

# LaCrosse Homeowners Association Rules and Regulations

Revision Date: February 28, 2013

## Introduction

The following are the Rules and Regulations as enacted by the Board of Directors of the LaCrosse Homeowners' Association. These Rules and Regulations (R&Rs) are **in addition** to the Covenants, Conditions and Restrictions (CC&Rs) that the homeowner agreed to prior to purchase of their home in the LaCrosse community and are the implementation of the CC&R as specified in that document.

### 1. Architectural Compliance Committee (ACC)

(The following rules are in addition to the CC&Rs)

- a. All work done on the exterior of the house or in the yard, which can be seen from another lot or the street, will need a submittal to the ACC for approval. These include, but are not limited to, fences, patio/deck, major landscaping, driveway extensions, satellite dish placement, paint color, outbuildings, sheds, etc.
- b. All driveway repair and replacement(s) should be made of "exposed aggregate".
- c. The request for approval must be submitted to the ACC 30 days before the work is scheduled to start. If any work is done without the ACC's permission, the homeowner will be fined according to the fine schedule. If the work done without prior approval of the ACC, the homeowner will be required to bring the construction in compliance, in addition to being fined. The homeowner will be required to remove the construction if it is deemed unacceptable to the ACC.
- d. The ACC has 30 days to render its decision on the submittal.
- e. The homeowner can appeal to the Board, in writing, in the case of a denial by the ACC. The Board will decide on the issue at its next scheduled meeting. The decision of the Board will be binding on the homeowner. If the Board rejects the appeal of the homeowner, any action recommended by the ACC will be due immediately.
- f. The ACC Submittal form is available on our website; [www.lacrosseneighborhood.org](http://www.lacrosseneighborhood.org). If you do not have access to the Internet, please call (425) 917-5331 or (425) 533-1386 and leave a message with your name, phone, address and/or fax number so that we can send you a copy of the current ACC form. Please utilize the forms provided on the website and mail them to: **LaCrosse HOA, 6947 Coal Creek Pkwy SE #744, Newcastle, WA 98059-3159.**

### 2. Parking

- a. All vehicles should be parked either in the garage or the driveway.
- b. Recreational Vehicles (RV's) and Boats can be parked for a maximum of 14 calendar days in a year in the driveway.
- c. Parking on the sidewalk is not allowed.
- d. Parking in such a manner that would impede access to the playgrounds is not allowed.
- e. Parking in a manner that would cause problems for emergency vehicles to have access is prohibited.
- f. Any parking violation will be subject to a fine according to the fine schedule.
- g. If parking violation continues, the Board has the authority to impound the offending vehicle (car, boat, or RV) at the owners' expense.
- h. Overnight parking of commercial vehicles, as defined in Section 3, is not permitted.

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## 3. Commercial Vehicle

- a. Any multiple rear axle vehicle and/or having more than four wheels and that possesses post factory lettering such as advertising and/or other business related signage, and/or equipment such as, but not limited to, racks, ladders, toolboxes, or parts or equipment compartments or the like.
- b. Any box vans, moving vans, box trucks, moving trucks and/or any vehicle over a gross weight of 10,000 GVW.
- c. Any commercial related equipment such as commercial trailers, tractors, and/or any other equipment used for business related purposes shall be considered a commercial vehicle.

## 4. Pets

Reminder that a King County pet license is required for all adult dogs and cats residing in unincorporated King County and within the boundaries of those municipalities participating in the Regional Pet Licensing Program. A pet license is required regardless of whether they are kept indoors or outdoors.

According to King County's Dog Leash Law (Chapter 6.05.050 and others), "It shall be unlawful for the owner or custodian of any dog to cause, permit, or allow such dog to roam, run, stray or be away from the premises of such owner or custodian and to be on any public place or any public property or the private property of another unless such dog is controlled by an automatic retractable leash or by a leash not more than eight feet in length. Any dog round roaming, running, straying or being away from such premises and not on a leash as herein provided, is hereby declared to be a nuisance and such dog may be seized and impounded subject to redemption in a manner provided. Please see website <http://rentonwa.gov/living/default.aspx?id=44> for additional information.

- a. Pets are not be allowed to roam, run, stray or be out of the premises of the homeowner, unless on a leash.
- b. When out with your pet, the pet should always be leashed (by a leash no longer than 8 feet) and in control of a person who is able to control it.
- c. Any pet found wandering in the neighborhood can be reported by any resident to the Animal Control department of the City of Renton. Please place a non-emergency call to 911 to report any vicious animals or pets roaming without a leash in the community.
- d. Letting your pets roam in the neighborhood without being controlled by a leash is a violation of the Rules and Regulations, and will be fined according to the Fine Schedule.
- e. As a courtesy to other homeowners, please comply with the City of Renton scoop law and do not let your pet urinate on other people's property. Use the gutter.

## 5. Dog Kennels

- a. Dog kennels that are located behind a wood fence can be made of chain link fence and have plastic and/or metal dog houses as long as they are not viewed from the street.
- b. If possible, locate the kennel away from windows of neighbors to minimize impact.

## 6. Maintenance of Lots

Yards should be maintained regularly, with proper weeding and mowing on a regular schedule. If the yard is not mowed or weeded for a considerable amount of time (based upon the condition of the yard), the Board may ask the landscaper taking care of the common property to clean up the yard. The cost of the cleanup

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will be passed on to the homeowner. The homeowner will be notified by the Board before such action is taken.

## **Lawn Care**

- a. Length of Grass: Grass shall be maintained at a length not to exceed 4".
- b. Color of Grass: Grass shall be maintained at a minimum of a medium green color. Grass shall not be allowed to go brown or have areas of barren patches.
- c. Weed Control: Weeds shall be pulled, cut or treated with chemicals. Weeds shall be defined as any growing plant not readily available for purchase in any common home improvement store or nursery.
- d. Edging: Edging shall be conducted on a regular basis to prevent the growth of plants over or onto the common areas such as sidewalks, pathways, planting areas or and impervious surface.

## **Planting Beds**

- a. Weed Control: Weeds shall be pulled or cut or treated with chemicals from all planting beds. Weeds shall be defined as any growing plant not readily available for purchase in any common home improvement store or nursery.
- b. Edging: Edging shall be conducted on a regular basis to prevent the growth of lawn areas into the planting beds.
- c. Plant Health: All plants in planting beds must be maintained in a healthy condition. Dead plants should be removed and replaced within a reasonable period.

## **7. Seasonal Decorations**

- a. All seasonal decorations must be removed from the residence or yard within 30 days of the holiday.

## **8. Park**

- a. Children under ten (10) years of age should always be accompanied by an adult.
- b. No bikes or motorbikes are allowed in the parks.
- c. Picnic trash should be gathered up and the park area cleaned before leaving the area.
- d. Respect the property of the owners around the park.
- e. Caution should be used with playground equipment.
- f. Children should be watched while using playground equipment.

## **9. Play Equipment**

- a. Jungle gyms, swing sets and other outdoor equipment must be approved by the ACC prior to installation, set-up or use.
- b. If possible, locate equipment to minimize impact on neighbors.
- c. Basketball hoops cannot be located so that a street is utilized as a court.
- d. The court must be located within the homeowners' property.

## **10. Fences**

- a. All fences must be made of wood.
- b. Fences beyond the front edge of the house are not allowed.
- c. The outside part of the fence should be the "finished" or the more attractive side.

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## 11. Infraction Procedure

11.1 After the Board is made aware of an infraction and it is verified by the Board, a notice of infraction will be sent in a letter via first class mail describing the infraction and quoting the specific section of the CC&R's and/or the Rules and Regulations (R&Rs) in question. The letter will request that the homeowner comes to full compliance within a specific timeline to prevent further action. The letter will also include the action the Board will take if the homeowner fails to comply within the specified timeframe.

11.2 After the first notice, the homeowner will have 10 days (unless otherwise noted in the letter) to resolve the issue. The notice period will be for 1 (one) year. If the Homeowner violates the same section of the CC&Rs and/or the R&Rs within the one-year period, they will be fined according to the fine schedule.

### Fine Notification

11.3 If the Homeowner fails to take action on receipt of the initial Infraction Notice, a fine notice will be sent in a letter via first class mail and a copy will be delivered to the home. The letter will again quote the specific section of the CC&Rs and/or the R&Rs with which the LaCrosse HOA Board of Directors find the Homeowner in violation.

11.4 This letter will also have details on the fines imposed, along with other costs being charged to the Homeowner to bring the home in full compliance with the CC&Rs and/or the R&Rs. If the Board has to utilize the services of an attorney to bring the lot in compliance, then the charges of the services will be passed on to the Homeowner.

11.5 The Association reserves the right to bring the matter of the debt to a Collections Agency of the board's choosing, or Court or initiate lien process against the homeowner.

## 12. Collection of Homeowners Annual Dues

12.1 The Homeowners Dues are due prior to February 1 of each year.

12.1.1 The homeowners' dues are to be made payable to LaCrosse Homeowners Association (HOA) and sent to: LaCrosse HOA, 6947 Coal Creek Pkwy SE #744, Newcastle, WA 98059-3159.

12.2. **All** assessments that are "past due," statements will be sent thirty (30) days after the due date to notify the appropriate homeowners of delinquency.

12.3. A **FINAL** notice will be sent to those homeowners who are still delinquent after sixty (60) days. Interest on past due assessments will be added at a rate of 18% per annum beginning thirty (30) days after the due date.

12.4. After forty-five (45) days, a **NOTICE OF DELINQUENT ASSESSMENTS** will be sent by mail.

12.5. If the past dues are not paid within sixty (60) days of receipt of the certified notice, a lien will be placed on the lot(s). The occupant is now responsible for all assessments, together with any interest, costs and any reasonable attorney's fees incurred to collect such assessments.

**Note:** If an occupant refuses or ignores a notification receipt of a certified mail, it will be documented that the occupant has been notified.

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## 13. Filing Complaints

13.1 Owners and/or residents who observe any violation of the CC&Rs or R&Rs as Amended should report the violation to the Board of Directors in writing. LaCrosse HOA, 6947 Coal Creek Pkwy SE #744, Newcastle, WA 98059-3159. Email is not an acceptable filing mechanism.

13.2. Notification should detail the facts of the situation and the CC&R or R&R that is being violated.

13.3 Complaints that are not directly related to a CC&R or R&R violation will be discarded.

## 14. Handling of Complaints

14.1. The Board of Directors will investigate the claims made and render a decision and/or course of action at the next scheduled meeting of the Board.

14.2. In the case of an emergency or harmful situation, the Board of Directors will confer by telephone and render a decision and/or course of action immediately.

14.2.1. If the Board finds the respondent to be in violation of the CC&Rs or R&Rs, insert same as 11.3 a certified letter will be mailed detailing the violation, the applicable CC&R or R&R and course of action required remedying the situation.

14.2.2. Failure by the respondent to remedy the violation within fourteen (14) days will result in fines.

14.3. If respondent believes the claim to be false, he/she should contact LaCrosse HOA at LaCrosse HOA, 6947 Coal Creek Pkwy SE #744, Newcastle, WA 98059-3159 in writing within 14 days of receipt of the Board's letter for action.

14.3.1. The respondent may request a hearing as described in Section 16.

14.3.2. The Board may choose to investigate the claim further or may request a hearing.

## 15. Schedule of Fines

15.1. *Minor infractions.* Minor infractions of the R&Rs, may include but are not limited to:

- a. Noise nuisance,
- b. Failure to pick up pet dropping or violation of the leash law,
- c. Trash cans not hidden from sight of the street.

15.1.1. First Notice of Violation. The violator(s) will be notified by a letter via first class mail from LaCrosse HOA describing the violation, the applicable CC&R or R&R and a course of action to be taken. The Homeowner has 10 days to comply.

15.1.2. Second Notice of Violation--\$25 Fine. If the violation is not corrected within fourteen (14) days of receipt of notice, a certified letter will be sent along with notification that a \$25 fine has been assessed.

15.1.3. Continuing Violations - \$25 increase per Month. For each thirty (30) day period during which the violation remains uncorrected, the fine will be increased an additional \$25.00.

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15.2. *Intermediate Infractions.* Intermediate infractions of the CC&Rs or R&Rs may include but are not limited to:

- a. Violation of Parking Rules,
- b. Failure to request Board approval of architectural plans,
- c. Yard maintenance violations.
- d. Satellite Dishes

15.2.1. First Notice of Violation. The violator(s) will be notified by a letter via first class mail describing the violation, the applicable CC&R or R&Rs and a course of action to be taken. The violator needs to respond within 10 days of the notice as to how they will rectify the problem.

15.2.2. Second Notice of Violation--\$50 Fine. If the violation is not corrected within fourteen (14) days of receipt of notice, a certified letter will be sent along with notification that a \$50 fine has been assessed.

15.2.3. Continuing Violations - \$50 increase per Month. For each thirty (30) day period during which the violation remains uncorrected, the fine will be increased an additional \$50.00.

15.3. *Severe Infractions.* Severe infractions of the CC&Rs or R&Rs may include but are not limited to: Refusal to comply with the CC&Rs or R&Rs as determined by the Due Process Hearing Board.

- a. Failure to paint exterior of home as required

15.3.1. First Notice of Violation. The violator(s) will be notified by a letter via first class mail from LaCrosse HOA describing the violation, the applicable CC&R or R&R and a course of action to be taken. The violator needs to respond within 10 days of the notice as to how they will rectify the problem. (In the case of the home needed to be painted, the violator will have one year to have the home painted.)

15.3.2. Second Violation--\$500 Fine. If the violation is not corrected within fourteen (14) days of receipt of notice, a certified letter will be sent along with notification of an assessed fine of \$500.00.

15.3.3. Continuing Violations - \$500 increase per Month. For each thirty (30) day period during which the violation remains uncorrected, the fine will be increased an additional \$500.00.

15.4. Accumulation of Infractions. If the violation continues for a period of sixty (60) calendar days from the date of the certified letter stating the first violation, a collections action or lien will be placed upon the home.

## 16. Hearing Procedures

16.1. Board of Directors to Serve as Due Process Hearing Board.

16.1.1. Members. The Due Process Hearing Board shall be comprised of at least three (3) members of the Board of Directors of the Association. The Hearing Board may also include members of the HOA community and other impartial parties. The Hearing Board shall not exceed five (5) members.

16.1.2. Authority. The Due Process Hearing Board is authorized and empowered to investigate, hear and determine all complaints concerning violations of the CC&Rs by any owner, occupant, guest, or the Association. The Hearing Board is also authorized to impose a fine as provided in this document and to

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require the non-prevailing party to reimburse the Association for its costs, including reasonable attorney's fees, in connection with the complaint.

16.1.3. Officers. The President of the Board of Directors shall serve as Chairman of the Due Process Hearing Board.

### 16.2. Request for Due Process Hearing

16.2.1. Claimant. If the remedy for the violation cited in Sections 4.0 and 5.0, is not to the claimant specifications a hearing may be requested.

16.2.2. Respondent. If the respondent feels the claim made against him/her is not valid, this individual may request a hearing.

16.2.3. Homeowners. Any homeowner may request a hearing when a disagreement over a Board or committee decision occurs.

16.2.4. Board of Directors. The Board may at any time request a hearing concerning a violation of the CC&Rs.

16.2.5. Architectural Committee. The Committee may request a hearing when a decision is being questioned.

16.2.6. Requests Made. All requests for a hearing must be made in writing to LaCrosse HOA, 6947 Coal Creek Pkwy SE #744, Newcastle, WA 98059-3159. The request should state why the Hearing should take place.

### 16.3. Due Processing Hearing Procedure

16.3.1. Date for Hearing. The Due Process Hearing Board will respond to each hearing request within thirty (30) days after receiving the written request by scheduling a hearing.

16.3.1.1. The date of the hearing will be not less than ten (10) days and not more than thirty (30) days from the receipt of the request for a Hearing.

16.3.1.2. If the date of the hearing is not acceptable the parties have ten (10) days from receipt of notice to request a new hearing date.

16.3.1.3. Only in cases of emergency will a hearing be rescheduled after the ten (10) days. The Hearing Board will determine the acceptability of the emergency.

16.3.2. Cancellation. Either party involved in the hearing may cancel a hearing one (1) time up to ten (10) days prior to the hearing date.

16.3.3. Parties at the Hearing. The hearing will be attended by the complaining party, the party requesting the hearing, and any witnesses or other persons who may have an interest in the hearing.

16.3.3.1. Each party has the right to representation by counsel at his/her own expense.

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16.3.3.2. Due to the limitations of space or the issue to be discussed, the Hearing Board may conduct the hearing in executive session.

16.3.4. Procedure at the Hearing. The hearing will be a formal meeting with a Chairman and full documentation of complaint, findings and action(s) taken. At the beginning of the hearing the Chairman will explain the rules and procedures by which the hearing is to be conducted.

16.3.4.1. Both sides will present evidence, witnesses and testimony regarding the complaint without interruption.

16.3.4.2. Either party may make a claim in writing to the Hearing Board instead of being present at the hearing. Note: This will preclude the Hearing Board from asking relevant or clarifying questions prior to rendering a decision.

16.3.4.3. The Hearing Board may expel any person from any hearing for improper, disorderly or contemptuous conduct.

16.3.4.4. Detailed minutes will be kept.

16.3.5. Default. If either party concerned in the claim fails to appear for reasons other than an emergency, the Hearing Board will base their findings on whatever evidence is presented at the hearing, regardless of that party's presence.

16.3.6. Decision. The Hearing Board will notify all parties concerned of its decision within thirty (30) days of the hearing. The decision will be in writing and will include findings of fact and the conclusions based on cited rules. The decision will be entered in the Association's minute books and become a permanent part of the Association's records.

16.3.7. The decision will be public record unless either party requests a closed file.

### **17. Enforcement of Rules and Regulations**

17.1. Failure to comply with a provision of the Rules, and/or the CC&Rs of LaCrosse neighborhood or a decision of the Board of Directors will be grounds for an action to recover money due for damages including but not limited to: fines levied by the Board and legal costs incurred by the Association. Such failure shall further be sufficient grounds for the issuance of injunctive relief in such an action.

17.2. If the Board of Directors fails or refuses, after demand by an aggrieved homeowner, to take appropriate action to enforce compliance with any provision of the Governing Document, any Board decision or any Hearing Board decision, an aggrieved owner on his/her own may maintain an action for damages and/or injunctive relief against the party (a homeowner or the Association) for failing to comply.

17.3. In any action brought by the Association, the Board or a homeowner as provided in this Section, the prevailing party shall be entitled to recover attorney's fees incurred in connection with the action.