

MONTEVERDI HOME OWNERS' ASSOCIATION

RULES OF CONDUCT

This set of rules is effective from 1/12/2013 and replaces previous Monteverdi Household Rules and Amendments.

The following household rules are prescribed in accordance with Article 5.3.3 and 10 read in conjunction with Article 14 of the Constitution of Monteverdi as included in the Deed of Sale of each property.

The interpretation of the following words or terms are accepted by the members of the Home Owners' Association:

RING ROAD:

That is the portion within the boundary of Monteverdi used by motor vehicles, pedestrians and such vehicles utilized by the emergency services.

PUBLIC PROPERTY (was Garden Area):

That is the ring road and the area between the ring road and the boundary of each property.

PARKING AREAS – WITHIN CONFINES OF MONTEVERDI:

Inside the garage in respect of the number of vehicles for which it was built;

On the paved area in front of each garage, as indicated on the approved building plan;

One additional parking bay adjacent to the driveway may be constructed and must be either paved or covered with crushed stones. The colour of the paving and the crushed stones is to match the existing driveways and face brick of each unit as closely as possible. Crushed stones not to be more than 15mm in diameter.

PARKING AREAS – OUTSIDE BOUNDARY OF MONTEVERDI:

Marked parking lots for visitors next to the main entrance.

LEVIES:

Levies are determined by the trustees and adjusted each year at the AGM to make provision for the efficient management of the complex.

1. **THE APPEARANCE OF UNITS IN THE COMPLEX**

- 1.1 Goal: That the aesthetic uniformity and neatness of the complex be maintained.
- 1.2 Any proposed alteration or additional structure including swimming pools must be submitted to the Management Committee for approval (or rejection) and the proposed building plan must be signed off and stamped, by the Monteverdi HOA, before being submitted to the local authority. No work may commence without an approved plan from the local authority.
- 1.3 The colour scheme of the outer walls of all units must remain the same.
- 1.4 Wendy houses are not permitted.
- 1.5 The installation of air-conditioners, lean-to sheds, sun panels or shade cloths can only be installed with the approval of the Management Committee.
- 1.6 If the Management Committee notices that the necessary maintenance is not being done, the Management Committee will inform the owner what needs to be done and work is to be completed within 60 days. Should the owner not comply by doing the necessary maintenance, the Management Committee will obtain three quotations to do the work and will confer with the owner which quotation must be accepted. The value of the chosen quote will be allocated to the account of the unit or house number. The owner remains responsible for the supervision and quality of the work. Should it be required the Monteverdi HOA will assist by splitting the account into a maximum of six equal payments.
- 1.7 Only white or bronze burglar bars and security gates may be installed. Outside gates may be wood or galvanized steel. Wood must be treated regularly.
- 1.8 Read Rule 14 regarding penalties.

2. **WATER USAGE**

- 2.1 The Monteverdi house rules regarding water usage are the same as the Municipal Regulation including any water restrictions, which the local authority imposes.

3. **GARDEN AREAS**

- 3.1 The owner/tenant is responsible for watering and maintaining their garden on their private property as well as any garden on the public property in front of their home. Lawns to be mowed at least every two weeks.
- 3.2 No owner/tenant may utilize the public property garden area in such a manner that it will affect the safety, views or attractiveness of the complex.
- 3.3 The accumulation of any kind of garden refuse or building rubble is prohibited. Grass cuttings, branches, building rubble must immediately be removed by the owner/tenant.
- 3.4 Trees must be pruned regularly to ensure that they do not touch or damage boundary walls and electric fences.
- 3.5 Garden Services: Contact the Management Committee (trustees) regarding a list of approved contractors. The limited numbers of contractors is to promote safety within the complex.
- 3.6 Read Rule 14 regarding penalties.

4. **REFUSE REMOVAL**

- 4.1 Refuse is only collected on certain days and the bins must therefore only be placed in the area provided for this purpose on such days. After the municipality has collected the refuse, the bins must be removed from the outside area on the same day. Refuse bins must be stored out of sight of other residents. Municipal refuse removal services do not remove any rubble or cardboard boxes and items which are placed outside the refuse bin.
- 4.2 Refuse bins must be kept hygienically clean at all times.
- 4.3 Read Rule 14 regarding penalties.

5. **OCCUPATION OF UNITS**

- 5.1 The maximum number of persons who may be permitted to live permanently in a unit is 5 persons per unit.
- 5.2 A unit may only be utilized for residential purposes.
- 5.3 Long term sub-letting may only be permitted with the permission of the owner and in this regard, the number of vehicles must be taken into account and on condition that Rules 5.1 and 6.1 are strictly adhered to. No short term subletting will be allowed and tenants may not sub-let.
- 5.4 Read Rule 14 regarding penalties.

6. **VEHICLES, PARKING AND USE OF INTERNAL RING ROAD**

- 6.1 Parking is not permitted in front of the houses or garages of other residents.
- 6.2 Parking of vehicles is only allowed at the following places:
 - 6.2.1 Inside the garage in respect of the number of vehicles for which it was built;
 - 6.2.2 On the paved area in front of each garage as indicated on the approved building plan;
 - 6.2.3 On the additional parking place adjacent to the driveway if the specific house has such an additional parking place. Refer to "Parking area – within confines of Monteverdi".
- 6.3 Parking is not allowed on the ring road, only emergency vehicles may do so.
- 6.4 Parking is not permitted on the lawn or garden area. Excess vehicles must be parked outside the main gate.
- 6.5 Speeding of vehicles of any kind is not permitted on the ring road. A 20km/h speed limit applies to confines within Monteverdi.
- 6.6 Owners/tenants of units must take care that their vehicles or those of their guests do not leak oil or brake fluid on the ring road or any other paved area.

- 6.7 The use of soapbox cars skateboards, roller skates, bicycles, scooters and tricycles and J-boards is strictly forbidden on the ring road.
- 6.8 Residents and their guests must be mindful not to increase the rate of engine revolutions (revs). The blowing of hooters is strictly forbidden.
- 6.9 No maintenance or repairs to vehicles are to be undertaken within the confines of the complex.
- 6.10 No vehicle with a total brute mass of more than 3000kg is permitted in the complex. No vehicle with more than one rear axle is permitted in the complex.
- 6.11 Read Rule 14 regarding penalties.

7. **WASHING AND CLOTHES LINES**

- 7.1 Washing lines must be erected in such a manner that they are not visible from the front of the house.
- 7.2 Read Rule 14 regarding penalties.

8. **DISTURBANCE**

- 8.1 Under no circumstances may a noise be made which will cause a disturbance to the other residents. Every resident has the right to peace and quiet in and around his/her house. The rights of each resident should be respected.
- 8.2 Power tools must be used judiciously in order to prevent a disturbance. No power tools may be used after 9:30pm or at any time on a Sunday.
- 8.3 Read Rule 14 regarding penalties.

9. **DOMESTIC WORKERS**

- 9.1 Domestic workers are not allowed to sleep in on the premises.

9.2 Owners/tenants are at all times responsible for the conduct of their domestic workers. Domestic workers are not permitted to have a "remote" for the entrance gate.

9.3 Read Rule 14 regarding penalties.

10. **CHILDREN**

10.1 Children remain the responsibility of the parents and all rules must be strictly adhered to. Children are not permitted to play on the ring road or on premises of other residents. The management will not accept responsibility in the event of a child being injured.

10.2 The use of catapults is strictly forbidden within the confines of Monteverdi.

10.3 Read Rule 14 regarding penalties.

11. **PETS**

11.1 No dogs or cats are permitted in the Monteverdi complex on either a temporary or permanent basis. Visitors may not bring pets into the complex.

11.2 Dogs or cats that were allowed before 01 January 2003 may still be kept but may not be replaced.

11.3 Read Rule 14 regarding penalties.

12. **GENERAL**

12.1 Owners will at all times be held responsible for the actions and conduct of their tenants.

12.2 If an owner desires to sell his/her house or lease it, the management must be informed accordingly in writing.

12.3 The new owner must take cognizance of the existing household rules as well as the Monteverdi Constitution.

- 12.4 The estate or letting agent must provide the buyer or tenant with a copy of the Monteverdi household rules as well as the Monteverdi Constitution before the purchaser or tenant occupies the dwelling. A fine, equivalent to one month's levy, will be imposed against the levy account of the owner if this rule is not strictly adhered to.
- 12.5 All matters for the attention of the management must be submitted in writing. Any complaints must be in writing and submitted to the Management Committee.
- 12.6 The following is a list of transaction fees which is payable to Monteverdi Home Owners' Association:
 - 12.6.1 Monthly levy as determined by the Management on an annual basis;
 - 12.6.2 Additional copy of household rules @ one third of the value of one month's levy;
 - 12.6.3 Copy of the Monteverdi Constitution @ one third of the value of one month's levy;
 - 12.6.4 Clearance certificate in respect of the selling of a property is at the discretion of the managing agent;

All outstanding amounts against the levy account must be paid in full before the required certificate in respect of a Deed of Sale can be issued.

13. **CLEARANCE CERTIFICATE**

The issuing of a clearance certificate that is required at the time of a Deed of Sale is subject to the following:

- 13.1 An application of the buyer or his/her agent;
- 13.2 All the levies must be paid up to and including the date of registration;
- 13.3 All other costs as stated in Rule 12.6;
- 13.4 A copy of the household rules applicable to the Monteverdi Home Owners Association that has been signed by the new owner;

- 13.5 A copy of the Monteverdi Constitution, which has been signed by the new owner.

14. **DISCIPLINARY MEASURES**

Any transgressor of these rules will be fined and fines will be debited against the levy account of the owner concerned.

- 14.1 When any rule is contravened a fine of a maximum of one month's complex levy will be debited against the levy account of the owner concerned. Each additional transgression will be treated in the same way and will accrue interest. The owner will be informed in writing.
- 14.2 In the event of non-payment within 30 days, interest on the maximum legal amount will be accrued.
- 14.3 After 90 days the owner will be reminded in writing that the total outstanding amount including interest will be handed over for collection for the cost of the owner.

15. **PAYMENTS**

- 15.1 All levies and other money due to Monteverdi Home Owners' Association must be paid into the Association's bank account on or before the seventh (7th) day of each month. Late payments will be subjected to payment of interest.
- 15.2 Bank particulars:
- ABSA Durbanville
Branch Code: 334810
Cheque Account Number: 4053 1721 49
Name of Account: Monteverdi Home Owners' Association

16. **LEGAL COSTS**

- 16.1 An owner shall be liable for and pay all legal costs, including costs between attorney and client, collection commission, expenses and charges incurred by the Association in obtaining the recovery of arrear levies, or any other arrear amounts due to and owing by such owner/s to the Association or in the enforcing compliance with these rules, the conduct rules or obligations of the Association.

September 2013