



VALENCIA

VALENCIA HOMEOWNERS ASSOCIATION, INC.

RULES AND REGULATIONS

(REVISED SEPTEMBER 2020)

The Valencia Board of Directors, Committee Members and Management work together to update the Rules and Regulations annually. **Please review the contents and keep this document handy for reference.**

ALL RESIDENTS (owners and all other residents; i.e., tenants, tenant's guests, and relatives), shall be governed by the obligations and duties set forth in the Valencia Homeowner's Association, Inc., Articles of Incorporation, the By-Laws, the Declaration and Covenants, Conditions and Restrictions, and any amendments thereto, (here and often times collectively referred to as the "Documents") and these following rules and regulations:

1. ARCHITECTURAL EXTERIOR OF UNIT

ALL MODIFICATIONS (ALTERATIONS), including repairs and or replacements of roofs, fences, trellises, windows and doors to the exterior of any unit or upon any lot must HAVE PRIOR WRITTEN APPROVAL from the Association's Architectural Review Board or Board of Directors, and comply with Miami-Dade County Building and Zoning regulations, including required permits. It is the homeowner's responsibility to submit plans detailing exactly all proposed modifications and appropriate approved Miami-Dade County Permits.

ALL MODIFICATIONS/REPAIRS MUST BE COMPLETED, WITHIN SIXTY (60) DAYS FROM RECEIPT OF WRITTEN APPROVAL. Upon issuance of approval by the Architectural Review Board or Board of Directors, the HOMEOWNER MUST FURNISH the approval with a COPY OF THE APPROVED PERMIT from Miami-Dade County Building and Zoning, PRIOR TO THE START OF ANY CONSTRUCTION.

ANY MODIFICATION THAT REQUIRES A PERMIT made within the community WITHOUT THE APPROVAL of Miami-Dade County Building and Zoning will result in a complaint filed with Miami-Dade County.

The Homeowner will be responsible for all costs incurred by the Association in the event a modification request requires the Association to obtain the professional services of an engineer or architect, to determine the structural or design integrity of that modification.

- 1.1. **Entryways Tiles** must be the exterior non-slip type; color approved by architectural request and not exceed 324 square inches in size (e.g. 18 x 18). Tiles must cover the entire walkway from the front door to the edge of the driveway and must be level with the driveway to prevent tripping.
- 1.2. **Concrete Patios** must be installed with proper slope and water drainage. Plans or sketch of the layout must accompany the Architecture Modification Request (AMR). Wood decks are NOT permitted.
- 1.3. **Mansard Style Screen Enclosures** only are permitted. Style and color must be identical to existing enclosures in the community.
- 1.4. **Rain Gutters** must be 6" aluminum continuous gutters, matching the exterior color of the house trim and wall, and installed in approved location. You can find the current Valencia approved colors on the Valencia website or contact the Management Company for more information.

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- 1.5. **Window Security Bars** are permitted on the FIRST FLOOR ONLY and must be flush mounted to the exterior wall or may be placed inside the interior window frame. Windows with security bars should have quick-release devices to allow them to be opened immediately in an emergency. These devices operate from inside and allow the bars to be opened for emergency escape without compromising the security of your home. The quick-release devices should be easy to open without the use of a key, detailed knowledge, or great physical effort. Release devices vary by region and manufacturer. Contact your local fire department on a non-emergency number for information on approved release devices available in your area.
- 1.6. **Front Doors**
 - 1.6.1. **Front doors** must be solid doors painted in the community color scheme for doors. Homes with door sidelites must be clear, bronze tint, or "low e" green tint glass. Doors may have a light opening feature / glass insert on the top quarter of the door in the form of an arch in keeping with the community architecture. Full glass doors are not permitted.
 - 1.6.2. **Security doors** are permitted at the front door. Not permitted: storm or screen doors.
- 1.7. **Aluminum Accordion Style Shutters and Storm Panels** for windows and sliding glass door protection must meet Miami-Dade County Building and Zoning requirements. Storm panel tracks must be painted to match the color of the exterior stucco. Shutters may be closed only during a tropical storm or hurricane emergency. BAHAMA SHUTTERS are not permitted.
- 1.8. **Exterior Flood lights** (one single fixture with either single or double lights) may be placed only under the corner soffit (eaves) of the wood trim. The fixture color must closely match Valencia's official paint color of the soffit. No lights are permitted on the exterior stucco. Light bulbs must be either Quartz, Halogen, LED or spot (white bulbs) lights and not directing light into neighboring units. NO MERCURY VAPOR LIGHTS.
- 1.9. **Alarm Boxes** must be installed within the structure of the attic space or vents, and not on the exterior stucco. Alarm Company signs will be kept out of sight. Window decals, no larger than 3 x 5 inches in size, may be placed on the first floor courtyard windows.
- 1.10. **Satellite Dishes** are not to exceed 22 x 32 inches in size. After receiving Architectural approval, dish may be installed only in the rear of the townhouse and below the fence line. No installation on roof, fascia board, eaves, privacy fence or walls.
- 1.11. **Front Courtyard Trellises** must be repaired or replaced with dimensional cut, rough sawn Cedar lumber. NOT Permitted: Pressure Treated Pine Lumber. It is suggested that the wood be painted prior to assembling on house.
- 1.12. **House Numbers** must be constructed of the original ceramic/clay tiles or black metal/plastic, no larger than 4" individual size, and placed vertically on the front pillar with light post. Numbers must be clear of any obstruction such as shrubs or objects. Any other types of numbers require prior Architectural approval.
- 1.13. **All statues, lawn ornaments, etc.** must be displayed within the homeowner's courtyard fence.
- 1.14. **"For Rent" or "For Sale" Signs** must be placed on a five (5) foot stake, no larger than forty (40) square inches (8"x5"), and installed a maximum of five (5) feet from the street. Only one (1) sign with no additional riders attached will be permitted. Any signs in violation will be removed by management. Signs must be removed immediately upon the sale or rental of the unit.
- 1.15. **Aluminum roof or sheds** of any type are NOT permitted.

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- 1.16. **Window or wall air conditioning** units may not be installed in any unit.
- 1.17. **No clothes poles** or clothes hanging devices may be erected.
- 1.18. **Water refinements** (water softeners) can be installed within the homeowner's garage. Refinements, drainage or overflow cannot be discharged onto driveways, adjacent properties or common areas.
- 1.19. **All major landscaping changes require prior approval. Trees or plants not permitted:** Areca Palms, Bayonet, Black Olive, Fichus, Fruit bearing trees or plants, Coconut Palms or Queen Palms. Homeowner is responsible for the maintenance of their landscaping within the courtyard and outside of the courtyard.
- 1.20. **All trees and foliage in the common areas are maintained by the Association.** Prior approval is required from the Board if a homeowner wishes to plant a tree in the common areas. Repair cost for damage to sprinkler, water and/or sewer lines by a homeowner will be charged to the homeowner.
- 1.21. **All objects foreign to the architectural exterior will be kept out of sight,** including all toys, children, or adult (bicycles, skateboards, etc.). Swings are *not* permitted in the front courtyard. Basketball hoops or stands with hoops are *not* permitted on patios, driveways, streets or mounted to the exterior walls at any time.
- 1.22. **Garage doors** will remain in the closed position, when not entering, exiting, or working in the garage.
- 1.23. **Windows**
- 1.23.1. **Window replacement** requires a request for architectural modification of unit. Replacement windows must follow guidelines as stated in the association web site and comply with Miami-Dade County NOA requirements (Hurricane Impact). All exterior frames will be bronze in color and glass color will be limited to clear, bronze tint, or "low e" green tint. Window replacement must be completed within 60 days from receipt of written approval.
- 1.23.2. **Window treatments:** Privacy covering of a window or door may not be of aluminum foil, cellophane, vinyl, or bed sheets. All windows and doors should have window treatments to prevent clear views into the home from the outside.
- 1.24. **Garden Torches** or any flame burning devices are *not* allowed in the courtyards, walkways, or patios.
- 1.25. **Environmental Code for Street Drains:** Dumping of any chemicals (paints, vehicle oil, insecticides) in the drains is prohibited. Violators will be fined by the Division of Environmental Resources Management (DERM).
- 1.26. Residents will be responsible for any damages or violations committed by their guests.
- 1.27. **Reroofing or repairs** require Architectural Approval prior to commencement. Repairs must be made with the approved shingles and color. If a roof tarp is needed to protect your roof prior to the re-roofing or repairs a notification to the Management Company is required immediately via a Roof Tarp Form. Roofs that are contiguous on flat surfaces, valleys or peaks on slope of shingle surface requires adjacent house to reroof at the same time. See Valencia roofing specifications for details. NO EXCEPTION. SEE ARTICLES OF DECLARATION, COVENANTS AND RESTRICTIONS.

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- 1.28. **Canopies/Gazebos:** No larger than 12' x 12', canvas color should be earth tones similar to paint scheme of homes beige, brown, dark blue, red, orange, dark green and must be replaced when appearance of ripping or damaged is noted. Frame must be secured to prevent toppling and damage to adjacent properties. In the event of high winds or hurricane warnings, canopies/gazebos must be dismantled. Homeowner is responsible for any damages to other property.
- 1.29. **Flags:** The installation of the flag of the United States of America (i.e. American flag), up to three feet (3') by five feet (5') in size, posted on a three-foot (3') pole and attached at a forty-five-degree (45°) angle from the home is permitted. It must not block in any way the house numbers. It cannot be installed on a shared column. No other flags are permitted. No in-ground flag poles are permitted.

2. SWIMMING POOL

- 2.1. **Pool Hours:** Pool will be open daily from 8:00 a.m. to dusk. NO LIFEGUARD ON DUTY. Pool entrance and bathroom doors will always be kept locked. Resident issued pool key will be needed during pool hours.
- 2.2. **Persons using the pool do so at their own risk.** The Board of Directors or Management Agent firm or the Association will not assume responsibility for any homeowner, resident, or guest's personal safety. **Posted Pool Rules will be observed at all times.**
- 2.3. Anyone with an illness, have skin cuts or open sores, is not allowed in the pool.
- 2.4. **CHILDREN UNDER FIFTEEN (15) YEARS must always be accompanied by a responsible adult.**
- 2.5. **DIAPERS** (cloth or disposable), infants must wear either little swimmers or tight-fitting rubber pants.
- 2.6. **ROUGH-HOUSING** in or out of the water is **not permitted.**
- 2.7. **DIVING OR JUMPING** into water from furniture, pool railings, pool house roof, or other objects is **not permitted.**
- 2.8. **RUNNING or PUSHING** on the pool deck is not permitted.
- 2.9. **RAFTS, INNER TUBES, GLASS CONTAINERS, ALCOHOL BEVERAGE, OR FOOD of any kind is not permitted.**
- 2.10. **ANY and ALL PETS** are not permitted within the gated pool area.
- 2.11. **PRIVATE PARTIES**, in or around pool area are not permitted.
- 2.12. **TRESPASSING AND/OR LOITERING IS PROHIBITED** after closing of pool hours.
- 2.13. **ENTERING POOL AREA BY CLIMBING THE FENCE, TREES, AND POOL HOUSE is not permitted.**

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- 2.14. **Residents must always accompany their guests** and are responsible for damages or violations.
- 2.15. **Proper pool attire is required**, and everyone must shower before entering pool.
- 2.16. **No wheeled vehicles, or carts** are allowed in the pool area except wheelchairs and infant strollers.
- 2.17. **Lower Audio:** Radios, smartphones, or any type of audio device must be turned down to a volume loud enough for listening within your personal space only (i.e. headphones). Audio volume should not be loud enough to disrupt other pool users.
- 2.18. **All litter must be deposited in trash containers.** Pool users will always be responsible for keeping the pool area clean.
- 2.19. **LIFE SAVING EQUIPMENT located in the pool area, will be used during an EMERGENCY situation, and not as non-emergency swimming aid.**
- 2.20. Pool furniture must not be removed from the pool area.
- 2.21. The pool house and gates should be kept locked at all times.
- 2.22. Enter and exit pool area through gates only by using the key provided.

3. PETS

- 3.1. No animals, livestock, or poultry of any kind may be raised, bred, or permitted in any Unit. Large feather winged vertebrates may **not** be raised or bred. Must be kept inside the unit and not left on patios, courtyards, or allow their "squawking" to disturb the adjoining units or community.
- 3.2. No pets shall be kept, bred, or maintained for commercial purpose.
- 3.3. Pet owners must have control of their pets at all times. Pets are *not* allowed to be left unattended so as to cause disturbance (barking, etc.) to the adjoining units, neighbors or community. **This includes courtyards, back patios, and garages.**
- 3.4. **Dogs** must always be on a leash and accompanied by their owner when they are being walked in the common areas. Violators may be subject to fines of \$100 or more.
 - 3.4.1. Miami-Dade County Code Chapter 5, especially section 5-20 for Regulations on dogs in public areas and section 5-21 for **Tethering of dogs** will be enforced by the Association.
- 3.5. The following designated areas have been established for walking pets: Pocket parks located at the front entrance, the area west of the pool house, the AT&T Utility right of way, and the islands located on 137 Place and 137 Court.
- 3.6. Pet owners must carry a "scooper" or other alternative means to dispose of waste when walking their pets. Dog waste removal stations have been placed throughout the community for proper disposal of waste. Removal of your pet's waste is a Miami-Dade County Ordinance (see posted signs). Violators will be subject to fines.

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- 3.7. Pet owners are financially responsible for any damage caused by their pet.
- 3.8. **American pit bull terriers, American Staffordshire terriers, Staffordshire bull terriers, Rottweiler or Perro de Presa Canario breeds** or any other dog that substantially conforms to these breed characteristics are prohibited.
 - 3.8.1. Dogs that are deemed in violation of Miami-Dade County Code Chapter 5 (section 5-17) regarding "pit bull" dogs should be reported to Miami-Dade County Animal Control Officers.
- 3.9. Dogs and cats must have current vaccination tags.
- 3.10. Dogs, cats, or other common household pets are permitted, and must be kept within the owner's residence. Dogs must not exceed a total number of two (2) and no more than 80 pounds each.
- 3.11. **Do not leave food outside as it attracts rodents.**

4. VEHICLE PARKING

- 4.1. All resident vehicles will be parked either in the garages or on the driveways serving the units. All vehicles must display a current/valid registered license tag. Parked vehicles with invalid/expired tags will be towed within a 48-hour notice.
- 4.2. Any disabled vehicle (mechanical or crash damage), must be parked entirely within the garage. Storing of such vehicles on driveways is prohibited and will be towed within a 48-hour notice.
- 4.3. Parking of a vehicle with any type of automotive fluid leak on driveways or "Guest" parking spaces is prohibited, and subject to be towed at owners' expense. Homeowners' will be held responsible for the cost to repair or clean surfaces of driveways or asphalt areas.
- 4.4. Parking spaces designated for "Guest" parking are not to be used by homeowners or residents, and may be towed away at owner's expense.
- 4.5. Any commercial vehicle or vehicle that gives the appearance of commercial vehicles (ladders, lettering, racks, tubes, etc.), tractors, and trailers, with or without wheels) must be parked entirely within a garage. Any commercial vehicle left on a driveway overnight is subject to immediate towing at the owner's expense.
- 4.6. No vehicles larger than 3/4 ton are allowed to be parked or stored in the community.
- 4.7. Any disabled vehicle or with an expired tag must be parked entirely within the garage.
- 4.8. Boats, trailers, and recreational vehicles may be temporarily parked on the unit driveway for loading and unloading. NO overnight driveway parking or parking in the guest parking or grass.
- 4.9. Residents, guests or contractors are not to park across the driveway, on the lawn areas or in the street. Vehicles will be considered illegally parked and subject to be towed at owner's expense.
- 4.10. Abandon or appearance of, and unauthorized vehicles will be towed away at owner's expense within 48 hours.

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- 4.11. Car covers are not permitted.
 - 4.12. Damage done by a neighboring units car parked in any driveway is the responsibility of the homeowner where such car is parked unless the car is parked in that driveway without the consent of the homeowner. At that point, the owner of the parked vehicle is responsible for the damage done to the unit driveway.
5. **CAR REPAIRS** – HOMEOWNERS OR TENANTS MAY REPAIR an automobile if all the following requirements are met per by County Zoning Codes:
- 5.1. Homeowner or tenant must own the vehicle.
 - 5.2. Repairs may only be conducted during daylight hours.
 - 5.3. Only minor repairs such as the changing of tires, batteries, replacement of brakes and engine tune-ups can be done. These repairs must be completed within 72 hours.
 - 5.4. No vehicles placed on jacks or ramps in the driveways, when not working on vehicle. Keeping vehicles on jacks or ramps overnight is NOT permitted.

6. COMMON AREAS/RECREATION AREAS

- 6.1. The Common Areas and walks (as defined in Art. I, Sec. 5 of the Declaration, Covenants, Conditions and Restrictions) are maintained by the Association, are for the use of foot traffic only. Wheelchairs and baby strollers are permitted in this area; all other wheeled vehicles are prohibited.
- 6.2. All persons using the common areas will do so at his/her own risk.
- 6.3. Children under the age of 15 must have adult supervision at all times.
- 6.4. Children playing in the street or conducting recreational activities in the street or common areas are the sole responsibility of their parents or legal guardian. Organized ball games such as soccer, football, baseball, softball, etc. shall be played in the community designated recreational areas/pocket parts at the entrance and the area west of the pool house.

7. SAFETY

- 7.1. Residents must use their unit and all common areas in such a manner as not to disturb or become a nuisance to other residents.
- 7.2. No unit shall be used, in whole or in part, for the storage of any property or item that will cause such Unit to appear to be unclean or in an untidy condition or that will be displeasing to the eye; nor shall any substance, item, or material be kept upon any Unit that will emit foul or obnoxious odors or that will or might disturb the peace, quiet, safety, comfort, or serenity of the residents of surrounding property.
- 7.3. MOPEDS, SEGWAY, GO-CARTS, MINI-BIKES, OR ANY TYPE OF SMALL MOTORIZED OR BATTERY-OPERATED VEHICLE (i.e. BARBIE CARS OR SIMILAR), ARE PROHIBITED in the community.

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- 7.4. Speed Limit of 15 MPH is to be strictly observed.
- 7.5. FPL Electrical Transformer (green boxes) located throughout the community contain "high voltage" and the caution signs must be observed. Do not sit or congregate on or around the transformers.
- 7.6. Pedestrians entering the community should be enter through pedestrian gate only. Pedestrians entering the community via any other means is strictly prohibited.

8. GARBAGE

- 8.1. Garbage and Recycle containers will be kept totally out of sight from the view of neighboring units, streets, and property located adjacent to the unit. Storing of garbage containers and recycle bins in the courtyard is prohibited.
- 8.2. All garbage and trash will be placed in the garbage container. All county waste regulations are to be followed.
- 8.3. Garbage shall be placed out for collection either the MORNING OF OR THE NIGHT BEFORE, the scheduled Tuesday or Friday pickup. All empty garbage bins are to be removed from the front of the property and stored out of sight no later than 11:00 P.M. the day of pickup.
- 8.4. Trash that cannot be placed in the garbage containers must be placed in a contractor's trash bag (55-GAL Black Trash Bag) and placed next to the garbage for collection as per Miami-Dade County regulations or must be taken promptly to the county facility. Failure to comply will result in the unit owner being billed for the removal.
- 8.5. Items such as appliances/furniture, etc. for Miami-Dade County Waste Management to pick up must be scheduled 30 days in advance with Waste Management, contact 311 for scheduling. Items left at curbside after 7 days, will be picked up and the homeowner's account will be charged for disposal.
- 8.6. Recycle (blue) containers should be placed for collection either the MORNING OF OR THE NIGHT BEFORE, once every two weeks on Tuesday. All recycling bins are to be removed from the front of the property and stored out of sight no later than 11:00 P.M. the day of pickup.
- 8.7. Limbs and trash clippings may be placed in the green garbage containers for regular pick up, if placed in large plastic bags. Bulk should not be over 3 ft. long and 50 lbs. in weight.
- 8.8. If replacing a damaged Trash or Recycled Bin contact Miami-Dade Solid waste for replacement bin. After you get your confirmation as to when it will be replaced, please notify the Management Company that the damaged bin will be left out until it is replaced by Miami-Dade Solid waste with a notice on the bin(s).

9. NOISE – Call 305-4POLICE (476-5423) to report an Ordinance violation.

- 9.1. Loud noise, music, playing of musical instruments, or other sounds such as alarms, vehicle mufflers, barking of dogs, or conduct that disturbs or annoys other residents will not be tolerated or permitted. Miami-Dade County Noise Ordinance #21-28. (Miami-Dade Police will respond to calls on the above).

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10. SANITATION

- 10.1. It shall be the responsibility of each Owner/Tenant to prevent the development of any unclean, unhealthy, unsightly, or un-kept condition on the Unit, and/or the courtyard and backyard.
- 10.2. The pursuit of hobbies or other activities, including specifically, without limiting the generality of the foregoing, the assembly and disassembly of motor vehicles and other mechanical devices which tend to cause disorderly, unsightly, or unkempt conditions, shall not be pursued or undertaken on any part of the properties.

11. LEASES

- 11.1. Effective June 15, 2007, screening of tenants (lessees) will be required by the Association. The owner (lessor) or the owner's agent is responsible to provide documentation of Background Checks and Credit Reports to the Association's Management Company prior to the tenant moving into the unit.
- 11.2. Leases must be for a term of twelve (12) months and must be in writing. Leases shorter or longer than twelve (12) months are strictly prohibited. A copy of the lease must be provided to the Management Company prior to their taking effect. Failure to provide a copy of the lease to the Association may be subject to fines of \$100 or more. Lease renewals must also be submitted prior to the expiration to avoid a fine.
- 11.3. Townhouse are zoned as RU-TH One-Family Dwelling and leases must comply with Miami-Dade County zoning regulations.
- 11.4. The unit owner assumes financial responsibility for the tenant's damage to any of the common areas, monthly maintenance fee, and **any special assessment fees.**
- 11.5. The owner must provide gate cards, pool and pedestrian gate keys, and mailbox keys to tenant(s). Effective February 1994, any additional keys, cards and remotes purchased are not refundable.
- 11.6. The unit owner (lessor) must provide the tenants (lessees) with a copy of the Declaration of Covenants, Conditions and Restrictions, and Articles of Incorporation, By-laws and, Rules and Regulations. The tenant must sign a statement that he/she has read these documents and agrees to abide by them. A copy of the agreement must be on file with the Association's management representative.

12. ALARMS

- 12.1. Audible home alarms will not be permitted to ring longer than thirty (30) minutes. Alarms should be installed, so that they have the capacity of resetting **automatically** if faulty.
- 12.2. Alarm Boxes must be installed inside the soffit, and alarm company signs will be kept out of sight. (See R&R 1.21 for installation details.)
- 12.3. Vehicle alarms sensitivity will be adjusted to tolerate small animals (cats, birds, etc.) and stereo bass vibrations from passing vehicles. Alarm malfunctions must be corrected immediately.

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13. GARAGE SALES

- 13.1. Garage sales will only be permitted on the first Saturday in October and the last Saturday in April, **or other specified dates as designated by the Board of Directors** from 7:00 a.m. to 12:00 noon. The Board, due to lack of participation may cancel a date.
- 13.2. All items to be sold can be displayed on the homeowner's driveway or within the garage. At the end of the specified time set for the sale, all unsold items must be removed from the driveway and put away.

14. SINGLE-FAMILY RESIDENCES

- 14.1. Each Unit is restricted to residential use as a single-family or one-family dwelling by the owner or owners thereof, their immediate families, guests, or their lessees. As a one-family dwelling, leasing or sub-leasing a room or space within the dwelling is prohibited. Multiple families residing within a unit is strictly prohibited. Homes are not permitted to be listed on services such as Airbnb, VRBO, and any other similar or related service. If applicable, violators will be reported to Miami-Dade County zoning division. Homeowners will be responsible for all fines levied by the Association as well as citations assigned by the County.
- 14.2. No unit shall be subdivided and rented/leasing out. Valencia Townhomes are zoned as RU-TH one-family dwelling by Miami-Dade County, any violations will be fined until unit is converted back to a one-family dwelling.
- 14.3. **No commercial business or the appearance of is permitted.**

15. TRANSFERS OF OWNERSHIP

- 15.1. Notice must be given promptly by the seller or lessor to the Management Company whenever title passes to a new owner or unit is leased.
- 15.2. Telephone number must be provided to the Management Company two (2) Business days prior to moving in for programming into the Entry Access System.
- 15.3. New owner or prospective owner must sign acknowledgement of receipt of Rules & Regulations/Documents with estoppel process.

16. ACCESS TO COMMUNITY

- 16.1. Homeowners are responsible for providing entrance by guest(s) or deliveries to the community. In the event the homeowner will not be at home, prior arrangements must be made by the homeowner for guest(s) or delivery.

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- 16.2. Homeowners will be responsible for intentional damage to gates or barrier arms caused by their guests or residents and will be subject to fine and/or cost of repairs. Damage or contact made with the entry and exit barrier arms will be the sole responsibility of the driver of the vehicle which made contact or caused the damage. The driver will be billed the full cost of repair to the unit. If the driver does not respond with payment, the homeowner which gave the visitor access to the community will be fully responsible for the full cost of repair to the barrier arm and unit. The homeowner is ultimately responsible for damage done by visitors, home occupants, renters, contractors, transportation for hire services, such as but not limited to, Taxis, Uber, Lyft, medical assistance transportation, etc.
- 16.3. Residents and/or their guests forcing open or disabling the gates will be considered as unauthorized entry and are subject to fines and/or billing for the repair.
17. **FINES** - The following actions will be taken by the Homeowners Association for VIOLATION OF ARCHITECTURAL RULES OR OTHER REGULATIONS:
- 17.1. A courtesy letter will be sent to the Homeowner for the noted violation with a reasonable time frame (30 days) depending on the violation, to rectify the violation. Should there be extenuating circumstances in complying with the time frame; the homeowner should address the Board through Management, to request consideration for an extension of time.
- 17.2. Failure to correct noted violation(s) within the reasonable time will result in sending a notice to the Homeowner to appear before the Fines & Violations Committee.
- 17.3. Failure to appear or comply with the Fines & Violations Committee will result in fines of a minimum of twenty-five dollars (\$25.00) a day, week, or monthly against the Homeowner's account.
- 17.4. At the Board's discretion, only the Board of Directors can waive fines. Owner must appear and submit in writing reasons for consideration.

18. PAYMENT OF ASSESSMENTS

- 18.1. All regular assessments are due and payable on the first (1) day of the month.
- 18.2. A grace period of fifteen (15) days to mail and have delivered the assessments is extended to each unit owner of record. Assessments that are not received by the Association agent by the fifteenth (15) day of the month are past due, and subject to a late charge of \$10.00.
- 18.3. Any assessment which becomes ninety (90) days past due is subject to legal action at the expense of the delinquent owner, or in the form of the Association filing a lien against the residence of the owner.
- 18.4. Any assessment, which is one hundred and twenty (120) days past due and has a lien for thirty (30) days or more is subject to foreclosure of the lien by the Association.
- 18.5. The Association may take title to the unit for unpaid assessments at foreclosure sale. FL Statutes 720.3085(8).

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19. TROPICAL STORM/HURRICANE OR NATURAL DISASTER

- 19.1. Upon a tropical storm warning / hurricane warning remove and secure all items that might become airborne in the high winds in your backyard and courtyards.
- 19.2. After a tropical storm/hurricane, assess all damages to the outside of your property and notify the proper agencies (e.g. FEMA, Homeowner's Insurance, Management Company, etc.) ASAP. If placing roof tarps on the roof, please install them properly to assure that they won't blow away. In addition, do routine maintenance on them and fix them as needed. If your fence becomes damaged due to the tropical storm/hurricane the homeowner(s) will be responsible for the clean-up/disposal, the safe-up and reconstruction of the fence. The Association is not responsible for the fence or any other structure within your property. Keep in mind that all repairs to the outside of your home shall require an Architectural Modification approval and Miami-Dade County permits when permits apply prior to commencement. Keep the Association informed on the duration of the repairs and when all the damages of your property will be completed.
- 19.3. After a tropical storm/hurricane Miami-Dade County may not have bulk pick up for about a month or so after the event. All debris related to structural damages caused by the storms must be deposited of by the homeowner(s) at the nearest Miami-Dade County Trash and Recycling Center. The Association is ONLY responsible for the streets and common area cleanups and not for damages within your property.

Note: Enforcement of the Rules and Regulations may result in legal action and/or fines at the expense of the owner.
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