



Rules and Guidelines Handbook

(Updated March 2018)

*This document is intended for use as a guideline only.
Specific and detailed information is located in your
Declaration of Covenants and Restrictions and Reservation of Easements
recorded in Book 4067, Pages 486-543 of the Warren County, Ohio Recorder's records*

Professionally Managed by Stonegate Property Management
2320 Grandview Drive • Suite 101 • Ft. Mitchell, KY 41017
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WELCOME!

Dear Falls of Landen Homeowner:

On behalf of the Board of Trustees of the Falls of Landen Homeowners Association, welcome to the neighborhood. We are confident that you will find Falls of Landen a great place to live.

The following guidelines are an expansion of your covenants (your Declaration of Covenants, Conditions, Restrictions and Reservation of Easements), and are intended to provide details on some of the responsibilities, policies, and procedures of your HOA. We ask our residents to refer first to this handbook for your answers, and second to your Falls of Landen Association Manager (contact information can be found on page 3) for questions unanswered. The Falls of Landen condominium owners have an additional set of covenants that are specific to their condominium association and should contact their association manager for any questions.

We trust that this handbook is informational and helpful to you and are glad that you have chosen the Falls of Landen as your home.

Sincerely,

The Board of Trustees of The Falls of Landen HOA

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WHAT IS A HOMEOWNERS' ASSOCIATION?

A homeowners' association is a corporation formed to manage and maintain commonly owned real estate and amenities, and to preserve the overall quality of life in a community. Assessments are levied against each owner for use in the preservation of values and amenities, and for maintaining and administering the commonly owned real estate. Membership is mandatory in The Falls of Landen Homeowners Association, and the obligation runs with the land. In other words, when a home sells, the new owner assumes the membership obligation.

Additional responsibilities are attendant with a homeowners' association, and they are typically identified in detail within the declaration of covenants that is filed of record in the county offices. Those attendant responsibilities include administration of budgets, assessment amounts, recording and keeping meeting minutes, agendas, board elections, obtaining contractor bids for maintenance/repair/replacement of commonly owned amenities and/or real estate, enforcement of rules and regulations, creating and publishing financial reports to members, etc. A professional management firm has been retained to perform this work, and much more, on behalf of the Homeowners Association through the direction of your Board of Trustees.

A homeowners' association is a business. No matter what role you play in the association, you want it to operate as smoothly and efficiently as possible. Your homeowner's association is a business, and to be successful, it must operate like one.

ASSOCIATION DOCUMENTS

Declaration of Covenants (CCR's)

The Declaration of Covenants, Conditions and Restrictions and Reservation of Easements, the By-Laws, and the Articles of Incorporation are the governing documents for your Homeowners Association. The Board of Trustees is empowered through these documents to perform its duties as set forth in the documents. Condominium owners have an additional set of CCR's that govern the Condominium Association.

As an example, the CCR's provide for:

1. Automatic association membership of all owners;
2. The basis for voting rights;
3. The obligation of each owner to share in funding the cost of association operations;
4. The restrictions (architectural control and other rules) on the use of the property;
5. The means of enforcement;
6. Power and authority of the association to own and the responsibility to maintain any common property and/or easements, and to make and enforce rules.

By-Laws and Code of Regulations

The By-Laws/Code of Regulations implements, in specific detail, the provisions of the Articles of Incorporation regarding the association operations, including delineation of the meetings process, elections procedures, powers and duties, board meetings, committees, insurance requirements, rule-making and enforcement process. Condominium owners have an additional set of By-Laws and Code of Regulations that govern the Condominium Association.

BOARD OF TRUSTEES

The purpose of the Board of Trustees is to manage, govern and control The Falls of Landen HOA common areas.

Responsibilities

Establish the policies and regulations that govern the Association:

- Supervise and prescribe the duties of the Managing Agent
- Approve the operating budget and all expenditures made by the Association
- Set the amount of the Association Assessments
- Enforce architectural control
- Maintain the common area and structures located on common property

ASSOCIATION MANAGER

Stonegate Property Management is a professional firm specializing in homeowner and condominium association management. They are hired by the Board of Trustees to advise, assist and implement the decisions made by the Board. Your Association Manager, a member of the Stonegate Property Management team, is responsible for guiding and assisting the Homeowners Association; and helping owners with problems or questions, as well as carrying out the responsibility of the daily management and operation of the community and its facilities.

Responsibilities

The following items are included in the contract for management:

- Collection and billing of assessments
- Payment of operating expenses
- Accounting and financial reporting
- Printing and distribution of any notices
- Direction of Association contractors
- General maintenance
- Maintenance and supervision of insurance coverage
- Emergency maintenance
- Custodial care of books and records involving Association activities
- Handling resident requests
- Community coordination and communication
- Assisting the Board with budget planning

Please note the distinction between the Association Manager and the Board of Trustees. Your Trustees establish policies and make decisions that the Association Manager implements on a day-to-day basis in operating The Falls of Landen. Please direct your questions and comments regarding your community to the Association Manager for the proper attention. Your Association Manager meets with the Board of Trustees on a regular basis, at which time the affairs of the Association are fully reviewed.

ENTITIES AT THE FALLS OF LANDEN AND CONTACT INFORMATION

The Falls of Landen Homeowners Association

- Description: Responsible for maintenance and preservation of the HOA common areas, excluding condominium association areas.
- Members: All townhome and condominium owners belong to this association.
- Quarterly Assessments: Used for the maintenance of areas owned or under the control of the HOA (see map at the end of this book) and includes a “use” fee for the recreational facilities located at The Falls of Landen Apartments. Townhome owners pay an additional quarterly fee for maintenance of their yards, snow removal and curbside trash pickup.

For questions or concerns involving The Falls of Landen Homeowners Association, contact:

Stonegate Property Management Company
859.534.0900
2220 Grandview Drive Suite 250, Ft. Mitchell, KY 41017

The Falls of Landen Condominium Association

- Description: Responsible for maintenance and preservation of common areas located within the condominium community only (see map at the end of this book), including the maintenance of the common hallways, garages and condominium buildings.
- Members: Each condominium owner belongs to this association.
- Monthly Assessments: Used for the preservation and maintenance of dedicated common areas including building elements, grounds surrounding the buildings, hallways within the buildings, garages, etc. An additional quarterly fee (listed above) is also paid to the Falls of Landen Homeowners Association for maintenance of entrances and any other areas common to both the townhome and condominium owners.

For questions or concerns involving The Falls of Landen Condominium Association, contact:

Stonegate Property Management
859-534-0900
2320 Grandview Drive, Ste. 101, Ft. Mitchell, KY 41017

Recreational Facilities (The Falls of Landen Apartments)

- Description: The recreational facilities include the clubhouse, fitness room, pool, basketball, volleyball and tennis courts.
- Members: There are no “members” since the Falls of Landen Apartments are privately owned and operated by the owners of The Falls of Landen Apartments. The residents of the townhomes and condominiums pay a “use” fee for the recreational facilities.
- Assessments: A use fee is included in the quarterly assessments sent to all townhome and condominium owners.

For questions or concerns involving the use of the recreational facilities, contact:

Property Manager: Towne Properties Asset Management Company
513-336-8930
7401 Landen Falls Drive, Maineville, OH 45039

THE FALLS OF LANDEN MEETINGS AND ELECTIONS

Board Meetings

The Board of Trustees communicates regularly and meets on a quarterly basis, as needed, to make decisions concerning the Association. Homeowners may attend these meetings with prior notification to the Association Manager which shall include the topic, concern, or issue you would like to bring to the Board's attention.

Annual Meeting and Election

During the first quarter of each year, The Falls of Landen HOA will hold an Annual Meeting where all members of the HOA are encouraged to attend. The primary purpose of an association's Annual Meeting is the election of Trustees to that association's Board of Trustees. Additionally, homeowners will have an opportunity to bring any topics, concerns or issues to the Board. All owners in the HOA will be notified via mail as required by the Declaration.

ASSESSMENTS AND COLLECTION POLICY

Assessments are levied for the purpose of preserving, protecting and promoting the physical and environmental qualities of the Community Facilities and Common Areas. It is important for the fiscal soundness of the Association that its fees are paid promptly. Failure to pay your assessment in a timely manner may result in late fees and potential legal action, including placing a lien on your home and possibly foreclosure. See the full Collection Policy found at the back of this Handbook or contact your Association Manager or the Association's website (scheduled to be available in 2018).

GENERAL RULES AND REGULATIONS

The following section applies to all Members of the HOA (except as noted), however the COA has their own set of guidelines that may vary and be more restrictive. Owners of a condo should be sure to consult their own handbook or Management Company.

Garbage and Recycling

This section is for townhome owners only.

- Garbage/Recycling containers must be stored inside of the garage except on trash collection day.
- Garbage/Recycling containers may be placed at the curb the night before trash collection and removed the same day as trash collection.
- Sanitary containers must be used for the storage of any trash or garbage and are available through the trash service company.
- All trash and recycling must be contained within appropriate containers when placed on the curb. No loose trash bags are permitted.

Garage Sales

- An individual may not have more than two garage sales in any one calendar year.
- If the community decides to have a community wide yard sale it does not count toward the maximum permitted per individual.

Golf Carts

- Subject to the same “rules of the road” commonly applied to licensed motor vehicles. This includes obeying all traffic signs such as stop signs.
- Should always drive to the far-right side of the road, allowing licensed motor vehicles the ability to pass safely on the left. Pedestrians and bicycles shall be given the right of way.
- Are not permitted to drive or park on any common areas or green spaces.
- Shall be equipped with efficient brakes, tires, lights, mirrors, turn signals and other safety equipment which may be required by the State of Ohio. If not equipped with turn signals, standard hand signals are mandatory.
- Shall not be driven in the evening hours or during times of low visibility unless equipped with operating headlights, taillights and brake lights.
- Golf cart owners and/or operators will be held personally liable for injuries and damage caused to any property and are responsible for obeying all laws established by the State of Ohio, including any required licensing.
- Any violation of the above rules (except for driving or parking in common areas/green spaces) should be documented and reported to the Warren County Sheriff’s office.

Insurance for Townhome Owners

This section is for townhome owners only.

- Each townhome owner is required to have an individual homeowner’s insurance policy for their dwelling unit. This policy must include the entire structure of your townhome as well as all personal contents, flooring and any changes and/or upgrades that have been made to the interior or exterior. The Association is not responsible for any insurance coverage of your home and carries insurance coverage on the common areas only.

Parking

- Parking on any streets within the community is prohibited. There are exceptions made for emergencies, temporary visitors, and service providers (cable installers, etc.). The duration of these exceptions should be short-term. Overnight parking on any street is strictly prohibited.
- Parking on any paved streets during snow emergencies is strictly prohibited.
- There are designated guest parking pads located throughout the community if additional parking is required. They are located behind the cluster mailboxes on Ribbon and Centennial Falls, at the corner and end of Victoria Falls, as well as Hidden Falls Court. These parking pads are meant for temporary parking of 48 hours or less and NOT meant for storage of extra vehicles.
- The parking lot located near the basketball court on Grand Falls Boulevard is maintained by The Falls of Landen Apartments and is available to both townhome and condo owners to access the recreational facility and for day-time guest parking.
- The parking pads located in front of the condo buildings are part of The Falls of Landen Condominium Association and are for the exclusive use of condo owners and their guests.
- No junk, commercial (advertising wrap, signage or ladders and/or work equipment) vehicles, recreational vehicles, mobile homes, trailers, boats, or trucks of more than one ton are to be parked or stored on any lot, common area or parking space for longer than 48 hours (unless they are completely out of view in a garage, etc.).
- The Association maintains the right to tow any vehicle that is not in compliance with the policies listed above.

Pets

Please be courteous to your neighbors when concerning pets. Dogs, cats, and other household pets are permitted (but not more than two dogs and two cats), provided they are not kept for commercial purposes.

- All pet owners are responsible for cleaning up after their pets and for properly disposing of waste.
- No animal may be a nuisance by barking, howling, or making loud noises that disturb any neighbor's peaceful enjoyment of their home.
- The State of Ohio has a leash law that requires pets to be leashed unless within the boundaries of your own property.
- Feeding ducks or geese is prohibited.

Signage

- With the exception of one for sale real estate sign, no other signs shall be erected, posted, attached, or displayed upon any lot or unit.
- One open house sign is permitted at either common entrance to the subdivision, installed no earlier than 5:00 p.m. on Friday, and removed by 5:00 p.m. on Sunday.
- Commercial signage promoting/advertising contractors, businesses, schools, clubs or events are not permitted.

Use of Property

- No business, trade, or industry may be conducted or maintained in any home. A homeowner may use a portion of his or her home for an office or studio (with the exception of a music or dance studio). The activities must not interfere with the quiet enjoyment or comfort of any other owner or increase the normal flow of traffic or individuals in and out of the home or community.
- No offensive/noxious activity is to be carried out on any property that would be construed as an annoyance/nuisance to other owners.
- All homes and common areas shall be kept free and clear of rubbish, debris, and other unsightly materials.
- No laundry item, including clothes, sheets and blankets, shall be hung in any common area or any limited common area, including any patio, deck or porch areas.
- Patio, deck and porch areas shall not be used for storage. Only patio type furniture is permitted on the patios and decks. A homeowner shall keep his or her patio and deck areas neat and clean at all times.
- A homeowner shall keep his or her garage door shut at all times when not in use.
- Window coverings must appear neat and orderly and in working condition.

ARCHITECTURAL CONTROL GUIDELINES (Townhomes)

The following section applies to the owners of the townhomes. The COA has their own set of guidelines that owners of a condominium should consult.

Improvement Application

The Association is responsible for oversight of the aesthetic and architectural character of the homes within The Falls of Landen Homeowners Association. Any townhome owner desiring to make any exterior change, improvement or addition (including change of existing color) must obtain prior approval for the change or improvement from the Association through its Board of Trustees by submitting an Improvement Application found at the back of this handbook or by contacting your Association Manager, or the Association's website (scheduled to be available in 2018).

The procedures for submitting an application for approval are:

1. Submit to your Association Manager an Improvement Application that includes a complete description of the improvement with a drawing, photograph or catalog picture, including specifications as necessary. The more details that you provide, the quicker and smoother the processing.
2. Attach a plot plan of the lot indicating where the improvement or modification will be located on the lot. Satellite imagery is also helpful.
3. The Association Manager will do a preliminary review of the application to ensure that all required information needed for the Board to make a decision is included. The Manager will then submit the Improvement Application to the Board of Trustees for review, and the application will be *approved*, *disapproved* or *approved-with-conditions*.
4. Any maintenance required as a result of a modification or improvement made by an owner is the owner's responsibility.
5. Unauthorized changes, modifications, or improvements must be removed or restored to original condition at the discretion of the Association, through its Board of Trustees, and will be at the expense of the owner.
6. While every effort will be made to ensure quick processing of your application, it is important that you do not wait until the last minute to submit your Improvement Application. The Board may take up to 30 days to make a decision on an application (standard turnaround is approximately two weeks).

If you are making an exterior change that is replacing "like with like" you do not need to submit an improvement application. If you are not sure if an application is required, it is best to ask first.

Some examples where an Improvement Application is not required:

- Replacing your roof with the same color/style shingles.
- Replacing your front door/storm door with a new door of the same style/color.
- Painting of the exterior or staining your deck with the same color.
- Replacing dead landscaping with the same type/style of plant or planting annuals.

ARCHITECTURAL CONTROL GUIDELINES

Awnings

- Must be installed on the rear of the home and be retractable.
- Fabric must be a solid earth tone color only.

Basketball Goals

- Permanent basketball goals are not permitted.
- Portable basketball goals are permitted in the driveway but must limit play to the driveway and not the street.
- Portable basketball goals may not be left out overnight.

Decks and Patios

- Must be located behind the rear corners of the home.
- Must be placed outside of building setbacks as required by zoning setbacks and restrictive easements.
- Patios may be natural, stained, or stamped concrete in colors complementary to the existing home.
- Decking is permitted to be composite or wood; vinyl is not permitted.
- Pressure treated wood must be sealed or stained in an earth tone color only. If owner wishes to paint the railings, they may be a complementary color to the deck and surrounding homes. Wrought iron is also acceptable.
- Railings, stairs, treads and all built-ins (such as benches or planters) must be made of wood or composite and be either the same color as the deck or they may be a complementary color to the deck and surrounding homes. Wrought iron is also acceptable.
- Deck skirting is permitted to be lattice or a style in which the skirting is installed in a singular direction (i.e. all boards are perpendicular to the ground).
- Storage under decks is not permitted, unless it is shielded from view with skirting.

Flags

- Seasonal or holiday flags must comply with restrictions outlined in the Holiday Decorations Guideline. Game Day flags may be displayed on Game Day only. American and military flags may be displayed any time.
- May be installed adjacent to entry doors or from back deck.
- Flags may be displayed on flag staffs properly affixed to the home; however, flag poles are not permitted.

Gardens

- The garden shall be properly maintained and weeded to prevent growth of all plant materials outside of or over the boundary of the garden.
- With the exception of occasional weather-dependent day-to-day demands for frost protection, no garden shall be 'blanketed' or otherwise covered with tarps or similar items.
- If the garden must have a solid structural boundary (for example, landscape timbers), the maximum height permitted is 1.5 ft. Fencing around the garden is not permitted.
- Must be installed in the rear yard at a minimum of 3 ft. from any property line.
- On corner Lots, the garden must remain behind the building setback on any side of the lot facing any side street.
- Maximum size of the garden is 8' x 8'.

Grills, Smokers and Fire Pits

- Permitted on decks and patios.
- Not permitted on driveways, front porch, sidewalks, entry stoops or yards.
- Shall be covered by a fitted cover when not in use.

Holiday Decorations

- At this time, an application is not required for the display of holiday decorations, but they should be kept to a minimum so as to maintain visual appeal throughout the neighborhood and not cause increased traffic in the community.
- Holiday decorations may be displayed during the period commencing no earlier than 30 days prior to the holiday and must be taken down no later than 30 days after the holiday.
- Should be located in areas as to not impede the Association-provided yard maintenance.
- Outdoor lights shall be designed for outdoor use; both placement and wattage should not create glare or nuisance.

Home Exterior

- Routine maintenance or "touch up" of existing paint and stain colors is permitted without an Improvement Application, if the exact color, sheen, and opacity is used.
- Replacement or repair of the existing exterior, e.g. replacing shingles or siding, is permitted without an Improvement Application, so long as there is no variance in material, color, or style to the originally installed exterior.
- When painting the exterior of your home, evaluation criteria for exterior color selection approval includes, but is not limited to:
 - Proposed colors must not be noticeably different than the existing colors of the homes directly across and next to the home proposing the change.
 - Reasonably conforms and harmonizes with surroundings.
 - Paint samples must accompany any Improvement Application and a key for the paint samples must also be provided; the key should identify the color change area, and its corresponding paint sample.
 - Shutters and Doors painted after January 1, 2018 must be painted in one of the approved colors listed below. All paint colors are from Sherwin Williams.
 - SW6258 - Tricorn Black
 - SW6020 - Marooned
 - SW7020 - Black Fox
 - SW6244 - Naval
 - SW6069 - French Roast
- All Home Exterior Improvement Applications require the homeowner to submit a picture of the home's exterior as well as that of 1-3 neighbors, which are on either side and across from their home.

Landscaping

- If the replacement is identical to the original plant, tree, shrub, etc., no Improvement Application is required.
- Except for the planting of Annuals, any landscaping to be planted outside of the builder/developer installed mulch beds requires the submission of an Improvement Application.
- Landscaping may not be installed in easements in such a way that would inhibit drainage patterns.
- To be planted with consideration for neighboring properties and within property lines with no plant material extending beyond the lot; location should be chosen with the consideration for the plant's size once it has matured.
- The Association employs a commercial grounds maintenance company to service the yard and landscaping of the townhomes. These services include: mowing, weeding, turf applications (weed control and fertilization), standard pruning and mulching. The replacement of dead plants and trees, improvements to the turf and landscaping upgrades are the responsibility of the townhome owner.
- Every effort should be made to install landscaping in such a way as to not impede Association-provided yard maintenance and may not be located or installed in a manner which increases cost of Association-provided yard maintenance.
- The Association encourages the installation of landscape beds around the foundation and utilities of the home so that these areas can be protected from damage during routine landscape maintenance. Neither the Association nor the grounds maintenance company employed by the Association assumes any responsibility for damage to the exterior of the home from routine maintenance.
- Any approved landscaping for the side and rear yard is installed at the risk and responsibility of the homeowner. The expense for maintenance of landscaping of the rear yard (excluding the turf) is the responsibility of the homeowner.

Exterior Lighting

- One post light in the front yard and wall sconces near the front door or sides of the garage are permitted.
- Fixture must match the height, style, color, dimensions, design, location, and material of the original light installed by the builder.
- Not permitted to be installed on the exterior walls or roof of the home.
- Accent landscape or pathway lighting is permitted but may not exceed one fixture every 6' and every effort should be made to install in such a way as to not impede Association-provided yard maintenance.
- Lightbulbs should be soft white in color (measured in Kelvins and indicated on the packaging this is normally 2700-3000k) and the wattage/location should not cause a glare or nuisance.

Privacy Screening and Party Walls

- Privacy Screening/Party Walls may be added to one side of your patio/deck.
- Landscape screening is permitted to be evergreen shrubs which are 1.5-2' at installation and 5-6' at maturity. Beds must be mulched and are to be maintained by the homeowner.
- Wood panels or composite material made to look like wood panels may be used, must not exceed 6' feet in height and a length between 6' and 8'. The color must be an earth tone color.

Satellite Dishes

- A satellite dish (not exceeding 1 meter in diameter) is permitted and should be installed behind the home when possible.
- If the satellite dish must be installed in the front or sides of the dwelling resulting in visibility from the street, the satellite dish must be screened from view with landscaping and must not exceed 36 inches from the ground. The landscaping plan must be included with your application for modification to install a satellite dish.
- All wires must be affixed to the structure in a professional manner, and must be kept as low to the ground as possible.

Storm Doors

- Must be full view (no doors with half screens/windows are permitted).
- Frame color must closely match the trim of the home.
- For an example of a permitted storm door see the Anderson or Larson Series.
of Full view storm doors at your local retailer.

Three Seasons Room

- May be installed under a deck and be no larger than the area of the deck.
- Must be finished in colors that match the exterior of the home.

Yard Ornaments

- Permitted to be installed in the front yard, rear yard, mulch bed, porch, stoop, patio, or deck.
- If the Yard Ornament is designed for movement or includes moving parts, e.g. whirligigs, then the only location permitted is the rear yard with no visibility from any street and must remain in good working order.
- Every effort should be made to install in such a way as to not impede Association provided yard maintenance.
- While color of an individual Yard Ornament is not restricted, care should be taken so the collective impact of multiple Yard Ornaments does not detract from the overall aesthetics of the community.
- If more than one planter pot is installed in an area, e.g. deck, all planter pots should be of a similar color, particularly if visible from neighboring properties.
- The maximum number (quantity) of Yard Ornaments permitted is 2 in the front yard and 2 in the rear yard; a statue or figurine, specifically, is limited to 1 in the front yard and 1 in the rear yard, but in general, the number (quantity) of Yard Ornaments should be kept to a minimum so as to maintain visual appeal throughout the community.

COMPLAINT PROCEDURE

The procedure for filing a complaint is as follows:

1. Complete the Complaint and Service Request Form found at the back of this handbook or contact your Association Manager or go to the Association's website (scheduled to be available in 2018).
2. Include as much detail about your complaint as possible, including any steps taken toward a reasonable solution. Proof of both the offense and the person(s) responsible must be provided.
3. Submit the completed form to the Association Manager.
4. The following steps will be taken as necessary to resolve the complaint:
 - a) Initial letter will be sent to offending party. If there is no resolution:
 - b) A second letter will be sent.
 - c) If the problem or complaint is not resolved after these two letters, the issue will be taken to the Board and recommendations will be made to resolve the grievance.
5. Neither the Association Board nor its Manager are responsible for disputes between neighbors, as the Association will not act as a mediator, referee or the police. The Association is only responsible to enforce the rules of the HOA.

VIOLATIONS PROCEDURE

If a home owner is found to be in violation of any of the rules of The Falls of Landen Homeowners Association, they will be notified of the violation through the Violation Procedure established by the Board. The Violation Policy can be found at the back of this handbook or by contacting your Association Manager or go to the Association's website (scheduled to be available in 2018).



COLLECTION POLICY

Effective: July 2017

Assessments are levied, in accordance with the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements, for the purpose of preserving, protecting and promoting the environmental concept and physical qualities of the Association's common areas. It is important for the fiscal soundness of the Association that fees are paid promptly.

The Falls of Landen HOA Board of Trustees follows the Collection Policy outlined below.

Coupon Mailing Assessment fee coupons are mailed to all owners in December.

Due Date The HOA fee is a quarterly assessment and is due January 1st, April 1st, July 1st, October 1st.

Late Fees **A 10% penalty is applied to your account if payment has not posted to your account by the 15th of the month.**

**Late Notice
(15 Days)** After the 15th of each month, a Payment Due Notice showing the balance owed will be sent to owners who are delinquent.

**Late Date
(30 Days)** After 30+ days, a delinquency letter is sent to owners advising them that if payment in full is not received within 30 days of this notice, a lien will be filed on the property by the Association. The letter will detail the balance due and the legal fees the homeowner is responsible to pay.

**Lien
(60 Days)** After 60+ days, if balance has not been paid, the Association will file a lien against the property without further notice to the homeowner.

**Warning of
Foreclosure
(90 Days)** After 90+ days, if balance has not been paid, the Association will file a Warning of Foreclosure against the property without further notice to the homeowner.

Foreclosure The Association reserves the right to foreclose on any lien that has not been satisfied in a reasonable amount of time after the lien is filed.

- **Homeowners who are facing financial difficulties may contact the Association's management company to arrange a payment plan; however, penalty charges will continue to accrue until payoff is made in full.**
- **All legal fees and costs incurred by the Association in an attempt to collect assessments are the responsibility of the homeowner and will be added to the owner's account ledger.**
- **Satisfaction of payoff is not complete until all fines and/or legal fees are paid in full.**



MODIFICATION AND IMPROVEMENT APPLICATION

Effective: July 2017

Page 1 of 2

Homeowner name(s): _____ Date: _____

Property address: _____ Lot number (if known): _____

Email address: _____

Phone number: _____ ☐ Home ☐ Work ☐ Mobile ☐ Other: _____

Desired start date: _____ Desired completion date: _____

Improvement Request Type

- | | | |
|---------------------------------------|---|---------------------------------------|
| ☐ Privacy Wall | ☐ Satellite Dish | ☐ Other: _____ |
| ☐ Deck | ☐ Landscaping | |
| ☐ Patio | ☐ Addition | |

Materials to be Used

☐ Wood ☐ Brick ☐ Stone ☐ Concrete ☐ Other: _____

Dimensions

Length: _____ Width: _____ Height: _____

Description of Modification(s)

The following information is required as part of your application package:

- ✓ Improvement Application form including a detailed description of the improvement(s)
- ✓ Scaled Site Plan or Record Plat (A Record Plat may be obtained from the Auditors web site)
 - Property lines with dimensions and street names
 - Existing easements
 - Existing structure(s)
 - Proposed improvement(s) with dimensions
 - North arrow for reference
- ✓ Drawings of Proposed Improvement(s) (if applicable)
 - Include all dimensions, materials, colors, etc.
 - Pictures (include brochures, sketches, catalog illustrations, etc.)
- ✓ Materials List
 - Indicate the material type(s) used for the improvement(s)
- ✓ Color References/Swatches (if applicable)
 - Include paint samples and/or stain color

(Continued on next page)

Homeowner acknowledgment:

I understand that:

- Modifications are not to commence prior to receiving written approval from the Association.
- If the modifications(s) have commenced and/or are completed, and any part of the modification is disapproved by the Association, the property must be returned to its original condition at the sole expense of the homeowner. In the case of refusal by the homeowner to return the property to its original condition and in the case that any fees are expended by the Association (legal, administrative, etc.) related to the modification and/or application, the homeowner will reimburse the Association for all such expenses incurred.
- It is the sole responsibility of the homeowner and/or contractor employed by the homeowner to ensure that the proposed improvement is structurally and mechanically safe, and that it is designed and constructed in compliance with applicable building codes, fire codes, and any other applicable laws or regulations.
- Permits are the responsibility of the homeowner.
- Variation from this application must be resubmitted for approval.
- During the work performance and after completion, the improvement(s) must be maintained per the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for the Association.
- Any proposed modifications(s) will not detrimentally affect the proper drainage of this lot, neighboring lots, or any common areas. The homeowner will be responsible for the expense and correction of any drainage problems resulting from this improvement/modification/work/alteration.
- The homeowner acknowledges and agrees that the Association assumes no liability as a consequence of the approval or disapproval of any plans submitted.
- The Association assumes no liability and makes no representations regarding the adequacy or quality of any submitted plans, or whether such plans comply with the rules and regulations of governing jurisdictions.
- The Association and any employee, agent or member thereof shall not be liable for damages in any event because of the approval or disapproval of any application.

I certify that the above information is an accurate representation of the proposed improvement(s) and that after approved; the improvement(s) will be completed in accordance with the Application.

Homeowners signature: _____ Date: _____

Print name: _____

Notification Preference

☐ Email address (if different from email address provided): _____

☐ Mailing address (if different from property address): _____

How to submit your Improvement Application

Email (*preferred*) kevin.malburg@spmhoa.com

Fax: (859) 534.0923

Mail: Stonegate Property Management

c/o: The Falls of Landen/Kevin Malburg

2320 Grandview Drive | Suite 101 | Ft. Mitchell, KY 41017

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.



VIOLATION AND FINE POLICY

Effective: June 2016

The Falls of Landen Homeowners Association has adopted the following steps for rules violations policy: Notification of violations will be made via mail to the owner of record reminding or explaining the rule. In most circumstances this resolves the issue and no further action is required. The Board has the discretionary authority to take more assertive action. For example, the Board can charge a resident for replacement or repair costs for damages caused by a resident (or guest of a resident) and, in addition, the Board can levy a fine for rules violations.

1st Violation Notice

If a homeowner is found to be in violation of one of the HOA policies or covenants and restrictions, including improvements that have been installed without approval, the association manager will send a notification to the homeowner via regular mail. The Violation Notice will include a specified number of days to comply (depending on the type of violation) and the further action that the Board will take if the violation is not corrected.

2nd Violation Notice

If violation is not corrected within specified time and no appeal has been filed, a 2nd Violation Notice will be mailed to the owner requesting that the violation is corrected immediately, plus:

- A \$50 fine will be assessed and added to the owner's ledger, due payable within 30 days;
- Notice of the possibility of further legal action, including, but not limited to, lien and/or foreclosure.

3rd Violation Notice

If upon further inspection by Association Manager the violation is still not corrected, a 3rd and final violation notice will be sent via trackable US Mail (typically, certified mail) once again requesting that the violation is corrected immediately, plus:

- A \$200 fine will be assessed and added to the owner's ledger, due and payable within 30 days;
- Warning that a lien will be filed if there is failure to comply and pay all fines within 30 days.

4th Violation Notice

If upon further inspection by Association Manager the violation is still not corrected, a 4th and final violation notice will be sent via trackable US Mail (typically, certified mail) once again requesting that the violation is corrected immediately, plus:

- A \$500 fine will be assessed and added to the owner's ledger, due and payable within 30 days and notice that a legal representative will be reaching out to the owner.

Legal Action

- **Lien** - If the homeowner fails to respond or comply through any of the steps listed above, a lien will be filed against the property. The Association also reserves the right to enter the property and correct the violation at the owners' expense
- **Foreclosure** - If homeowner fails to bring violation into compliance and pay all fees to remove the lien, the Board has the right to further action, including, but not limited to, Foreclosure.

Repeat Offenders

Repeating of same violation, even after it has been brought into compliance, will result in an acceleration of this process:

- 1st time repeat offenders start at 2nd Violation Notice level with \$50 fine (payable within 30 days);
- 2nd time repeat offenders start at 3rd Violation Notice level with \$100 fine (payable within 30 days).

Appeal Process

If an owner disputes the violation, they must submit a violation appeal form to the association's management company within seven days. An appeal form can be obtained by contacting the association's management company.

Contact the Association Manager with any questions or requests for clarification.



VIOLATION APPEAL

Effective: July 2017

Today's date: _____

Homeowner's name: _____

Homeowner's address: _____

Homeowner's phone: _____

Homeowner's email address: _____

Date of violation letter (within seven [7] days of date of violation letter): _____

Stated Violation in Letter: _____

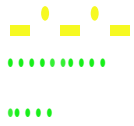
Appeal: _____

Appeal Hearing with Board of Trustees scheduled for (within 45 days of "Today's Date" above):

Violation and/or fine(s) upheld: _____

Violation dismissed: _____

Homeowner notified of Board decision: _____



= REC CENTER

— — — =HOA
=COA

THE FALLS

MAINTENANCE MAP

