



December 2012

PENNBROOKE

Homeowners' Association, Inc.

Dear Pennbrooke Fairways Residents:

This packet contains the documents that constitute Pennbrooke Fairways' rules and regulations. These documents have been reviewed and approved by your elected Pennbrooke Homeowners' Association Board of Directors. They include:

- Rules for Community Living
- Rules for Recreational Facilities Use
- Rules for Recreational Vehicle Storage Area
- Recreational Vehicle Storage Application

The last published update for your Rules for Community Living was in November 2008. The Board of Directors is charged by your governing documents with creating and implementing reasonable rules and regulations for the benefit of all residents. The packet you are receiving now is the culmination of all the rule changes from 2008 to October 2012. To keep your copy of the rules and regulations as current as possible, addendums will be issued as new rules and regulations are adopted or current ones are amended.

We encourage all Pennbrooke residents to read and comply with the updated rules. Pennbrooke Fairways is a beautiful community and a great place to live. Compliance with our community rules and regulations will keep it that way- now and in the future.

Richard Ritter, President
On Behalf of the Board of Directors
Pennbrooke Homeowners' Association, Inc.

Enclosures

PENNBROOKE HOMEOWNERS' ASSOCIATION, INC.

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PENNBROOKE HOMEOWNERS' ASSOCIATION, INC.

RULES FOR COMMUNITY LIVING

As provided by Florida Statute 720 and the governing documents of the Pennbrooke Homeowners' Association (PHOA), the Board of Directors (BOD) is responsible to all residents of Pennbrooke Fairways to preserve and enhance the values of our homes and common areas and to promote the recreation, safety and welfare of the residents.

The BOD is further responsible for adopting, administering, and enforcing reasonable rules and regulations for the benefit of all residents. These rules and regulations are subject to change at the discretion of the BOD. The Board of Directors of the Pennbrooke Homeowners' Association will diligently pursue all available avenues to fulfill these responsibilities. Florida Statute 720 requires that every resident of Pennbrooke Fairways comply with that Statute, the governing documents of the community, and these *Rules for Community Living* and all other rules and regulations of the Association as adopted by the Board of Directors. Therefore, residents who are found in violation of these rules and regulations, under Florida Statute 720 and our governing documents, may be subject to the suspension of their use rights of the common areas or may have fines imposed or liens placed on their property by the Board of Directors as further described in Section J of this document.

Your cooperation is essential to make our community safe and pleasant and "A Great Place to Live".

A. GENERAL INFORMATION

1. Residents of Pennbrooke Fairways are any of the following:

- Owners
- PHOA approved tenants
- Anyone who lives in Pennbrooke Fairways for six (6) months or more a year. Anyone who has a valid government issued document showing both their name and a Pennbrooke Fairways address, such as a driver's license, a vehicle registration, a government issued ID, or a voter registration card. (Guest is defined in Section E.)

2. Loud noise, boisterous conduct, and any activity, including hobbies and avocations, which poses a threat to the health and safety of residents of Pennbrooke Fairways, or interferes with their right to a peaceable living is prohibited. The determination of the Board of Directors as to whether or not this section prohibits any such activity or conduct shall be final and conclusive on all persons.

B. HOMES AND HOME SITES

1. GENERAL APPEARANCE AND MAINTENANCE

- a. All homes and home sites shall be attractively maintained by the owner and shall comply with all applicable laws, ordinances, regulations of government agencies, and these *Rules for Community Living*. Any proposed changes or alterations to all homes and home sites must be reviewed and approved by the Architectural Review Committee (ARC) (See Section K).
- b. Owners are responsible for overall appearance of their homes, home sites and other items located on the home sites, as well as the watering, weeding, trimming, edging, tree trimming, replacing dead grass, and general care of the lawn, including mowing, fertilization, and treatment for insect infestation, unless otherwise provided through the Pennbrooke Homeowners Association (PHOA). The exterior of all homes, including roofs and driveways, shall be kept in a neat and clean condition, free from mold, mildew, and stains.
- c. Owners not residing at their homes or that leave for a period of time in excess of one (1) week must make arrangements for maintenance of their homes and home sites in their absence, including lawn maintenance, unless otherwise provided through the Association.
- d. If homes are not maintained to community standards as defined in this section, the owners will be notified by letter and given fifteen (15) days to correct the deficiency. If the landscaping is not maintained to community standards, the owners will be notified by letter and given seven (7) days to correct the deficiency. After this time the homes and/or home sites will be maintained **BY THE ASSOCIATION** at the owner's expense. Any such fee shall be treated as an additional assessment but shall only be applicable to the lot in question.
- e. All home sites must have a concrete or paver driveway to the street, carport/garage and landscaping. Site built homes and all additions to such homes must have a minimum of a shingle roof and residential-type siding. Manufactured homes must minimally conform to original factory standards and have enclosed foundation.

2. STANDARDS FOR YARD APPEARANCE

- a. When not in use, all lawn equipment, tools, materials, and other utility items must be stored out of sight.
- b. Trash, recycling and yard waste is to be placed in appropriate containers and placed at curbside no earlier than five o'clock in the evening before collection days. All containers are to be promptly removed after collection. Trash, recycle, and yard waste containers may be stored outside of and adjacent to garages or carports. Containers must be visually screened following ARC requirements found in ARC Guidelines Section V, Review Required, 14.
- c. Only PHOA sponsored community-wide garage, driveway and yard sales are permitted on or at home sites.

3. EXTERIOR REPAIRS AND CHANGES

- a. Should a home be damaged, regardless of cause (hurricane, tornado, hail, fire, etc.) and require immediate repair, the homeowner is encouraged to proceed with the necessary repairs as soon as possible after damage occurs. To facilitate the repair process, the ARC and the Board of Directors will waive the normal application process. After emergency repairs are done, a completed ARC application form notifying the ARC and BOD of the work performed, and that repairs were necessary, plus that the home was returned to its previous appearance will suffice. If the homeowner wishes to change the shape or color or any portion of the home, the normal application, evaluation, and approval process must be followed.
- b. Any owner considering any exterior alteration to a home or home site should refer to Section K, Architectural Review, for information on the ARC review and approval process. A complete list of allowable alterations to homes or home sites can be found in the Application for Architectural Review form, Sections IV, V and VI.

The following is a partial list of restrictions on permitted alterations:

- Satellite dish receivers, antennas and masts are permitted with preferred placement on the side or back of the house, providing these regulations and restrictions do not impair the home's ability to receive signals.
- Water conditioners and water filters may be permitted upon recommendation of the Architectural Review Committee and approval by the Board of Directors. Window air conditioners may be permitted in manufactured homes only.
- Storm shutters or panels are permitted upon recommendation of the Architectural Review Committee and approval by the Board of Directors. Their closure is restricted

to a period of forty-eight (48) hours prior to a severe storm threat and must be reopened within forty-eight (48) hours after the storm has passed.

- Laundry lines should be in the form of a removable folding rack or umbrella style and placed at the rear of the home and removed when not in use.
- Flagpoles. See Section D. Flag Display
- One outdoor light post may be installed in the front yard only.

Alterations NOT PERMITTED to a home or home site:

- Installation of above ground outside fuel tanks at home sites
- Wells
- Tents, fences, hedges forming a barrier between properties, with the exception of Golf Villa patio privacy divers as outlined in ARC guidelines Section V.8.
- Freestanding garages, barns, utility sheds, or other outbuildings
- Walls other than some landscape retaining walls

The Pennbrooke Homeowners' Association shall make the determination as to whether or not all of the above standards are met.

C. SIGNS

1. "For Sale" signs may be placed on the home site for the duration of the current sales agreement. "For Sale by Owner" signs may be placed on the home site until the home is sold. "For Rent" signs (maximum of 2) may only be displayed in the windows of the home for rent.
 - A maximum of two (2) "For Sale" signs may be displayed for each home at a location of the owner's choice on his/her property, but no closer than six (6) feet from the lot's edge.
 - The size of any "For Sale" sign shall be no larger than four (4) square feet.
 - "Open House" signs are allowed at the home site and on common area only on the day of the open house.
2. No other advertising signs of any kind, with the exception of mandated lawn and pest-control signage and security service signs, shall be displayed on the home site.

3. Small candidate signs may be displayed thirty (30) days prior to each election and removed within three (3) days after each election. No sign shall exceed sixteen (16) inches by twenty-four (24) inches and no more than one (1) sign shall be displayed.

D. FLAG DISPLAY

1. Only one (1) in-ground flagpole and one (1) flagpole attached to the house are permitted at each home site. If a flagpole is attached to the house, the pole may not exceed a length of six (6) feet and may display one (1) flag. If a flagpole is mounted in the ground, the pole must not exceed an above-ground height of twenty (20) feet, including its decorative or ornamental top. This pole may display up to two (2) flags.
2. Flags are to be displayed in a respectful manner. The following flags are permitted to be displayed in this order with the US flag on top:
 - The United States flag
 - The current national flag of another country
 - One of the five United States Armed Forces Services' flags
 - The POW/MIA flag
 - A state flag
 - A college or university flag
 - An ornamental flag depicting goodwill, nature, holiday, sports team, or season
3. Flags shall not exceed the dimensions of four and one-half (4½) feet by six (6) feet, except for flags on PHOA community flag poles.
4. Colorful pennant-type flags may be flown on PHOA community buildings.

E. GUESTS

"All common areas and recreational facilities serving any homeowners' association shall be available to parcel owners in the homeowners' association served thereby and their invited guests for the use intended for such common areas and recreational facilities. The entity or entities responsible for the operation of the common areas and recreational facilities may adopt reasonable rules and regulations pertaining to the use of such common areas and recreational facilities...." Florida Statute 720.304(1).

1. A guest is a temporary visitor to Pennbrooke Fairways invited by a resident. Working service personnel are not considered guests.
2. Residents are responsible to notify the front gate of the names and expected arrival times of invited guests. Only such invited guests will be allowed to enter the community.
3. Guests under the age of sixteen (16) years must be accompanied by an adult (a person eighteen (18) years or older) at all recreational facilities.
4. Guests under the age of eighteen (18) years are permitted for a period not to exceed sixty (60) days in any twelve-month period.
5. Residents are responsible to advise guests of the community rules and regulations and ensure that they adhere to these regulations.
6. Owners are financially responsible and liable for any damage to common areas caused by guests, including, if necessary, reasonable attorney fees, court costs, etc.
7. Guest Parking (See Rule G. 12).

F. CONVEYANCES: SALES AND RENTALS OF HOMES

1. For owners who rent or sell their homes, the provisions of Article XIV of the *Covenants and Restrictions*, titled "Conveyances," must be followed. As this Article is a portion of the *Declaration of Covenants* which runs with the land, any transaction which is conducted without compliance with this Article may be voidable by the Association.
2. Before a rental agreement or sale is completed, and before a "Certificate of Residency" can be issued, the property owner selling or renting his or her property, or his or her authorized agent, must go to the Community Association Manager's office to secure and have completed a "New Neighbor's Packet." Federal law requires that we must meet the 80/20 rule of the Federal Housing of Older Persons Act of 1995 (HOPA) which allows Pennbrooke Fairways to be an "Active 55+ Adult" community.
3. Included in the packet shall be a request for, but not limited to, the following information:

- Proof of age of all tenants or buyers. Copy of driver's license or an officially issued identification (I.D.) card.
 - Signature on form indicating receipt of the rules and regulations packet.
 - Signature on form indicating agreement to abide by all rules and regulations.
 - Signature to receive a temporary resident's pass.
4. The tenant assumes from the property owner all use rights of common areas during the rental period. Usage rights of the owner are suspended for the same period.
 5. Owners are financially responsible and liable for any damage to common areas caused by the tenant including, if necessary, reasonable attorney fees, court costs, etc.

G. VEHICLES

1. Only approved vehicles that are operational and display a current valid vehicle registration that are owned or leased by a resident or guests are permitted to be parked on the driveway of the residence he/she occupies or in any of the common areas.
2. All vehicle drivers are to obey the posted speed limits and all other posted traffic signs.
3. Drivers of automobiles must consider the safety of operators of golf carts and bicyclists, as well as the safety of walkers who are using the street.
4. Motorcycles, motor scooters, mini-bikes, motor bikes, and mopeds are permitted only with the written approval of the Board and must be registered at the front gate. (See Rule G.1. above.)
5. No on- street parking between 12:01 a.m. to 6:00 a.m. is permitted, except as follows: Temporary overnight on- street parking is permitted by residents and guests who display on their vehicle the temporary pass, which is available at the front gate. This pass will allow on- street parking not to exceed 72 hours unless otherwise approved by the Community Association Manager. All violators are subject to removal of vehicles and liable for towing and storage expenses.

6. Consideration must be made to assure that a parked vehicle does not prevent quick and clear access for emergency vehicles and does not block a driveway. All vehicles will park in the direction of traffic flow. Any two (2) vehicles parked on opposite sides of the street must leave a minimum of thirty (30) feet between the vehicles to allow safe passage for other vehicles.
7. Service trucks, vans, or pods are permitted only during the times that service is being performed at Pennbrooke Fairways and must be removed when that particular service has been completed. Maximum pod service time is seventy-two (72) hours unless otherwise approved by the Community Association Manager.
8. Parking of any service vehicles, commercial vehicles, or commercial trailers on driveways and community streets overnight is prohibited. A commercial vehicle / trailer is a vehicle bearing a commercial logo, city, state, or other government logo, company name and / or address, etc., or a vehicle clearly intended to be used for commercial purposes and not solely as a passenger vehicle. Overnight parking for commercial vehicles owned or operated by a resident of Pennbrooke Fairways is not permitted. Overnight parking for semi-tractor trailers is not permitted.
9. Delivery and service vehicles shall enter and exit the community through the front gate only for the purpose of delivering goods or services to a Pennbrooke Fairways resident or guest. Residents are to notify the front gate of their expected arrival. Only such authorized vehicles will be allowed entry to the community.
10. Boats, recreational, and commercial vehicles are only allowed to be parked at a home site within the confines of the garage or carport.
11. Resident recreational vehicles may be parked at a residence or on a community street for not more than seventy-two (72) hours for the purpose of preparing the RV for use and seventy-two (72) hours, additionally, for unloading and cleaning after use during any fourteen-day period. Use of warning reflectors, both front and back, is required for parking said vehicles on the street after dark. The unit may not be used as living quarters during this period. The vehicle must display a temporary parking pass, available at the front gate. "Pop-outs" or "Slide-outs" may not be extended into the street at any time. Boats may be parked at a residence, or on a community street, for not more than twenty-four (24) hours for the purpose of preparing the boat for use and twenty-four (24) hours additionally for unloading and cleaning after use during any seven (7) day period. Any violation of these rules can result in the revocation of the privilege of having a site at Pennbrooke Fairways RV storage area.

12. GUEST PARKING: Residents' guests requiring temporary automobile or recreation vehicle parking are to park such vehicles in the Guest Parking area adjacent to the **north utilities plant** provided space is available. Such vehicles must be operational and display a current valid vehicle registration. **Access to this area is only available Monday through Friday 6 AM to 6 PM.** The resident must submit a request for approval for space to the RSO in advance. Upon approval a pass will be issued for a period not to exceed thirty (30) days. The pass must be visible at all times while parked in the Guest Parking Area. If additional time is required, the resident must request an extension from the RSO prior to the expiration date. The MAXIMUM stay will be sixty (60) days in any 6 month period. Vehicles shall not be used as living quarters by any resident or guest. Guest's commercial vehicles or those vehicles displaying company names or signage **will not be allowed** space in this area. Resident owned vehicles **are not allowed** in the guest parking area. Any and all exceptions to these rules require written approval of the Board of Directors. All violators are subject to removal of the vehicle and liable for towing and storage expenses as stated on the parking pass. The PHOA will not assume any liability for vehicles parked in this area.
13. Repair and servicing of vehicles may be conducted at a home site provided it is conducted in the garage or carport, only.
14. Residents who are scheduled for Pennbrooke sponsored or resident sponsored trips and plan to leave their vehicle until their return, must park in designated spaces at the Grand Hall. A guest's vehicle must be parked at the resident's home site or Guest Parking area (see G.12). The designated spaces for short term parking at the Grand Hall are facing Pennbrooke Parkway and closest to the road. The trip sponsor will inform the RSO/CAM of the estimated number of vehicles and provide a pass for display in the vehicle's windshield for a trip longer than 24 hours. The pass must include the start and return dates and the trip sponsor's name. These areas are not intended for long term parking, commercial vehicle parking or RV parking. The PHOA will not assume any liability for vehicles parked in these area.
15. All vehicles (including golf carts and bicycles) must have lights on between dusk and dawn while driving on any Pennbrooke Fairways road or common areas.

H. GOLF CARTS

1. A proper parking site must be provided for golf carts in the garage or carport at the home site.

2. All golf carts must follow the same rules as a motor vehicle.
3. Golf carts can be driven only by those persons of legal age to drive a motor vehicle in the State of Florida.
4. Golf cart owners assume full insurance responsibilities.
5. Operators of golf carts should drive near the right curb or right side of the street to permit automobiles to pass on the left.
6. All golf cart drivers should travel at a reasonable and safe speed.
7. All golf carts must have safety equipment as required by Florida law, e.g. headlights and tail lights for night driving. All golf carts must have lights on between dusk and dawn while driving on any Pennbrooke Fairways road or common area.
8. When parked in common areas, golf carts must be parked in designated golf cart parking spaces. The car and van handicapped-designated parking area is not an approved golf cart parking area.

I. PETS

Definition: A pet is defined as any household dog, cat, bird, or domestic non-farm animal.

1. The maximum number of pets allowed is two (2) pets per household. Households with more than two pets when this revision to the *Rules for Community Living* was adopted (September 16, 2005), will be grandfathered in but cannot replace pets that would exceed the two-pets-per-household limit.
2. No pets or other animals shall be kept, bred, or maintained for any commercial purpose.
3. It is the PHOA's position that pet owners must not permit their pets to infringe upon the private property of other residents.
4. All applicable pets must be on a leash at all times when outside of their

owner's home.

5. All pets must be under their owner's control at all times so as not to disturb others.
6. Pets, with the exception of service animals, are NOT permitted in the Activity Center, Communications Center, Welcome Center, Grand Hall, Fitness Center, recreational areas – to include all pool areas, horseshoe, bocce, tennis, and shuffleboard area, on the softball field, golf courses, and the RV storage areas.
7. Pet owners are required to clean up behind their pets at all times, so that yard maintenance in private and common areas is not a problem.
8. The Board of Directors has the authority to compel the removal of nuisance pets, pursuant to the *Covenants and Restrictions*.

J. ENFORCEMENT OF RULES AND REGULATIONS

The Pennbrooke Homeowne'rs Association is authorized to levy fines or suspend use rights of the common areas for the purpose of enforcing the provisions of the PHOA governing documents and the Rules & Regulation in a manner consistent with Florida Statute 720. The Association may levy fines or suspend user rights against an owner, tenant, guest, or invitee (herein after referred to as resident) for each violation of the Rules and Regulations.

1. The Board of Directors shall appoint a subcommittee consisting of three (3) members of the Rules and Regulations Committee and/or members at large, provided that no member of this subcommittee shall be an officer, director, or employee of Pennbrooke, nor a spouse, parent, child, brother, or sister of an officer, director or employee of Pennbrooke. This subcommittee shall conduct special meetings for the purpose of approving or rejecting the imposition of fines pursuant to this Section J and PHOA Policy 18.
2. Prior to imposing a fine for violations of the Rules and Regulations, an occupant will receive written notice of the violation by U.S mail. The occupant shall have ten (10) days in which to cure the violation or abstain from the action noted.
3. If the violation is not corrected or abstained from within the stated time, the occupant shall be assessed a pending violation fee by the Pennbrooke Homeowner's Board of Directors, and be given a fourteen (14) day written notice sent by certified U.S. mail to appear for a hearing at a special meeting of the subcommittee called for that purpose.

4. The occupant will have the opportunity to present their position with respect to the violation. At that time the subcommittee shall vote whether to approve or reject the proposed fine. If the subcommittee, by majority vote, does not approve the proposed fine or suspension, it will not be imposed.
5. If the occupant does not cure the violation, abstains from the action noted or repeats the violation, the fine will commence from the date of the hearing or the date of the repeat violation.
6. The occupant shall pay the imposed fine and all costs incurred pursuant to this section within thirty (30) days after the fine is levied. Should the occupant not pay the levied fine, a suspension of use rights may be imposed.
7. The Pennbrooke Homeowner,s Association will pursue all remedies to the fullest extent of the law, including an estoppel certificate against the resident’s property.

K. ARCHITECTURAL REVIEW

1. PURPOSE OF ARCHITECTURAL REVIEW COMMITTEE

The Architectural Review Committee (ARC) represents the Pennbrooke Homeowners’ Association and was created to provide architectural guidelines for Pennbrooke Fairways homeowners with the following purposes:

- Provide guidance and interpretations for the architectural guidelines contained in the PHOA's Amended Declaration of Covenants and Restrictions, ARTICLE VIII.
- Provide homeowners with an application form and a checklist for a review of items that may or may not apply to their project.
- Provide assistance to homeowners in planning changes and creating change requests to help ensure their acceptance by the ARC.
- Keep Pennbrooke Fairways attractive for the enjoyment of residents and for the protection of property values.

The ARC evaluates all requests on the individual merits of the application. In evaluating a particular design proposal, consideration for characteristics of the house and the individual site is given, since what may be an acceptable design of an exterior in one home site may not be in another.

Applications are evaluated under the following criteria: Conformance with Covenants, Liability, Validity of Concept, Design Compatibility, Location and Impact on Neighbors, Scale, Color (only approved colors and color combinations are acceptable), Materials (only approved

materials are acceptable), Workmanship and Timing. A full explanation of these criteria is contained in Section II of the Application for Architectural Review form.

2. EXTERIOR ALTERATIONS AND MODIFICATIONS TO HOMES AND HOME SITES

Any alteration or modification to the exterior of any single family home or attached housing unit (i.e. Arbors and Villas) including landscaping and open courtyard areas must be approved by the Board of Directors upon recommendation by the Architectural Review Committee (ARC). Review and approval by the ARC is mandatory before commencement of any such work. A few minor exceptions may apply and can be reviewed in the Application for Architectural Review, Section IV. Any unauthorized change to a home or home site shall be deemed a violation of Covenants, By-Laws, and Rules for Community Living and, at the expense of the homeowner, be subject to return to its original condition within a reasonable time frame as set by the Association's Board of Directors. Furthermore, any unauthorized changes or encroachment upon common areas shall also be deemed such a violation and, at the expense of the homeowner, also be subject to return to its original condition within a reasonable time frame as set by the Association's Board of Directors.

3. ARC REVIEW & APPROVAL PROCESS

All requests for review are to be submitted using the Application for Architectural Review form. This form may be obtained from the Resident Services Office (RSO). The application shall include any of the following that is required: a drawing, brochure, plot and/or a contractor's sketch (elevation) depicting the addition or change. The nature, kind, shape, height, color and materials to be used shall be stated on the plan and/or contract submitted.

- A. For a description of the complete review and approval process, refer to Section III of the application form.
- B. Section IV of the Application lists modifications where ARC review is NOT required, where only compliance with the stated restrictions is required.
- C. Sections V and VI of the Application lists modifications where ARC review IS MANDATORY. Carefully review and comply with all stated restrictions when applying for approval for any such modification.

Revised and Approved: January 24, 2012

For the Board of Directors: _____ President
(Name) (Title)

Original approval: May 20, 2005

Revised and Approved:

October 14, 2008

January 24, 2012

December 18, 2012

November 19, 2013

March 25, 2014

July 26, 2016

April 25, 2017

July 25, 2017

October 24, 2017