

PEREZ ACRES HOMEOWNERS ASSOCIATION

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AREA POLICY MANUAL

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1. INTRO.

- a. The Board of Directors, on behalf of the members of the Perez Acres Homeowners Association (PAHA), welcomes you to Perez Acres, one of the finest residential developments on Guam. The Board has prepared this PAHA Manual to ensure that you, homeowner or tenant, are aware of the Rules and Regulations that govern the Common Area and its facilities; and the personal conduct of the homeowner, tenant, and their guests within Perez Acres.
- b. **The Association was formed in 1974 to provide Perez Acres homeowners with the means to provide for the maintenance, preservation, and architectural control of the exterior of the buildings and Common Area.** At present, an elected seven-member Board of Directors governs PAHA. The Board members serve for a two-year term. PAHA normally holds one General Membership meeting in March of each year, at which time the Board presents the proposed annual budget for the Association. Also during the March meeting, vacant positions, (alternating between three and four every other year), on the Board of Directors are filled by a General Membership election. Special General Membership meetings can be called from time to time.
- c. The Board of Directors meets at least once a month at the Manager's Office, adjacent to Pool #1, on South Cupa Court. Board meetings are open to all of the members of the Association. If you wish to attend the next Board meeting, please call the **PAHA Manager, at 653-2014**, for the date and time. If a member desires to speak at a Board meeting, they are required to call and schedule for a time on the agenda.
- d. The Board employs a manager and crew to maintain and preserve the exterior of the buildings and the Common Area. The Board appoints members to an Architectural Review & Landscape Control Committee to maintain architectural and landscape controls within Perez Acres.
- e. The Board derives its authority from the Perez Acres Homeowners Association's Articles of Incorporation, By-Laws, and Declaration of Covenants, Conditions, and Restrictions (CC&R). These documents are available for review at the Managers office.
- f. **The Board adopts and publishes rules and regulations governing the use of the Common Area and its facilities, and the personal conduct of the members, their family, tenants, and guests. Listed below are the established penalties, for the infraction of these rules and regulations. The Board will hold homeowners personally responsible for their behavior and that of their family, tenants, and guests.**

- 2. INFRACTION OF THE RULES AND REGULATIONS.** The Board (or its designee) will use the following procedures to enforce the Rules and Regulations governing the use of the Common Area, **including exterior building modification and landscaping.**
- a. **STEP ONE.** Written notice of the infraction, (in the form of a violation letter), will be mailed to the homeowner and a copy delivered to the residence. The homeowner, (not the tenant), may challenge the violation within 30 days, (this challenge must be in writing). If the homeowner makes a challenge, the Board may modify their position or disallow the challenge with written notification to the homeowner.
 - b. **STEP TWO.** If the infraction continues after 30 days, a second written notice will be sent to the homeowner via registered/certified mail.
 - c. **STEP THREE.** If after 24 hours from the receipt or attempted delivery of the registered letter, the infraction continues, the Board may impose one or more of the following penalties:
 - (1) Rescind the privileges to use the Common Area.
 - (2) The Board may authorize physical removal and/or reconstruction so that the exterior of the building is returned to PAHA standards. The cost of this will be charged to the homeowner's account.
 - (3) PAHA employees will remove personal items left in the common area, after a notice has been given to remove these items and the owner or tenant has failed to remove them.

3. HOMEOWNERS' FEES.

- a. Statements are sent by the 17th of each month for the succeeding month, (i.e. statements dated January will cover February's dues, and February's statements will cover March's dues, etc.).
- b. **Fees are due in full on the first of each month and past due and delinquent after the 10TH of the month.** Section 8 (Effect of Nonpayment of Assessments. Remedies of the Association), of Article IV (Covenant for Maintenance Assessments) of the PAHA CC&R reads. *"Any assessments not paid within thirty (30) days after the due date shall bear interest from the due date at the rate of six percent (6%) per annum. The Association may bring an action at law against the Owner personally obligated to pay the same, or foreclose the lien against the property. No Owner may waive or otherwise escape liability for the assessments provided for herein by non-use of the Common Area or abandonment of his lot "*
- c. If homeowners' fees become delinquent, they will be sent the following timed notices.
 - (1) **Thirty (30) days** in arrears: Reminder notice will be sent.
 - (2) **Sixty (60) days** in arrears: Letter of assessment will be sent. This letter of assessment allows the homeowner ten (10) days to clear the past due account.
 - (3) **Ninety (90) days** in arrears:
 - (a) **The account will be submitted to our attorney for collection.** All interest, costs, and reasonable attorneys' fees of any such action shall be added to the amount of such assessment.
 - (b) The homeowner's basic cable will be disconnected, and the homeowner will forfeit pool and common area privileges.
- d. Homeowners, whose check(s) are returned for non-sufficient funds, will be charged a fee of fifty (\$50.00) dollars per check.

4. PAHA INTEGRATED SECURITY PROGRAM.

a. Residents and Homeowners are provided three methods that can be utilized, each separately, to gain access to Perez Acres. These are as follows:

- (1) The Remote Control Gate Operators.
- (2) PAHA vehicle stickers attached to vehicle windshields for security personnel to see and allow access.
- (3) Gate Keypad.

NOTE: Perez Acres Homeowners Association and its agents, including security services, may refuse entry to individuals that do not possess at least one of the items listed above.

b. Gate Access Control System:

- (1) All homeowners were initially issued two remote control gate operators. Additional remote controllers are available at the PAHA office for a **forty (\$40.00)** deposit each. This deposit will be refunded once the gate remote controller is returned.
- (2) When arriving at the guardhouse, press the remote control to open the gate. The gate will automatically close after entering.
- (3) When leaving Perez Acres, the exit gate will automatically open and then close after your vehicle has exited.

c. Entry Telephone System:

- (1) Perez Acres residents are listed by street address in the entry telephone system located at the guardhouse. **Residents names are not listed.**
- (2) All residents are issued a directory number for their residence. Your personal directory number is available upon request from the PAHA office. New residents will be given their directory number when they register at the PAHA office.
- (3) Residents' guests will have the option of scrolling through the street addresses to find the resident they wish to visit, or they can enter the resident's directory number, if it was given to them. Either of these procedures will cause the entry telephone system to connect to the resident's home telephone. The resident can then open the gate remotely by pushing the number " 9 " button on their telephone keypad. (Note: Your telephone must be in the **touch tone mode** for this remote system to work.)

d. Special Events and Pool Parties:

- (1) Perez Acres management can enter, a temporary access code, into the entry telephone system for special events or pool parties. Residents will be given this code upon registering at the PAHA office for their special event or pool party.
- (2) This temporary access code will consist of **five digits** that need to be entered into the entry telephone system's keypad at guardhouse. The first digit will be the " # " key, second digit can be any number between 3 and 9, and the other three digits will consist of any combination of numbers keys 0 through 9 Example: **#3456** or **#4444**.
- (3) The gate will automatically open when a guest enters the correct five-digit code. The gate will automatically close after entering.
- (4) Temporary access codes will be entered in the system the day of the event of pool party, and will be removed at the end of the day.

e. Deliveries and/or Service Calls:

- (1) Residents, expecting deliveries or service calls when they are not going to be at home, can arrange access through the PAHA office. This service is available **Monday through Friday from 8:00 a.m. to 5:00 p.m.** To arrange, contact the PAHA office, at **653-2014**, before the scheduled time and date of delivery or service call.
- (2) Residents will instruct their delivery or service call person or company to enter the three-digit code " **002** " into the entry telephone system at the guardhouse. This will cause the entry telephone system to connect to the PAHA office telephone. Office personnel will then be able to open the gate for your delivery or service call.

f. Emergency Vehicle Access:

- (1) Emergency vehicles requiring access to Perez Acres are able to communicate with security's Dispatch Center by entering the three-digit code " 001 " into the entry telephone system at the guardhouse. This will cause the entry telephone system to connect to the security's Dispatch Center where they will be able to open the gate of the emergency vehicle(s).
- (2) The security's Dispatch Center will only open the gate for emergency vehicle(s). The security dispatcher will not open the gate for homeowners or guests who enter the "001" access code.

g. Guard Services: The following security service is provided:

- (1) Area security from 5:00 p.m. to 5:00 a.m. daily, to include the following:
 - (a) Manning the guardhouse during peak traffic hours.
 - (b) Perform random foot and bicycle patrols throughout the complex.
 - (c) Provide traffic control and parking enforcement.
 - A. Issue PAHA citation warning notices to vehicles that violate the PAHA parking regulations described in paragraph 5 (PAHA Traffic Control Policies) below. These warning notices will be attached to the windshield of the offending vehicle.
 - B. Note and report to the PAHA Manager the license number of any vehicle that is observed exceeding the posted **15 miles per hour** speed limit throughout Perez Acres.
 - C. Provide the PAHA Manager the license number of any resident's vehicle that does not have a PAHA decal on its windshield.
- (2) Respond to Activated Alarms. If a security alarm in one of Perez Acres' residences is activated, the Security Dispatch Center will notify the on-duty guard by radio. The guard will proceed to the location.
- (3) Respond to Request for Assistance Calls. Residents may request for assistance of the security guard by calling the Security Dispatch Center, at **649-3127 or 649-9273**, and describe the problem to the Desk Sergeant. The Desk Sergeant will then dispatch the security guard by radio to deal with the problem.
- (4) Enforce PAHA's Curfew. PAHA requires children, under the age of seventeen and not under direct adult supervision, to be off the streets and Common Area of Perez Acres, between 10:00 p.m. and 5:00 a.m. daily.
- (5) Provide and Maintain a Closed Circuit Television System.
 - (a) The closed circuit television system consists of three outdoor cameras enclosed in weatherproof housing positioned outside the guardhouse.
 - A. Camera #1 records the driver of any vehicle using the telephone entry system.
 - B. Camera #2 records the front license plate of all vehicles entering the Perez Acres complex.

- C. Camera #3 records all vehicles exiting the compound.
- (b) The cameras will be monitored and recorded in the guardhouse. A second video monitor is located at the PAHA office for viewing the cameras during office hours. A four-camera multiplexer and time-lapse recorder is located in the guardhouse to provide high speed sequential recording of the three cameras. The recorded video images are imprinted with the time and date.
- (6) Resident Security Systems. Residents can have any security company install an alarm, security systems in their units at their expense.

5. PAHA TRAFFIC CONTROL AND PARKING POLICIES. The following policies apply to all of the parking spaces and grounds within the Common Area of Perez Acres.

- a. The posted speed limit is **15 miles per hour** throughout Perez Acres. The safety of our children is our primary concern.
- b. All vehicles parked anywhere within the Common Area must have a current registration and licenses. In accordance with the Guam Law, vehicles without current regulations and licenses are "**Abandoned Vehicles**". Such a vehicle will be posted with a Perez Acres Traffic Violation Voucher and may be towed away at the owner's expense.
- c. Each unit or home is assigned **two designated parking spaces**, one is covered and one uncovered. If you own or drive more than two vehicles, additional parking is available on our main street, Paseo Antonio.
- d. Designated parking spaces are to be used for registered vehicles only. These parking spaces can not be used as a storage area. They shall also be kept free of oil and grease.
- e. Vehicles parked in spaces assigned to other owners or tenants, **without their written permission**, are subject to immediate tow away at the owner's expense. **This written permission must be on file in the PAHA office.** The authority to have vehicles towed is given to the PAHA manager or, in his absence, the individual to whom the parking space is assigned.
- f. There are designated "**VISITOR PARKING**" spaces, throughout our complex, for the sole use of visitors only.
- g. Major overhauling or repairing of motor vehicles is not permitted within the boundaries of Perez Acres.
- h. Parking in areas posted **NO PARKING** will subject the vehicle to immediate tow-away at the owner's expense.
- i. Vehicles parked in any of the Fire Lanes, (i.e.: the space behind buildings on the perimeter of Perez Acres, or areas and curbs painted red), are subject to immediate tow-away.
- j. Except for service vehicles, **parking or driving on the Common Area lawns or grounds is not permitted.**
- k. Double parking is permitted only for the purpose of loading or unloading. All other double-parked vehicles will be towed at the owner's expense.

- l. Parking that blocks a sidewalk or extends into the street or court is not permitted by vehicles, boats, or trailers.
- m. Boat parking is available at the end of South Cupa Court, by the PAHA Manager's office.
- n. PAHA has a designated car wash slab behind the equipment barn. Water and hose are provided by PAHA. Washing of vehicles in the Common Area is prohibited.

6. **COMMON AREA.** Common areas are those outside your front door and patio fence. They include the recreation areas, walkways, lawns, landscaping, exterior surfaces of building, patio walls and fences, etc.
- a. Any common sidewalks or passageways shall not be obstructed or used by any owner or tenant for any purpose other than entrance to and exit from their unit.
 - b. Any damage to buildings, recreational area, recreational equipment, or any other general common area property caused by an unit owner or tenant, (or their family members, guest, or their employed contractors), shall be repaired at the expense of the unit owner.
 - c. No canopies are to be erected on Common Area.
 - d. Parents and guardians shall be held responsible for the actions of their children and their guest at all times.
 - e. No **unsupervised children** are allowed in the common area from **10:00 P.M. to 7:00 A.M.**
 - f. Tree climbing is prohibited.
 - g. Climbing to and walking on **any roof** is prohibited, except to service air-condition unit, repair stovepipe for gas water heater, or to install typhoon shutters.

7. BUILDING F, EXTERIOR AESTHETICS.

- a. No items, such as laundry, sport equipment, boxes, etc., will be visible, draped, or suspended on the exterior of any PAHA residence or carport.
- b. Patio areas must be maintained to preserve and protect the attractive appearance of the complex. Plants must be suitable for the space and must not grow over walls into the common area or into other patios. **Noxious odors**, from the patio or unit, must be eliminated by the homeowner or tenant.
- c. Windows **are not** to be covered by aluminum foil, sheets/blankets, newspaper, or masking tape. Windows may be tinted with grays, or reflective finishes only. Color tints, (i.e. green, red, bronze, or off colors), are not authorized. Tinting must be done in a professional manner; no wrinkles or bubbles permitted. If window tint is peeling or otherwise deteriorating, the homeowner must replace or remove the tint.
- d. Wood, aluminum paneled, or aluminum accordion storm shutters are the only approved typhoon shutters authorized by PAHA. Aluminum brackets and/or channels are to be painted the same color as the wall. Shutters must be removed within five days after Guam returns to "**Typhoon Condition 4**".
- e. Exterior iron bars on windows and doors are not allowed.
- f. To ensure architectural continuity and aesthetics, and to preserve PAHA's common area, all exterior construction shall be approved by the Board of Directors of Perez Acres Homeowners Association and comply with the applicable Government of Guam laws, regulations, and codes.
 - (1) PAHA patio enclosure designs, drawings, and material standards are available upon request from the PAHA office.
 - (2) Once the project has been approved, the time from approval to completion of the project will not exceed **120 days**.
 - (3) All construction at Perez Acres shall be restricted to the following hours:
 - (a) Monday through Friday, excluding Holidays: 8:00 a.m. to 5:00 p.m.
 - (b) Saturday and Holidays: 9:00 a.m. to 5:00 p.m.
 - (c) Sundays: NO construction.
 - (d) Construction necessitated to resolve legitimate emergencies, that involve the real threat of loss of life or property loss shall be exempt to the provision.

- g. **Nothing** is to be stored outside of the residence or its patio, this includes the roof, the air conditioner enclosure, and the carport. This means NO barbecue grills, bicycles, typhoon shutters, toys, shoe racks, shelving, etc.
- h. The following decorative items are allowed provide they meet the standards shown below:
 - (1) All items must be either placed on your porch or under the overhang of your roof.
 - (2) Nothing can be hung on the exterior walls, or from the exterior ceiling or overhang, that exceeds **five pounds** in total weight and not larger than **one cubic foot** in size, (i.e. wind chimes, flower or plant pots, flags, name plates, etc.).
 - (3) All items shall be appropriate, proportional, and in good condition. No shoddy homemade type of constructed item allowed.
 - (4) You are limited to **three**, of the following decorative items:
 - (a) Flower pot or planter: (Must be placed on the porch or on a concrete pad, and shall be made of a decorative material.)
 - (b) Bench: (No homemade type using concrete blocks and lumber.)
 - (c) Chair: (No homemade type using concrete blocks and lumber.)
 - (d) Shell Collage: (Must be neatly placed and kept clean.)
 - (e) Statue: (No taller than 36")
 - (f) Vase: (No taller than 36")
 - (g) Ornamental concrete: (No taller than 36".)
- i. Any other decorative item(s), not listed above, must have PAHA Board of Directors approval. A **written request** must be submitted to the *Architectural Review Committee (ARC)* and contain a description of the items) that you wish to place outside your unit. The ARC will review your request and send their recommendation to the Board for their actions. You must receive approval from the Board, prior to you placing this item(s) outside your residence or patio.
- j. Everything outside the walls of your residence and patio is PAHA common area, *except for all window glass*. All landscaping within the Common Area belongs to PAHA; and ill be maintained by PAHA employees only. All planting will be done by PAHA employees; and becomes the property of PAHA and may be cut, pruned, or removed as needed.

8. **NOISE ABATEMENT.** Noise can be a problem in our community! "**Quiet time**" in Perez Acres is from **10 p.m. to 8 a.m.** Additionally, anytime outdoor activities or your neighbor's activities can be heard within a unit, it is considered an infraction and may be reported to the Security Guard or PAHA's General Manager.
9. **ADVERTISING.** Advertising material, such as flyers, posters, or personnel newsletters, are not to be posted or left at doors within Perez Acres, *unless they are approved by the PAHA manager.* The only exception will be Yard Sales notices, which may be displayed during the day of the sale only. If you're having more than a one-day sale, the signs must be taken down at the end of each day.
10. **DUMPSTER RULES.**
 - a. There are **eighteen dumpsters and six trash receptacles** located throughout Perez Acres.
 - b. **All boxes and other containers** are to be broken down before being placed in a Dumpster or trash container.
 - c. Large items such as carpets, mattresses, construction materials, appliances, and Christmas trees are to be disposed of properly at government approved facilities. Call the PAHA *office* at **653-2014** for addition information and locations of these facilities.
 - d. **Oil, batteries, or any other hazardous materials are not to be disposed of on PAHA property.** There is a stiff EPA fine for polluting on Guam. Call the PAHA *office* at **653-2014** for additional information and locations for hazardous materials disposal.
 - e. If your household produces an unusually large amount of trash from moving in or out, Christmas packaging, or purchase of boxed items; distribute your trash to various dumpsters throughout Perez Acres; or take it to the a solid waste dumping station. Call the PAHA *office* at **653-2014** for addition information and locations of these facilities.
 - f. When your usual dumpster is full, you must dispose of your trash in one of the other dumpsters. **Do not place trash on the dumpster lid or on the ground.** Per our trash deposal contract, the sanitation company will not empty dumpsters that have trash on their lids nor will they pick up any trash that is lying on the ground around the dumpster.

**11. PETS. (Reference Chapter 34, Guam Public Law 22-13:1-3,
available at www.guam.net/guamlaw/content/10/10gc034.htm)**

- a. Guam has a leash law. **All dogs must be on a leash when outside. Cats are not permitted to roam free in the Common Area.** Pets are not allowed to be **tethered** anywhere within the Common Area.
- b. All pets are to be appropriately licensed and humanely treated.
- c. Pet owners are responsible for the removal of their animal's waste from everywhere within the Common Area. **In other words, carry a pooper-scooper and a plastic bag with you when you're walking you pet.**
- d. Pets are not permitted in the playground and designated park areas where NO PETS ALLOWED signs are posted. Let us be responsible pet owners and keep our grounds clean and safe for our children who play in these areas.
- e. **"Barking"** dogs fall under **Noise Abatement**, (see paragraph 8, above).
- f. **PETS ARE NOT PERMITTED INSIDE THE FENCED AREA OF OUR POOLS.**

12. PROPERTY MANAGEMENT.

- a. Owners who rent or lease units personally or through property managers are required to inform their tenants of the following PAHA registration requirements.
 - (1) Provide the PAHA office with a copy of their lease or rental agreement.
 - (2) Register their vehicle(s) and have a PAHA sticker placed on their windshield(s).
 - (3) Sign for a copy of this Area Policy Manual and acknowledge agreement to abide by its rules and policies expressed herein.
- b. Owners or property managers are required to provide their tenants with the following items.
 - (1) Security Gate Remote(s). (Additional remotes are available at the PAHA office for a **forty (\$40.00)** deposit each. This deposit will be refunded once the gate remote is returned.)
 - (2) Pool Key(s). (Additional pool keys are available at the PAHA office for a **twenty-five (\$25.00)** deposit each. This deposit will be refunded once the pool key is returned.)
 - (3) Mailbox Key(s). (All of the PAHA mailboxes belong to the U.S. Postal Service and are maintained by them. If you do not have any keys or have lost them, you must go to the U.S. Postal Service Main Facilities in Barrigada and request for a new lock. There is a fee for this service and is not connected to any PAHA fees. Call the PAHA office at **653-2014** for additional information and locations of this facility.)

12. **POOL RULES.** Parents are expected to educate their children about the following pool rules and supervise their conduct when their children are in the pool and pool area. Any infraction of these rules will result in **suspension** of pool privileges. Enforcement will be immediate.

- a. All children 14 and under **must** have a parent or an adult present at all times.
- b. The pools and pool areas are for the private use of Perez Acres homeowners, residents, and their **escorted** guests only. Each homeowner or tenant is permitted two **escorted guests** at pool side, unless your having a pool party and have reserved a pool fiesta shelter, (See paragraph **13k**, below).
- c. **BATHING SUITS** must be worn, when swimming in the pools, to prevent damage to the filtration systems. **Jeans, shorts, cut-offs, T-shirts, or undergarments are NOT to be used as bathing attire.**
- d. **No diving** allowed at either pool.
- e. Running, rowdy behavior, and excessive noise are not permitted in the pool or pool area.
- f. **Glass containers, bicycles, skateboards, roller skates, scooters, or other non-related sports equipment are not permitted inside the fenced area of the pools.**
- g. Pets are not allowed inside the fenced area of the pools.
- h. Pool gates are to remain closed and locked at all times.
- i. Trash will be placed in the pool trash receptacles, or bagged and place in a street side dumpster.
- j. Anyone under the age of 18 years is not allowed to consume alcoholic beverages anywhere within Perez Acres.
- k. Pool Parties:
 - (1) Only the pool's Fiesta Shelter may be reserved for parties. The pool will remain open for use by all residents.
 - (2) The resident(s) reservin^g the fiesta shelter shall be responsible for all damages and costs, including attorneys fees, incurred by PAHA, related to their use of the pool area.
 - (3) Pool parties are limited to approximately **twenty** people.

- (4) Clean up is to be completed by **10:00 p.m.**
- (5) Residents requesting to reserve a pool fiesta shelter must do the following:
 - (a) Call the PAHA office at **653-2014** at lease **one week prior** to the date that you're requesting for.
 - (b) If the date your requesting for is available, you must go to the PAHA office at 49 South Cupa to and sign a reservation form.
 - (c) Provide the PAHA office with **one hundred dollars, (\$100.00)**, deposit, in the form of a check or cash. The deposit will be refunded, upon request, provided that the fiesta shelter and pool area was cleaned, all pool rules were followed, and that nothing was damaged during the pool party.

“PAHA RESERVES THE RIGHT TO DENY USE OF THE POOLS TO ANYONE AT ANY TIME FOR ANY VIOLATION.”