

MILLSTREAM **HOMEOWNERS ASSOCIATION** **RULES AND REGULATIONS**

STATEMENT OF GENERAL POLICY

To assist you in acclimating yourself to condominium living and in understanding what your community responsibilities are, the following information is provided:

The Association CC&R's (Covenants, Conditions and Restrictions) are the basic rules for community living. The CC&R's are developed by experienced professionals in the field, carefully examined and approved by the California Department of Real Estate. The CC&R's for the Millstream community are designed for the protection, maintenance and improvement of the Millstream community property. The Rules and Regulations for Millstream are based upon the CC&R's which remain the primary governing document for the community and association property.

BOARD OF DIRECTORS

The members of the Millstream Community Association elect annually a Board of Directors composed of five persons with staggered terms. It is the responsibility of the Board to govern the affairs and business of the Association in accordance with the CC&R's and state and federal laws, and to establish and enforce Rules and Regulations, as deemed necessary. These positions are voluntary, unpaid, with two year terms.

MANAGEMENT COMPANY

The Board of Directors will select a property management company to act as agent and to perform duties and services as contracted and authorized by the Board of Directors, on behalf of the Association. One function of the property management company is to interface with the community homeowners (members of the Association). The homeowner should contact the property management company primarily to inform them of maintenance problems or concerns, inquiries concerning assessment billings, or if a problem arises. All contact must be through the management company not individual board members directly, as they cannot individually make decisions. The property management company will respond to any questions or concerns expressed by the homeowner.

ASSOCIATION MAINTENANCE RESPONSIBILITIES

The Association is responsible for painting, maintaining, repairing, and replacing, if necessary, common area property within the community. Common area property is defined as: landscaping, streets, exterior street and common area lights (excludes individual unit porch lights), building exteriors, the painting of the exterior of all units, exterior face of all fences, common area plumbing, pool facilities, streams, walkways. Please refer to the CC&Rs for a more specific definition hereof. All maintenance is authorized by the Board and is under the supervision of the property management company.

BOARD MEETINGS

The Board of Directors meet:

Start Time: 6:30 p.m.

Place: Kathy May's Restaurant

The Board of Directors meetings are typically held the 3rd Monday of each month with exceptions as required for national/state holidays. Please consult the association website for meeting scheduling at www.millstreamhoa.com.

The first half hour of the Board Meeting is open to all homeowners to address the Board with problems and suggestions that they may have. At no later than 7:00 p.m., the Board will close the floor to homeowners to get on with the general business meeting. Homeowners are invited to stay to see how the Board operates during the general business meeting, but are required to leave when the Board is in Executive Session per Civil Code. Executive session meetings are held to discuss: legal matters, contract formation with third party vendors, and personnel issues.

Unit renter/leasee/non-owner tenants are not invited to attend Board meetings as they are not members of the association.

Board Meeting Schedule	Time	Owner Attendance
Homeowners Forum	6:30 p.m. to 7:00 p.m.	Yes, each owner has 3 minutes each to address the Board with concerns that they may have.
Regular Session (Business Meeting)	7:00 p.m. to 7:30 p.m.	Yes, listen only, no owner interaction with the Board.
Executive Session	7:30 p.m. to 8:00 p.m.	No.

ANNUAL MEETING

The annual meeting of the Association is held on the third Monday of each September. Notice of the election, ballots, and any other pertinent related material for the elections is sent to all homeowners. The primary purpose of the annual meeting is the election of new members of the Board of Directors. The Board's purpose and responsibility is the management of the Association's business with delegation of day to day management to the designated property management company. Those who are eligible to serve on the association Board may nominate themselves to run in accordance with the association's By-Laws.

ASSOCIATION BUDGET

The Board of Directors annually review the costs and expenses including reserve requirements pursuant to the CC&Rs for the continued maintenance and improvement of the Community Association, including all property of the Association.

The Association's fiscal year ends 12/31 of each year. Homeowners shall receive a notice of the annual budget including proposed monthly assessment for the Association not less than forty-five (45) days preceding the close of the current fiscal year.

ARCHITECTURAL MAINTENANCE

Any homeowner contemplating making any improvement, alteration or addition to the occupied unit is required to **submit in writing**, on the required form, to the property management company, detailing plans for any improvement, alteration or addition. The property management company will submit the written form and plans to the Board of Directors for its review and approval. **Work cannot be commenced** until the homeowner making the request has received written approval. Submission of architectural plans must be submitted including a full description of the proposed improvement and any brochures or photographs of the proposed improvement.

ASSOCIATION ASSESSMENTS

The Association Assessments are due and payable the first of each month. Any assessment not paid and/or received by the property management company by the fifteenth calendar day of the month will be assessed a delinquent charge plus interest. The property management company as a courtesy will mail statements monthly, but are not required to do so. If you change your mailing address different from your Millstream address, notify the property management company immediately in writing to avoid any potential complications and delinquency charges.

INSURANCE

Information regarding the Association's Master Blanket policy may be obtained from the property management company. An insurance disclosure summary is mailed to all owners each year with the association's budget. The Association's Master Blanket policy **DOES NOT PROVIDE COVERAGE FOR PERSONAL PROPERTY OR PERSONAL LIABILITY OF THE INDIVIDUAL HOMEOWNER/UNIT.** Homeowners need to protect furnishings, clothing, additions/upgrades to premises by purchasing a condominium homeowner's policy, including protection against homeowner premises liability.

HOMEOWNER RESPONSIBILITY

Please keep in mind that each unit homeowner is responsible for the actions, violations, and any possible damages created by themselves, their residents, their vendors, guests, etc.

NON-RESIDENT HOMEOWNER

No unit may be rented for a period of less than thirty (30) consecutive days. Non-resident homeowners are responsible for providing to tenant a copy of all association governing documents including but not limited to the Rules and Regulations, and CC&Rs and notices provided from time to time to all residents of the community.

Non-resident homeowners are responsible to ensure tenants and/or guests of tenants adhere and comply with the CC&Rs, Rules and Regulations, and including but not limited to published notices. Notices of violations will be issued to non-resident homeowners for tenants/guests. Non-resident homeowners shall bear all responsibility including fines and applicable damages assessed for violations issued.

WATER

Residents/tenants are strongly encouraged to conserve water at all times, as this is a significant, and regularly increasing cost to the association/monthly dues.

- No excessive hosing off of walkways, patios, etc.
- No car washing.

POOL RULES

Pool hours – Monday – Sunday 6:00am to 10:00pm

- Pool gates must be kept locked at all times per CA Health and Safety Code.
- Access to pool is restricted to owners/ tenants and their guests only.
- When an owner leases out their unit, they relinquish their rights to the pool area to their tenants.
- Residents are limited to four (4) guests per unit in the pool area. No pool parties.

- Homeowners/residents must be present in the pool area at all times with their guests.
- No lending of keys or opening of gates to non-residents.
- Propping gates open, climbing on gates and/or fences for access is not permitted.
- Children under the age of 14 must be accompanied at all times by an adult (parent or guardian over the age of 18).
- Inflatable child size inner tubes, adult sized rafts, plastic beach balls designed for use in pool/spa are permitted, but only under the supervision by adult (parent or guardian over the age of 18).
- Toy wagons or any other wheeled means of transportation (excluding wheelchairs) used by members/guests to/from the pool/spa area should be parked outside, out of the walkway or entrance to avoid harm and/or injury to other guests/members. The Association shall not be liable for any injury or loss, including but not limited to theft for any of these wheeled means of transportation while parked outside pool/spa area.
- The Board does not encourage residents to bring strollers into the pool area, but strollers will be permitted subject to the owner's sole responsibility for any liability or damages resulting from the stroller being in the pool area.
- Infants must wear swim diapers to enter pool.

No lifeguard on duty at any time. Use of the pool/spa is at the risk of the user.

REMEMBER: POOL SAFETY EQUIPMENT IS IN PLACE IN EVENT OF EMERGENCY. DO NOT REMOVE FROM THE POOL AREA FOR ANY USE OTHER THAN INTENDED USE.

NOT PERMITTED AT ANY TIME AT THE POOL or SPA

- Smoking
- **Glass in pool/spa area**
- Pets (leashed or otherwise - this is a Health Dept. law)
- Surfboards, skate-boards, boogie-boards, roller skates, rollerblades, bicycles, tricycles, toy wagons, strollers
- Placement of pool furniture in the pool/spa
- Removal of furniture outside of the pool/spa area
- Diving, running, pushing
- Loud noises including playful screaming
- Radios without headphones
- Nudity
- Climbing on or over pool fences and gates

Lost Pool Key(s):

Contact the property management company for a replacement key, at a cost of \$25.00 per key. Keys are not duplicative by homeowner and/or tenants to prevent unauthorized entry and potential theft or vandalism.

GATE REMOTES:

Contact the property management company for a replacement remote, at a cost of \$50.00 per remote. Remotes are for residents/tenants only, and are not to be given/loaned to guests, vendors, or any other non-Millstream resident.

PETS

- No more than two (2) pets per home. (CC&R's state 1)
- All pets shall be licensed pursuant to county requirements.
- Dogs must be either kept within an enclosure or on a leash being held by a person capable of controlling the animal.
- It is the responsibility of the pet owners to clean up after their pets, including patio, balcony and common areas. Violators will be fined.
- All animals must be tagged so that the ownership of the pet is evident.
- All pet owners are personally liable for personal injury or damage to common area property caused by or the result of pets owned.
- **Pets are not permitted at any time in the pool or spa area or facilities.**
- The Association has the right to prohibit any animal which creates a nuisance or hazard to other members of the community.

NOISE

No owner, resident or guest will interfere with the rights of quiet enjoyment of others.

SIGNS

- No posters or signs are to be posted in common areas without prior approval from the Board of Directors via the management company.
- One "For Sale" sign is permitted in the window of a unit, and one "For Sale" sign is permitted on the garage door. Neither should be larger than six square feet.

TRAFFIC AND PARKING RULES

1. Parking is prohibited in any and all fire lanes. Fire lanes are defined by:
 - Signage
 - Red curbs
 - Within 15 feet of a fire hydrant
 - Any community street
 - Blocking any garage

2. All vehicles are prohibited from parking in areas other than a designated space.
3. All vehicles must fit within one parking space. No double parking is allowed.
4. No vehicle may travel in the community at any speed greater than 7 miles per hour. Speed limits apply when turning in or out of the complex.
5. Commercial vehicles are prohibited from overnight parking on site. Commercial vehicles are defined as, but not limited to, vehicles which have any of the following attributes:
 - Over ¾ ton
 - Designed to carry more than 10 passengers
 - More than two axles
6. Recreational vehicles are prohibited from parking on site. Recreational vehicles are defined as, but not limited to, vehicles like the following:
 - Trailers of all types
 - Boats
 - Personal watercraft
 - Aircraft
 - Cab-over campers (shells are approved)
 - Motor homes
 - Unlicensed / expired / unregistered vehicles
 - Vehicles licensed for only off-road use
7. Vehicles leaking fluids other than water are prohibited.
8. Any vehicle which is incapable of locomotion under its own power is prohibited.
9. No vehicle may be parked on site, in the common area, for more than 72 consecutive hours.
10. When exiting and entering the complex, driver must follow traffic patterns and yield the right of way to avoid accidents.
11. No vehicle may be parked in a designated handicapped space unless it properly displays one of the following: DP license plate, Handicapped Placard or a Handicapped mirror hang tag.
12. Each Owner shall be responsible for ensuring that their family members and tenants comply with the restrictions and requirements set forth in the Rules and Regulations.

13. Car alarms must automatically go off after a short interval. If a car alarm continues to go off, the Association may, at the owner's expense, hire a locksmith and take whatever action necessary to stop the noise.

14. All vehicles parked on Millstream property must have current registration.

The Board of Directors has the authority to determine when a vehicle is being stored. Vehicles failing to conform to these restrictions will be held liable for any damages to any association property including parking areas and streets caused by vehicles of owner(s). Owner(s) will be subject to fines and/or towing.

GARAGES

- All garages must be kept in such condition that a car can be parked inside.
- No large appliances, nor items requiring large electrical usage (e.g.: older refrigerators, mills, lathes, large power tools, etc.) are permitted to be plugged in and/or operated inside any garage.

VEHICLE REPAIRS

- Except for minor repairs which take a few minutes, such as battery or tire changes, no vehicle repairs may take place on the property.
- Oil changes and any major vehicle repairs are strictly prohibited. Violators will be responsible for the cost of cleaning up any damage caused in addition to applicable fines.

CONDUCT

- No owner, resident or guest will interfere with the rights of quiet enjoyment of others.
- Littering of lawns or other common area is strictly prohibited.
- Stereo and television or any other noise should not reach a level which is offensive to other residents under a standard of reasonableness.
- Trees and plants in common areas must not be damaged or removed without permission.
- Owners may not place or plant any item in the common area without the specific approval of the Board of Directors.
- Nothing shall be attached or hung from/onto the exterior of any building without approval of the Board of Directors.
- **The use of skateboards, scooters, bikes, etc, on any pedestrian walkways, is strictly prohibited.**

STORAGE IN COMMON AREA

Note: Patios and balconies are considered restricted common areas.

- No storage is allowed in the common area including under stairways and at unit front doors. The following are permitted within the individual homeowner patios and balcony enclosures:
 - Furniture designed primarily for outdoor use
 - Portable barbeques
 - Plants in pots
- Storage doors should remain closed.
- No items such as towels, roll-up blinds, or hanging items should be visible on the patio or balcony. The balconies and patios are not a storage area. Do not use as such.

TRASH

- All items shall fit in the dumpster with the lid completely closed.
- If the item(s) cannot fit into the dumpster with the lid closed, homeowners, their guests, tenants, and/or vendors are **required** to call the company listed under Resources at the end of the rules and regulations for disposal at their cost.
- As all Millstream residents pay the cost of large item removal, any person found to have violated this rule will be fined the cost of removal of the item(s), and any other fines deemed appropriate by the Board of Directors.

OWNER/LESSEE

- The lessee must be provided with a current copy of the Rules and Regulations by the owner.
- Any lease is required to provide that the terms of the lease are subject in all respects to the provisions of the CC&Rs, By-Laws, and Rules and Regulations, and that failure by lessee to comply with such terms shall be a default of the lease.

ENFORCEMENT POLICY

Depending upon the nature and severity of any violation of CC&Rs, By-Laws, or Rules and Regulations, the Association reserves the right to proceed directly with legal action in place of writing letters and imposing fines.

The Board of Directors may assess fines and incurred damages for each violation of the association's Rules and Regulations after the homeowner is given the opportunity to appear before the Board of Directors at a hearing. Such fines will be charged to the homeowner whether the violation is caused by the homeowner, tenant, or any guest, as the homeowner has the ultimate responsibility. The homeowner will be notified by mail and may appear before the Board of Directors at a Board meeting to offer an explanation for the cited violation. The hearing shall be conducted in an Executive Session of the Board of Directors unless the homeowner requests otherwise. Any violation of the Rules and Regulations upon which action is requested shall be communicated in writing to the management company for presentation to the Board of Directors.

Repeated violations of the same rule will cause the Board to hold additional hearings which may result in the assessment of additional fines or to take other action as it deems appropriate. Failure to pay fines promptly may also cause the Board to take other steps, e.g., action in a court of law.

The fine schedule is as follows:

- 1st offense: Warning notice. Thirty (30) days given to correct offense.
- 2nd offense of same violation: Invitation to a hearing; subject to a \$50 fine.
- 3rd offense of same violation: Invitation to a hearing; subject to a \$100 fine.
- 4th offense of same violation: Invitation to a hearing; subject to a \$200 fine.

Failure of the Board to enforce any of the Rules and Regulations does not constitute a waiver of the right to enforce thereafter.

COMMUNITY RESOURCES

Dumpster Trash Service

Rainbow Disposal
714-847-3581

Large Item Disposal for Residents

Steve's Hauling
714-557-7251

Electric Service

Southern California Edison
800-900-7788

Gas Service
Southern California Gas
800-427-2200

Water/Sewer Service
City of Huntington Beach
714-536-5921

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