

HOMEOWNER ASSOCIATION GUIDELINES

Initially Approved on March 22, 2022

(with subsequent amendments - last updated 9/30/24)

INTRODUCTION – Glenhaven is a small, compact residential community made even more so because of limited parking. In choosing to live in a townhome community, residents make conscious choices about their living style and agree to abide by rules and regulations regarding common areas and certain activities related to a homeowner’s property.

The Glenhaven By-laws, the community Declaration of Covenants and Restrictions, as subsequently amended, our Design Guidelines, and the North Carolina Planned Community Act provide guidance to Glenhaven and benefit all homeowners. The guidelines found in this document are drawn from our Declaration of Covenants and our By-laws and have two primary objectives: 1, to minimize and eliminate significant nuisances and inconveniences to home owners; and 2, to protect and enhance our community’s property values.

At a time when many feel civility is waning (e. g., lack of courtesy among drivers), it’s important that we conduct our community governance and business responsibilities in a thoughtful way and treat each other with respect, even as we work through differing opinions and difficult decisions. Life in a planned community like ours often requires compromise; when conflicting views arise, it’s critically important that we strive to “disagree without being disagreeable.”

Disagreements between or among neighbors are likely to occur in any community. We're all better served if these issues can be rationally discussed among the affected parties. Often, a friendly discussion in which the concerns or issues are brought to the attention of a neighbor will be sufficient. In such situations, it's helpful to have an unambiguous, defined set of expected behaviors that apply to all home owners. However, if the conversation fails to resolve the problem, there should be other avenues available. Worth noting, however, is the fact that the board has no statutory authority to mediate interpersonal issues that do not involve a violation of our governing documents.

(It should be noted that the use of "homeowner" in this document, by definition, is synonymous with any and all residents who may be renting a home within Glenhaven. The guidelines apply to legal owners and residents (or guests) of the property, including renters. The owners of a property are responsible for the payment of any fines that may be levied against them as a result of a guest or renter's violation of these guidelines.)

CHANGES TO HOMEOWNER GUIDINES ENFORCEMENT PRACTICES – Effective August 1, 2024, Glenhaven engaged Lambeth Management to assist homeowners with certain administrative duties, one of which is the monitoring and enforcement of its Homeowner Guidelines. Unless otherwise noted in the following narrative, any concerns about guideline infringement should be documented and sent via e-mail to Lambeth's Glenhaven Relationship Manager, Michele Grimm (michele@lmgmt@gmail.com, 336.884.0750)

The communication sent to the relationship manager should provide sufficient detail (nature of violation, resident[s] involved, time and date of the violation[s]) to allow follow-up by the relationship manager. Photographs of the situation, preferably time stamped, are particularly

helpful. However, homeowners should avoid invasive actions and confrontations with any individuals. If the situation cannot be resolved with the homeowner, a fine may be levied. If a fine is applied, the homeowner would have an opportunity to formally appeal the decision. (See the attached Appendix – last page - for additional detail about this procedure.) Fines may be levied on a daily basis at a rate of up to \$50.00 per day, per violation, until the violation is rectified. In some situations, a violation might also result in the payment of “damages” incurred by the Association in having work modified or removed (e. g., a structural or other incursion of a common area).

Potential financial penalties are not intended to be a source of revenue. Rather, experience at other communities in our area and beyond has shown that for guidelines to be effective, there must be a financial penalty available to the community when there are unacceptable actions that are consistent, repetitive, or go uncorrected.

The following guidelines and prohibitions are not intended to be inclusive. It’s impossible to anticipate every situation that could lead to difficult or untenable situations in our community. As appropriate and warranted, the list may be expanded and/or amended, at the board’s sole discretion.

Violations of the following actions/activities may result in fines being levied against the homeowner (with the noted procedures for appeals):

MAINTENANCE OF EASEMENT AREA: plants, shrubs, etc., planted by the owner in the appropriate easement area must be properly maintained by the homeowner. (There are some “grand fathered” exceptions for Phase I homes.) Homeowners must remove dead plants or shrubbery, discarded flowerpots, etc. Homeowners should also ensure that items like garden hoses, rakes, etc., are not left in a cluttered fashion in the easement or on a common area in any way that

would impede landscaping activity. Hoses fit nicely on a reel; tools can be stored in the garage or discreetly behind a bush or shrub.

HOMEOWNERS' INTERACTIONS WITH CONTRACTORS – One of the frustrations expressed by prior contractors was the frequency (and on occasion the lack of civility) with which individual homeowners would interrupt their routines with questions, concerns, requests or issues that interfere with the contractor's ability to finish the assigned duties within the allocated time. Any question or concern about landscaping should be directed *only* to a board member or to the Lambeth relationship manager; the issue will be assessed and discussed, as appropriate, with the contractor at the appropriate time. It's much easier (and more effective) for our landscaping contractor to interact with one person rather than (potentially) 72. Feedback will be a routine component in the board's relationship with the landscaping contractor.

EXCESSIVE NOISE – No speakers or any other sound devices (except security apparatus) can be permanently placed on townhome exteriors or anywhere outdoors. If speakers or any audio equipment are placed on the rear patio, the radio or music should not be heard by neighbors. Any noise from tv's, stereos, radios, musical instruments (not an inclusive list) that permeates the interior common wall of units will also be considered a violation of this policy. Radios and stereos in cars using Glenhaven streets must be maintained at a sound level so that they're not heard by residents. Continually barking dogs will be considered a noise nuisance.

While excessive noise is a violation of the community's governing documents, the Lambeth relationship manager and the board are not in a position to adjudicate these situations. A homeowner should contact the Sheriff's Department for assistance in resolution.

FIREARMS/FIRECRACKERS – Neither item is to be discharged in any common area of Glenhaven.

PROHIBITED ACTIVITIES – No noxious or offensive activity shall be conducted in any Townhome. Owners and guests shall refrain from any activity that could reasonably cause embarrassment, discomfort, annoyance, or a nuisance to other residents.

EXTERIOR ORNAMENTS, EXTERIOR LIGHTING, AND SEASONAL DECORATIONS - Nothing should be placed on outside ledges or windows or hung or attached to lighting fixtures, gutters, or outdoor fencing. There is to be no additional exterior lighting other than the permanent light fixtures, except for small decorative accent or “luminary” or solar type lighting. This requirement is NOT applicable to seasonal year-end lights and window decorations that may be temporarily installed. Seasonal decorations should be removed in a timely manner.

In most cases, discussions about “seasonal decorations” relate to the year-end holiday fortnight. Other holidays (e. g., Thanksgiving and even Halloween) have associated decorative themes. In the case of Halloween, associated decorations should be displayed no sooner than the beginning of October and must be removed during the first week of November. A trend has developed that involves, for example, a continuous display of a large skeletal figure and changing the skeleton’s attire to meet other holiday themes (e. g., “back to school,” fall, winter, patriotic holiday). This is not permitted under the Glenhaven guidelines.

The board realizes that views about the appropriateness and tastefulness of external decorations vary and are subjective. The community’s philosophy is to be flexible; however, the board reserves

the right to make the final decision regarding the appropriateness of decorations and the length of time they're exhibited.

ADDITIONS TO PORCHES OR PORTICOS -Porches and porticos are for the use and enjoyment of the homeowner(s) in the townhome attached to the portico or porch, and there is no requirement for approval by the Architectural Control Committee (ACC) for the usual array of furniture and decorations typically employed: a wreath or door decoration, exterior wall art, a decorative pot with plant, a bench or comparable decorative items leading to the front door.

Homeowners should exercise common sense about the number and size of items placed in entrance ways and porches. As referenced previously, seasonal year-end holiday decorations may also be placed on porches and porticos but should be removed in a timely manner.

TRASH AND RECYCLING CONTAINERS - Most consider these containers to be unsightly, and over time, their appearance often declines significantly. The cans are not to be placed on the driveway until the night before scheduled pick-up and should be returned to storage by the evening of pick-up day. All cans are to be stored in the owner's garage or fenced-in patio area. At no time can a container be stored in any common area or easement, even if placed behind a large shrub.

SIGNS – When a property is “for sale,” one “sale” sign may be placed in the front common area; on the day(s) of an open house, a relevant sign may be installed but must be removed afterward. A small security system sign in front, near the pine needle area is allowed, and one window security decal. A similar sign and decal may be placed in the rear. If a home is being rented, no “for rent” signs can be displayed at any time.

No other signs of any kind are allowed in any common area.

(Political/advocacy signs are addressed in the next section.) The

opening sentence is inclusive and explicit; however, to avoid any ambiguity, misunderstanding, or misinterpretation, this paragraph specifically prohibits any garage/yard sale signs anywhere in Glenhaven common areas. The board, in its sole discretion, determines placement of any community yard sale signs.

POLITICAL/ADVOCACY (“issues”) SIGNS – (The term “political/advocacy sign” includes banners, garden flags, flags of any size with or without a flagmast, or any other apparatus that contains, for example but not inclusively, a candidate’s name, a political party, or a position on a ballot initiative or contemporary social issue.) **On March 22, 2022,** the Glenhaven Homeowners Association approved an Amendment to its governing document to prohibit any political/advocacy signs in Glenhaven at any time. The consistent views expressed by homeowners are that such signs create significant visual clutter, can be divisive within our community, and can also create problems for routine landscaping maintenance. The restriction on these signs applies to all common areas as well as the exterior of a home or any window, as well as porches or porticos. A political or advocacy sign within a garage is impermissible if it is visible from the street when the garage door is open for an extended period of time.

The board is the final arbiter on any issues related to the topic of political/advocacy signs. If a sign is placed inappropriately, an attempt will be made to contact the homeowner and request immediate removal of the sign. Given the community’s concerns about the effect of political signs, in the event of a homeowner’s failure to remove the sign (with or without a response from the homeowner), the board reserves the right to remove and subsequently return it to the homeowner. Removal of the sign either by the homeowner or the board should occur before dusk on the day of notification.

DISPLAY OF FLAGS – The US, NC, seasonal (garden), college or sports team flags are allowed to be displayed from homeowners’ residences

(maximum of 4' x 6'); owners may rotate them as they elect. No advocacy, "issues," or political flags (with or without a flagmast) are permitted. (See "Political Advocacy" section just above.) Our homes' facades limit the acceptable areas for house display. Owners should avoid the garage area, particularly the area closest to a neighbor's home. An optimum placement position is the home's entrance area or beside the large front window. Smaller garden flags may be displayed near the owner's mailbox, in the easement area, amidst pine needles or behind the home. Advocacy or "issues" flags are not allowed in these areas. (The board is the final arbiter on these issues.) No corrugated flags or flag poles are allowed in Glenhaven.

PETS – Dogs must always be on a leash when walking in the neighborhood and owners may not allow a pet to be outdoors unsupervised. No portion of the common areas can be used to tie-up dogs. Owners (and guests) should bag and remove pet waste and dispose of it at the owner's home; pet owners should also be mindful of the common areas in the front and back (the "yards") of homes and easement areas. This issue can also affect our landscaping efforts when mowers pick up and spread material. Pets add richly to our quality of life and it's readily apparent that pets are often a significant part of informal, outdoor social gatherings among residents.

PARKING – In addition to the two vehicular spaces in each homeowner's garage, two additional spaces on the driveway are assigned to each homeowner. NC State Department of Transportation (DOT) regulations preclude street parking in Glenhaven; vehicles in violation of these regulations may receive a "warning" or a citation from the Davidson County Sheriff's Department. In some cases, a vehicle may be towed. There is an informal agreement with the Sheriff's Department that "event parking" (e. g., holiday gatherings, club meetings, dinner parties) will be accommodated, within reason.

Parking with two wheels on the pavement and two on a “front yard” common area violates DOT statutes as well as Glenhaven covenants. Home cleaning services, repair vendors, and caretaker vehicles should use the homeowner’s driveway. During mail delivery days, no vehicle may interfere with the Postal Service carrier’s access to a homeowner’s mailbox. Street parking can also restrict access and egress to driveways of neighbors and can make it more difficult, even if only incrementally, for emergency vehicles to reach their destinations. As part of its normal duties, the Davidson County Sheriff’s Department will periodically patrol our streets. Residents who experience chronic inconvenience with a car (or cars) parked on one of our streets should contact the Sheriff’s Department (not through the 911 system). The Corporal responsible for community relations is the contact point for Glenhaven parking issues. His cell number is: 336.590.4568. The Sheriff’s Department will respond.

SPEED LIMITS ON COMMUNITY STREETS – NC Department of Transportation Statutes limit Glenhaven’s ability to install speed bumps and/or lower community speed limits. Drivers on our roads are asked to be considerate of residents and observe a maximum speed of 15 miles per hour.

TRAILERS, BOATS, COMMERCIAL VEHICLES – No boat, boat trailer, trailer of any kind, camper or utility trailer shall be stored or repaired anywhere on Association property. The parking of commercial vehicles of any kind is discouraged. If circumstances dictate that a commercial vehicle be brought to one’s residence, it should be stored in the homeowner’s garage or alternatively, on the homeowner’s driveway. In no circumstance can a vehicle of any kind be parked in a common area. Nothing in this section, however, is intended to preclude a commercial vendor (HVAC, plumber, electrician, appliance repair, etc.) from parking in the homeowner’s driveway or briefly on the street

should vehicle size present a challenge. (It should be noted that any oversized vehicle parked on the street is still in violation of DOT regs.) Sensitivity should be demonstrated in regard to interfering with mail delivery.

ANTENNAS, AERIALS, AND SATELLITE DISHES – No reception device larger than one meter (c. 39 inches) shall be installed on any townhome. Unless reception is seriously compromised, any reception device should be mounted on that part of the townhome that is least visible from public view and in no circumstance can it create a nuisance (e. g., with landscaping activity).

WINDOW AIR CONDITIONERS – No “window” a/c unit may be installed in any window of any home.

PROHIBITED ITEMS – Basketball goals/practice areas, permanent, inflatable or portable pools (not behind an opaque barrier wall of standard design), clotheslines, playhouses, storage sheds on a common area not behind an opaque wall and thus not visible.

USE OF COMMON AREAS – Residents accessing common areas should be respectful of nearby homeowners and their townhomes and maintain a proper distance and minimize noise. (All pet control issues are applicable to rear common areas.) Especially since the pandemic, some homeowners may be working from a home office, which may be in the front or in the rear sunroom. This calls for even greater sensitivity to the use of common areas.

INTERACTION WITH ARCHITECTURAL CONTROL COMMITTEE (ACC) – Nothing in this section supplants the need for a homeowner to secure the approval from the Glenhaven Architectural Control Committee for certain alterations to one’s townhome as articulated in the governing documents referenced previously. If there are questions about the

need for the ACC to review and approve the planned activity, please contact a member of the committee or a board member. If you are uncertain about the applicability of the Architectural Control Committee in relation to a planned rework or modification of any area of your home, be sure to inquire. Initially determining the appropriate involvement of the ACC is a relatively simple process; it's better to be "safe than sorry."

(The following paragraph regarding yard/garage sales is an amendment that was adopted by unanimous vote of the Glenhaven Board on Monday, June 13, 2022.)

YARD/GARAGE SALES

One of the unique challenges Glenhaven faces is limited parking and no designated "guest parking." Consequently, any yard/garage sale (small or large) can create significant dislocation and inconvenience for residents. Homeowners have differing views about the desirability of yard sales; however, there appears to be near unanimity on one point: if Glenhaven engages in a yard/garage sale, it should be a community-wide event, held on a mutually identified date, and held annually. With advance notice of such an event, the community would have time to plan for critical logistics. Given the complications these events present, in no event can a resident, or a group of residents, conduct an "independent" yard/garage sale. Because of the broad impacts of these events, any yard/garage sale must be approved by the board. A sale of this type held without board approval will result in the levying of a fine (or fines), and in the event of a homeowner's refusal to comply, the board will pursue legal options.

Concluding Note: The rules outlined above are “common sense” directives to ensure that our community can exist and function in a harmonious manner. They’re also intended to protect and enhance each homeowner’s property value. Most planned communities have a reputation (good or bad) with realtors and prospective buyers. We certainly want Glenhaven to be in the “good” category.

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EXCERPT FROM THE NC PLANNED COMMUNITY ACT

47F-3-107.1 Procedures for fines and suspension of planned privileges or services

“ . . . a hearing must be held before the executive board or an adjudicatory panel appointed by the executive board to determine if any lot owner should be fined or if planned community privileges or services should be suspended. The lot owner that is charged must be given notice of the charge, an opportunity to be heard and to present evidence, and notice of the decision.

“ . . . any adjudicatory panel appointed by the executive board must be composed of members of the association who are not officers of the association or members of the executive board. The lot owner may appeal the decision of an adjudicatory panel to the full executive board by delivering written notice of appeal to the executive board within 15 days after the date of the decision. The executive board may affirm, vacate, or modify the prior decision of the adjudicative body.

“ . . . the fine that could be imposed was reduced from a maximum of \$150.00 for each day after the decision that the violation occurs to a maximum of \$100.00 for each day more than five days after the decision that the violation occurs.”

(Note: the legislation uses the term “lot owner.” More informal Glenhaven communications refer to “homeowners.” The Glenhaven fine is set at a maximum of \$50.00 per day rather than \$100.00 allowed by the Planned Community Act.)