

When the treatment of a BOM board member becomes such that they can't do their job, the harassment becomes a serious problem. All members of CSV have the right to pursue every legal avenue available for recourse. The BOM and CSV community have zero tolerance for this type of behavior.

All contractors performing work in the CSV community on behalf of the BOM should be treated with respect and courtesy. If there are concerns about the work being done, contact the management company. Harassment in any form is not tolerated. Any Unit owner, resident, or guest that is found to be harassing or threatening (verbally or physically) any contractor working in our community will be given a first warning to resolve the problem. Repeated occurrences after this initial warning can result in fines, being placed on a Do Not Service List and loss of services. If this happens, the Unit owner will be responsible to secure a contractor to perform the service at their own cost.

Pets

11.06 Restrictions on Use or Units. Common Areas and Limited Common Areas.

In order to provide for protection of the value, character, quality and structural integrity of the Units and the CSV Property, the use of the Units and the CSV Property, including the limited common areas, shall be restricted to and be in accordance with the following provisions:

(b) Animals, Birds and Insects. **Except for one (1) dog, one (1) house cat, fish, or birds in a cage, no animals shall be kept or maintained in any Unit or on any limited common area or other portion of the Property except with the written consent of the BOM which may, from time to time, (i) impose reasonable rules and regulations setting forth the type and number of animals, birds and insects, (ii) prohibit certain types of animals, birds or insects entirely; and (iii) revoke such consent for good cause.**

No animal shall be permitted to run loose or be chained on CSV property, including limited common areas. Unit owners and invitees must accompany their pets and have their pets leashed at all times when on CSV Property.

Filing a Complaint

CSV community members wishing to file a complaint must do so in writing using the complaint form set forth herein, and either submit it by postal mail or email to the Property Management Company. See the CSV website for the Complaint Form.

Rules Violations and Fines

Violators of these rules, any rule of the BOM, the Bylaws, and/or Covenants, Conditions, and Restrictions set forth in the Declaration may result in the matter being turned over to the CSV's attorney for resolution. This is an addition to any other remedies available, including commencing civil action.

Schedule of Fines

Landscape Maintenance Violation:	\$25.00 per week
Trash Cans:	\$25.00 per week
Quiet Enjoyment (Nuisance):	\$25.00 per week
Registration/Maintenance of Animals:	\$25.00 per week
Architectural Violation:	\$25.00 - \$100 per week
Front and Rear Yard Installation Violation:	\$25.00 - \$100 per week
Architectural Application Violation:	\$100.00 per week

(An application must be submitted and approved before any architectural improvements can be made. If the application is not submitted and approved prior to commencement of the work, fines can be imposed from the day work began, after the appropriate notice and hearing.)

The above list is not complete or comprehensive. All other violations not listed or specified above will result in reasonable fines up to \$500.00 per week. The payment of any and all legal fees and costs incurred by the Association to enforce violations or collect fines shall be the responsibility of the homeowner.

Procedure

- First Violation: A courtesy letter citing the specific violation(s) and requesting correction of said violation (s).
- Second Violation: A letter sent requesting the unit owner to appear at a hearing before the hearing BOM to address the cited violation(s). The letter will identify the nature of the violation(s), date, time and location of the hearing. If the unit owner fails to appear at the hearing or provide written evidence on his/her behalf, a monetary penalty will then be imposed against the unit owner. The unit owner will be notified in writing of its decision.
- Continuing Violation: The BOM may impose a continuing monetary penalty, assessed on a weekly basis, without additional notice or hearing, until the infraction or violation has

been remedied. (A continuing violation is a violation of an ongoing nature which has not been corrected.)

Repeat Violation: Hearing Letter to unit owner. (A repeat violation occurs when a person violates the same provision of the CSV's governing document more than once and has already been given the appropriate warnings and hearing. A repeated violation will result in an immediate doubling of fines.)

There may be a repeat, continuing violation, in which case fines (which have been doubled) will be assessed on a weekly basis until the violation is corrected.

Violation and Fine Assessment Hearing

Due Process - A due process procedure is a formal process designed to protect the rights of all parties involved. There are several benefits to using a due process procedure to enforce rules: » All alleged rule violations are handled in the same manner » Use of a due process procedure is recognized by courts as legally valid rule enforcement » The majority of rule violations can be resolved with this procedure, thus avoiding going to court » The opportunity to be heard in a non-threatening fact-finding forum is often enough to result in a person's voluntary decision to obey a rule » Such a procedure provides an opportunity to explore alternative means to resolve a violation.

1. The Unit Owner will be given an opportunity to present their case and may then be excused.
2. The hearing committee of the BOM will confirm whether or not a violation has occurred and set a reasonable amount of the fine.
3. The fine levied may not exceed \$100 per day per violation.
4. The owner will be notified of the decision of the hearing panel, the amount of the fine, the date that fining will commence, and the right of appeal to the BOM.
5. The BOM will wait 5 days after the hearing before imposing the fine. a. This time is afforded the homeowner as a last opportunity to remedy without a fine. b. Thereafter, the homeowner will receive a monthly invoice for the fine.
6. Fines more than 45 days overdue will be sent for debt collection and lien or foreclosure.

Legal Action Procedure

If the CSV's attorney becomes involved, all fees charged in the matter will be reimbursed by the unit owner(s) involved.

All notices, either to unit owners or the BOM given pursuant hereto shall be in writing and delivered personally or sent by first-class mail. Notices to a unit owner shall be sent to the unit owner's last address of record as shown in the CSV association's files. Notices to the BOM shall be sent to the CSV association's current management company with a duplicate copy of the notice to the current President of the BOM, at his or her home address. All notices shall be deemed effective upon receipt if delivered by hand or on the next business day if sent by mail.

Repair Procedure

Homeowners often have differing views of their homeowner's associations (HOA). One thing everyone can typically agree on is that one of the primary responsibilities of an HOA is to maintain common areas throughout the community.

The HOA and its management company will arrange for and make the necessary repairs in accordance with the community's declarations and covenants. These generally include the exterior of the structure, but excluding doors and windows. But what about when the damage is to the interior of an individual homeowner's property? This falls under the category of "separate interest maintenance" or property owned exclusively by a member.

The one thing to emphasize in any discussion regarding repairs and maintenance is the responsibilities for such are spelled out in the association's Declarations and Covenants. These are supplied to everyone buying a home in our community, and can also be found on our website, www.centralsquarevillas.com.

The HOA has a fiduciary responsibility to care for the community's finances. As such, this policy is implemented to ensure the association is paying for common element repairs and maintenance only and not on unit owner repairs. In the event that a homeowner has damage to their unit, the following procedures have been set forth:

1. The homeowner will contact the Property Management Company to open a case;
2. A service call should be scheduled. Either the Property Management Company will send out their maintenance contractor or the homeowner can select a licensed and insured contractor of their choice;
3. It is crucial that the contractor establish the direct cause of the damage and provide such in detail along with the repair estimate;
4. If the contractor concludes that the interior damage originated from an interior source, i.e., mechanical systems, etc., the homeowner will be responsible for all costs, including any initial diagnostic service call fees.

It is important to note that any previous damage to a unit that was never reported (no record by the Property Management Company) will not be considered for future repairs. It is unrealistic for the HOA to repair any damage that is unverified.

Common Area Damaged Caused by a Member

Where damage to common area is caused by the acts of a member or the member's guest, any repair expenses incurred by the association may be recoverable through levying a reimbursement assessment against the member.



John J. Grimaldi & Associates, Inc.

INSURANCE GUIDE FOR UNIT OWNERS~

It is the responsibility of each unit owner to carry his/her own personal property and casualty insurance covering their personal property, personal liability and additions or alterations, which have been made to your unit. This outline of recommended coverage and the insurance requirements outlined in the association legal documents should be used when you discuss your specific insurance needs.

PERSONAL PROPERTY

Determine the replacement cost value of your personal possessions, excluding items of special value such as jewelry, furs, antiques, and collections. Request a replacement cost coverage policy subject to a \$250 or \$500 deductible. Coverage must be written on an "All Risk" basis.

ADDITIONS & ALTERATIONS& DEDUCTIBLE

Determine the value to replace any improvements, alterations or upgrades that you have made to the building within your unit. Include any parts not covered by the association policy, **including the Association deductible**. This coverage must be written on an "All Risk" basis. Please refer to the association documents relative to Insurance outline to determine your specific needs.

LOSS ASSESSMENT ENDORSEMENT

This coverage protects the unit owner from special assessments resulting from inadequate association insurance, such as a large liability loss that exceeds the limit of the association policy or a property loss for which the association insurance is inadequate. We recommend a minimum of \$10,000 written on an "All Risk" basis.

PERSONAL ARTICLES FLOATER

Most policies limit coverage for loss caused by theft of jewelry, furs, guns, silverware, antiques, coin and stamp collections. Items such as these should be appraised and specifically listed to insure full payment in case of loss.

COMPREHENSIVE PERSONAL LIABILITY AND MEDICAL PAYMENTS COVERAGE

Protects you and your family from liability claims for bodily injury or property damage to others for which you are held legally liable. This coverage is provided for occurrences within your unit and for Personal activities away from the unit. We recommend you purchase a minimum of \$300,000.

PERSONAL UMBRELLA

This coverage is written on a separate policy and is available for amounts of \$1,000,000 or more. It provides excess liability coverage over your personal automobile liability, HO-6 liability and other personal liability policies such as boats, rental property, etc.

Change Log:

Date of Change: 01/10/2022

By Whom: Tony Steward (BOM)

Change(s): Added Repair Procedures and Change Log

Date of Change: 11/01/2022

By Whom: Tony Steward (BOM)

Change(s): Replaced Suzanne Attea with Mark Bonvissuto as Secretary. Revised the Fence and Privacy Panel section and the architectural section.

Date of Change: 04/19/2023

By Whom: Tony Steward (BOM)

Change(s): Replaced LMM with Q&D Management. Revised the Fence and Privacy Panel section and the architectural section.

Date of Change: 8/01/2023/2023

By Whom: Felicia Lehman (BOM)

Change(s): Rules changes for Parking, Pool Regulations

Date of Change: 11/01/2023/2023

By Whom: Felicia Lehman (BOM)

Change(s): Changes pertaining to new property management company: R&D Property Management of WNY