

Huntington Pointe

PHASE IV

2021 RULES & REGULATIONS



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PREFACE

Welcome to Huntington Pointe IV Association, Inc., a/k/a HP Phase IV

Before you begin to read this publication stating the basic updated rules and regulations of our community, we want to share the following definitions, abbreviations, and acronyms:

HP	Huntington Pointe, the community as a whole
HPA	Huntington Pointe Association, Inc., the Master Association
Phase	The sub-section in which a unit is located.
Phase IV	Huntington Pointe IV Association, Inc.
BOD	Board of Directors
Resident	An owner, spouse, family member, significant other, domestic partner, or renter at Phase IV
Non-Resident	Visitor or Houseguest
Unit Owner	An owner of a Unit
Unit	Dwelling unit in which residents reside
Club	A local association specific to HP
Organization	A nationally established association such as Hadassah, ORT America, PAP, the American Contract Bridge League (ACBL), etc. with an HP chapter

Phase IV is a condominium complex with 256 Units in seven buildings numbered 125 through 131. A set of Rules and Regulations (as outlined in the documents) and a structure in place to see that those rules are observed are necessary. Many people purchase in our community because such a set of regulations exists.

Failure of Unit Owners, their renters, or guests to comply with these Phase IV rules and regulations or the governing documents, may force Phase IV to impose penalties on the Unit Owner. Unit Owners are also responsible for the behavior and actions of their Residents, Non-Residents or contractors including employees, care givers, cleaning services, support services, and other agents (including vendors - repair people etc.). See Chapter 4, Violations and Fines for more information.

All Unit Owners are entitled to one hard (paper) copy or electronic file of these Phase IV Rules and Regulations. Additional copies will be available at a cost to be determined by the Phase IV BOD.

These Rules and Regulations may be revised by the Phase IV BOD at any time.

The HPA (Master Association) has its own set of Rules and Regulations with which each Phase IV resident should be familiar.

CHAPTER 1

RULES AND REGULATIONS OVERVIEW

GENERAL INFORMATION

This HP IV Rules and Regulations document governs the use of the buildings that comprise Huntington Pointe Phase IV, in accordance with regulations adopted from time to time by HP IV and posted in the HP Clubhouse, on the HP website, and published in The Lifestyle.

Unit Owners should further refer to the *Occupancy and Use Restrictions* contained in Article 17 of the *Phase IV Declaration of Condominium* which are binding on all owners, renters and guests, as well as their invitees and licensees.

The Rules and Regulations contained in this document are applicable to ALL Phase IV unit owners, renters, and guests, as well as their invitees and licensees.

Solicitation on Phase IV property is not permitted without prior written approval of the HP IV Board.

MANAGEMENT COMPANY

HPA, Phase IV and the other Phases have contracted with a Management Company that provides our staff, including the HPA Property Manager (also known as the General Manager) and Phase Manager as well as office, custodial and maintenance personnel. None of these people work directly for Phase IV or HPA.

No resident may engage any employee of the Management Company to conduct private business (errands, maintenance, etc.) during working hours except when previously approved in writing by HPA and/or Phase IV, as applicable.

All accidents on Phase IV premises must be reported immediately to the Phase Manager or their designee at that time. Accident information must be documented.

Residents are encouraged to make an appointment if they need to see any of the Phase Management staff.

MASTER ASSOCIATION AND PHASES

There are five entities at HP – Huntington Pointe Association (HPA, the master association), and four residential phases (Phases I, II, III and IV).

HPA is the Master Association. There are no residential Units associated with HPA. It governs all the common areas such as the Clubhouse, landscaping, pools, sporting venues, roadways, parking lots, lakes, including security guard service and gate houses, etc.

The even numbered phases are apartments and the odd number phases are villas. North Oriole Boulevard (the road between our two entrances) splits the community. Phase I and Phase II are south of North Oriole. Phase III and Phase IV are north of North Oriole.

HP Phase IV surrounds the north lake. The location is visible in the centerfold of the HPA Directory book.

HP Phase IV is a separate entity from HPA and the other phases. Phase IV's jurisdiction is limited to its buildings and associated issues. Phase IV has a Board of Directors (BOD), budget, and bank accounts. The Phase sets its own maintenance fees and performs its own maintenance billing.

ELECTIONS

Phase IV elects its own five-member BOD. Directors' terms are for two years; terms are intended to be staggered so that all terms do not terminate at the same time.

The annual election of directors for Phase IV is usually held in March via electronic voting or paper ballots. Only Unit Owners (one vote per unit) from Phase IV may vote in the Phase IV election for directors; renters do not have this privilege. The Phase IV BOD then elects from amongst itself three of its five members to serve on the HPA-BOD.

Paper ballots may be mailed or hand delivered per instructions provided. Ballots may not be collected by anyone unless such ballots have been previously sealed in the provided envelopes.

No assistance is to be provided to any unit owner in the act of filling out a ballot in Phase IV by any member of the Board of Directors of Phase IV or any candidate for the Phase IV Board. If assistance is needed in filling out the ballot, mailing the ballot, dropping off the ballot at the Clubhouse or for utilizing our electronic voting system, the unit owner is to call the main Clubhouse number at 561-496-3801 and someone from Management will provide assistance.

RENTERS

A renter may partake in and use all HPA and Phase IV amenities, if any, unless 1) the use rights to the amenities were explicitly waived in writing by the renter per Florida Statute (F.S.) 718.106(4) or 2) the renter's use rights have been suspended. There shall be no dual use of the amenities by both the Unit Owner and their renter.

A renter has certain limitations:

- A renter may NOT speak at Phase IV Board or Unit owner meetings.
- A renter may NOT vote on any Phase IV matters.
- A renter may NOT serve on the Phase IV Board of Directors
- A renter may NOT serve in any official Phase IV capacity.

ALCOHOL

The use of alcohol is **PROHIBITED** in all Phase IV Common areas.

SMOKING

Smoking is **PROHIBITED** in all Phase IV Common areas.

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CHAPTER 2

VISITORS AND HOUSEGUESTS

GENERAL INFORMATION

Residents of Phase IV must advise the gatehouse of the arrival of visitors (one-day), houseguests (more than one day) and service persons according to instructions currently in practice.

It is incumbent upon the Unit Owner to assure that their guests and their renters' guests are thoroughly aware of all the pertinent rules, regulations, and policies (as per the current Phase Rules and Regulations and its other governing documents). Damages to Common Elements or any other liability incurred in Phase IV resulting from the activities of guests/renters or any visitors or contractors of the Unit Owner will be charged to and paid for by the relevant Unit Owner.

A visitor or houseguest may use most of HPA facilities within any restrictions described in these Phase IV Rules and Regulations, the other Phase IV governing documents and the HPA Rules and Regulations. Residents have preference for playing in the card rooms and use of equipment in the Fitness Center.

Visitors or houseguests may bring service or emotional support animals into our community if that animal has been registered with and approved by Management beforehand and is in accordance with the terms of reasonable accommodation. Service or emotional support animals belonging to a guest will only be allowed on HPA property while the guest requiring the animal is on site.

Visitors and houseguests of Phase IV Residents are permitted to purchase tickets to HPA shows and concerts as per the current HPA Rules and Regulations.

The café is open to Phase IV visitors and houseguests.

GUEST PASS - VISITOR

A one-day guest of a Resident may use HP amenities with the Resident in attendance. No guest pass is needed.

GUEST PASS - HOUSEGUEST

Guests of a Resident staying longer than one day may use HP amenities; however, these guests must have a pass which can be obtained by the Resident from the front desk at the HP Clubhouse. The pass will show the name, address, and telephone number of the Resident, the duration of the stay and the name of the guest. The Resident does not have to accompany a houseguest with a pass, but the guest should always carry the pass when on Phase IV or HP grounds.

The Resident must obtain a guest parking permit for houseguests' vehicles. This pass is available at the front desk in the HP Clubhouse. The pass will show the name of the Resident being visited and the dates (first and last) of the visit. This permit will allow the guest to enter the community during the dates authorized and to utilize "guest" parking areas (or the host's parking space, if available).

CHAPTER 3

RULES AND REGULATIONS DETAILS

GENERAL INFORMATION

Phase IV is responsible for the maintenance, repair, and replacement of the Phase IV Common Elements (e.g., elevators, building exteriors, building lobbies, etc.) and most other items on Phase IV property that are outside the boundaries of each Unit.

The Unit Owner is responsible for everything from the wallboard surface, floor surface and ceiling surface inward. The Unit Owner is also responsible for windows, the front door, screen enclosures and any dedicated air conditioning equipment located outside the unit.

Each Unit Owner must ensure that an authorized representative of Phase IV (usually the building captain) has possession of or knows what other individual at Huntington Pointe has possession of any key, fob or other device needed to access their Unit, as well as any door lock codes, electronic passcodes, alarm passcodes or other security information associated with the Unit. Any changes to these items must be reported to the Phase Manager's office and updated on the emergency contact form.

In the event that access is required to a Unit on an emergency basis and the Unit Owner has not provided to Phase IV all of the required items and/or information necessary for access, Phase IV and its employees or agents, and/or the Management Company, shall be authorized to access the Unit at any time and by any means necessary, with the costs incurred in connection therewith being the responsibility of the respective Unit Owner. In the absence of an emergency, Phase IV and its employees or agents, and/or the Management Company may enter any Unit at any reasonable hour of the day for the purposes permitted under the terms of F.S. 718.111(5). In such instances, Phase IV will initially attempt to coordinate and pre-arrange access with the Resident.

A Resident shall not permit anything to be done or kept in their Unit which will (i) increase the insurance rates on the Unit, the Phase IV Common Elements, or any portion of Phase IV or HPA; (ii) obstruct or interfere with the rights of other Residents; or (iii) annoy other Residents by unreasonable noises or otherwise. A Resident shall also not commit or permit any nuisance or illegal act in their Unit, the Phase IV Common Elements, or any portion of Phase IV or HPA.

A Unit Owner is responsible for all acts and omissions of their residents, non-residents, and contractors.

Every Residence is entitled to two personalized HP ID cards, even if one person (where both cards are for the same person) or three or more people reside in the unit.

The blowing of an automobile horn should be avoided except in an emergency. Smoking on any Phase IV Common area and within 25 feet of any Phase IV building is prohibited.

RESIDENTS' RIGHTS and RESTRICTIONS

Children under the age of 18 are permitted to reside in a Phase IV Unit for a maximum of 60 days per calendar year.

No individual or business entity may own more than one Phase IV Unit at any time.

Since the outside of every residence is Phase IV property, signs, or decorations on the outside of the Units are not permitted unless allowed by Government Statute.

Residents on floors 2 - 4 must request elevator pads (48 hours in advance) before utilizing the elevator for moving in or out, or for the delivery of furniture, appliances, and any other equipment or items brought in by contractors. The requested document can be found on our website (www.huntingtonpointe.net under Resident Forms) or in hard (paper) copy at the HP front desk.

Joggers, walkers, and bikers must be appropriately dressed. No one should go shirtless.

VEHICLES, BICYCLES and PARKING

Each unit has assigned parking; this is either numbered covered parking or numbered uncovered parking. Any guest or additional resident vehicle must be parked in a space assigned to the individual Unit or in a marked "guest" space.

Vehicles parked adjacent to first floor Units may not back into a parking space (to avoid exhaust vapors from seeping into living areas). Residents may also not back into a covered parking space.

Each Phase IV residence comes with one designated parking space. If the resident(s) own(s) two cars, the second one should be parked in a guest parking space. Each resident should park in his own space. In order to receive permission to park in another resident's assigned parking space, a letter from the resident whose space is desired should be filed in the HPA Clubhouse office stating that permission has been given.

Handicap parking spaces are strictly limited to those with handicap plates or placards as per federal and state statutes. As there are limited handicap spaces available at the Phase IV buildings, it is encouraged that those spaces be used for as short a time as is reasonable to allow equal access to all who need them.

Personal articles, including but not limited to scooters, baby carriages, or similar vehicles or toys, beach chairs, etc. may NOT remain overnight on Phase IV Common property.

Roller skates, roller blades, and skateboards cannot be used in Phase IV common areas.

Bicycles and tricycles must be parked in specially provided racks with front tire into the rack. Such racks are found in various locations in parking lots. No vehicles may be parked in a space occupied by bicycle racks.

No outside vendors who perform maintenance, repairs, or washing/detailing of cars/trucks are permitted to do so on HPA property. Exceptions to this rule are AAA and other emergency car services; such vehicles are permitted to provide assistance as needed.

Residents may wash their personal vehicles at the HP-designated communal car washing area(s).

House trailers, oversized vehicles and guest pickup trucks are prohibited. Refer to the HPA Rules and Regulations book for further information.

Moving crews, vans, and trucks are permitted in Phase IV on Monday – Saturday from 8 AM to 6 PM. No moving in or out can take place on a Sunday or a holiday. PODS and U-Hauls are permitted on site for up to 72 hours. All PODS and U-Hauls in Phase IV may be kept in the owner's assigned parking space or in a guest parking spot near the owner's building. Moving vans and vendor trucks are permitted in parking lots with prior announcement to the HPA gate.

No vehicle, personal or commercial, may at any time be parked or otherwise left in parking lots in such a manner as to obstruct or prevent access to any parking space, elevator lobby, trash room or block the ingress and egress of other vehicles or impede emergency vehicles.

All vehicles parked on common property or community areas must be properly registered, display a current license plate or tag, be insured, may not be leaking any fluids and may not be inoperable or constitute a risk to life safety or property.

It is possible to purchase the parking rights to a covered spot from the present owner. There is a form in the Phase Manager's office that needs to be completed when changing designated parking spots.

HPA has the right to authorize towing of any vehicle(s) in violation of HPA rules and these Phase IV Rules and Regulations and governing documents with the costs to be borne by the owner or violator.

Golf carts are not permitted except those owned or leased by Huntington Pointe, or HPA or Phase IV contractors.

SAFETY

No barbecue grills of any kind are permitted to be used anywhere on Phase IV property. No Resident in Phase IV may use or permit to be brought into the Unit or storage area any flammable oils or fluids such as gasoline, kerosene, naphtha, benzene, propane, or other explosives or articles deemed hazardous to life, limb, or property. In addition non water-based paints may not be stored in the storage rooms.

Residents and their guests should not interact or feed the wildlife animals on and around the property. WARNING: Being near the lakes and canals poses a risk and safety hazard. DO NOT APPROACH LAKE FRONTS/ BANKS AND CANALS DUE TO POSSIBLE PRESENCE OF ALLIGATORS, POISONOUS SNAKES, DANGEROUS WILDLIFE AND OTHER HIDDEN DANGERS.

Residents may not permit anything that will interfere with the rights, comfort, or safety of others. The catwalks, walkways, entrances, stairways, and ramps of all buildings and Units in Phase IV may not be obstructed or used for any purpose other than entry and exit from the buildings. No articles (laundry, rugs, towels, etc.) may be shaken out from the doorways, windows, or screened porches or placed upon the outside railings, fences, or windowsills.

PATIOS and STEP OUTS

Unit Owners in Phase IV may not build patios or step outs.

GARBAGE (TRASH) and RECYCLING

Phase IV pays for the rental of the dumpsters at each trash room. It is important that garbage pickup rules are followed. Any problems in the trash rooms should be directed to a Board member or the Phase manager.

- Garbage and recycle receptacles are available 24/7 in the building's trash room.
- There is a garbage chute on each upper floor for Resident use.
- Only sealed garbage bags may be placed in the chute.
- Guidelines for recycling bin usage are posted on each building's bulletin board. Residents must be mindful of what items are recyclable and which bin (yellow or blue) to use. No plastic bags are allowed in recycling bins.
- Cartons must be cut or broken down.
- Prior arrangement for bulk pickup must be made with the garbage company. The appropriate phone number for bulk pickup is on the building's bulletin board.
- Garbage may not be dumped at another Phase.

BUILDING BULLETIN BOARDS

Phase IV has bulletin boards in each of the elevator lobbies. They are available to post pertinent information but may not be used indiscriminately.

- Phase, HPA and Management company information is posted.
- May be used for flyers from organizations and clubs sanctioned by HPA.
- May NOT be used for the sale of personal items or services, real estate, personal messages or for election flyers.

The bulletin boards are maintained by the building captains and Board members.

STORM WARNING

Upon notification of a hurricane, tropical storm, or other severe weather warning, and/or prior to departure from a Unit for more than one day during the storm season, each first floor Unit owner must move all outdoor furniture, potted plants, and other movable objects inside the Unit.

HURRICANE SHUTTERS

Hurricane shutters may be installed inside a unit; however, shutters may not be affixed to the outside of a Phase IV building. Hurricane "impact" windows are permitted.

SERVICE and EMOTIONAL SUPPORT ANIMALS

Phase IV is a Pet Free Community. Service Animals and Emotional Support Animals (ESAs) are permitted as an accommodation provided that sufficient supporting documentation is filed and accepted by Management. Consideration and approval shall be in accordance with the terms of reasonable accommodation and as required by federal, state or local law.

Animals are not allowed to be walked behind the apartment buildings or the villas.

A Resident must immediately pick up and remove any solid waste deposited by their animal when outside of the Unit. Said waste should be deposited into the garbage. At no time should animal waste be deposited into the storm sewer. While outdoors, animals must be on a leash not longer than 6 feet and must always be under the owner's control. No retractable leashes are allowed on Phase IV property. Animals must always be under control.

If any service or emotional support animal excessively barks, displays aggressive behavior towards other persons or animals, bites or attacks other persons or animals, or otherwise is the source of a nuisance, the animal's owner may be asked to correct the behavior via written notification, and any accommodation associated with the animal may be rescinded.

For the complete rules please refer to the HP IV Association, Inc. Rules and Regulations Regarding Service/Support Animals and the associated Agreement for Emotional Support/Service Animal.

INTERNAL CHANGES TO A UNIT (INCLUDING REPLACEMENT OF WINDOWS AND DOORS)

Unit Owners must file an architectural application form with the Phase Manager and receive board approval before any renovations can occur. This application should be completed even if there is no structural work being done (e.g., painting, replacement of a screen door or recovering a floor, etc.). The document can be found on our website (www.huntingtonpointe.net under Resident Forms) or in hard (paper) copy at the Clubhouse front desk.

Owners will be notified by the Phase Manager in writing within 10 business days after the Phase IV Board approves the architectural application request form. A colored permission card will be issued that must be posted on the Unit's front window so that all passersby will know the correct approval process has been followed.

All contractors must be insured and fully licensed in Florida or Palm Beach County. Contractors must adhere to the following rules when working in a Phase IV Unit:

- Contractors may access HP from the West Gate on Jog Road after 7:30 AM.
- Contractor work hours are Monday – Friday from 8 AM to 5 PM.
- Weekend work requires Phase manager approval and will only be permitted for “quiet” (no power tools or demolition) or emergency work.

LEASE RESTRICTIONS

With limited exceptions, rental of a Unit in Phase IV is NOT permitted within the first year of ownership.

All leases and renters must be approved by the Board through the Phase Manager's Office before occupancy of the Unit is taken by the renter.

No lease can be for a term of less than six months and one day in any calendar year. A Unit Owner must provide his renters with a Clubhouse key. Vehicle bar codes (up to two per unit with proof of residency) will be provided by HPA.

A renter may partake in and use all Phase IV amenities, if any, unless 1) the use rights to the amenities were explicitly waived in writing by the renter per F.S. 718.106(4) or 2) the renter's use rights have been suspended. There shall be no dual use of the amenities by both the Unit Owner and their renter. Usage of HPA amenities will be per their governing documents.

NEW RESIDENTS' GUIDE

There is a separate booklet titled *New Residents' Guide*. Each new resident should receive a hard copy (a paper copy) of this guide when s/he processes into the HP community. It can also be found on our website (www.huntingtonpointe.net) in the Residents section.

This guide includes the following information:

- What you should have received from the prior owner
- Renovation rules and regulations
- Front gate procedures
- Elevator pad requests
- Emergency information
- Garbage/trash rules and regulations
- Important phone numbers

LANDSCAPING FOR GROUND FLOOR FRONT GARDENS

The landscaping in the gardens of the first-floor units is part of the common area of HPA. Residents may not contract with an outside private landscaping company to modify this garden area. Any request for a change of or addition to plants/shrubs, mulch, or gravel/stones must be submitted on a work order and approved by the HPA Board of Directors or its designee. The workorder request can be found on our website (www.huntingtonpointe.net under Resident Forms) or in hard (paper) copy at the HP front desk.

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CHAPTER 4

VIOLATIONS AND FINES

GENERAL INFORMATION

In the event these Rules and Regulations, or any of the other Phase IV governing documents are not followed, the Violation and Fines process may be utilized as a non-exclusive remedy.

Additional and more detailed restrictions, terms and procedures are contained in the other governing documents of Phase IV, including the *Declaration of Condominium, Bylaws and Articles of Incorporation*.

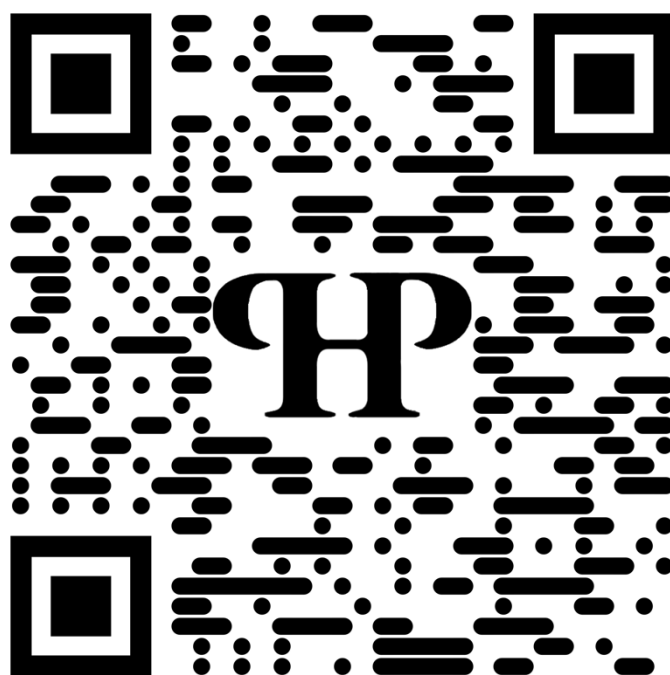
ENFORCEMENT of RULES and REGULATIONS

- First Offense and Notice:
 - When the Phase IV BOD becomes aware of non-compliance of a rule or regulation or provision of any of the other Phase IV governing documents by a Unit Owner, resident, nonresident, contractor, etc., the BOD will send a certified letter to the unit owner advising him/her of the accusation of the violation and warning the accused that strict compliance will be required. (A Unit Owner is responsible for the behavior of his/her residents, non residents, and contractors).
- Second Offense and Notice:
 - If there is a second report that the violation has been repeated or has been continued beyond the time specified within the first notice, the Phase IV BOD after verifying the violation, may authorize a fine to be levied upon the Unit Owner of up to the maximum allowed by statute per occurrence or per day (for continuing violations).
- Third Offense and Notice:
 - If there is a third report that a violation has been repeated or has continued beyond the time specified with the second notice, the Unit Owner may be fined up to the maximum allowed by statute per occurrence or per day (for continuing violations).
- Fourth Offense and Notice:
 - Constant repeat offenses or any other instance where deemed appropriate may result in the Phase IV BOD initiating a lawsuit for injunctive relief. Such a lawsuit shall be in addition to any fines that may be levied and shall not operate as an exclusive remedy of Phase IV.

FINING PROCEDURE

- A Resident should report a violation of the Phase IV Rules and Regulations or the other governing documents, to the Phase Manager. This should be done with a signed letter indicating the details (date and time) of the supposed violation. Where possible, one or more photos or audio recordings should be included.
- The Phase IV BOD will meet to determine if it will impose a fine for the violation against the Unit Owner (and any other party who may be fined).
- If deemed appropriate, the Phase IV BOD “levies” a fine and sets the amount.
- Once the Phase IV BOD has levied the fine and determined the dollar amount, the issue goes to the independent Compliance Committee for final approval or disapproval before the fine is imposed.
 - The Compliance Committee must be comprised of Phase IV Unit Owners who are not officers, directors, or employees of Phase IV, or the spouse, parent, child, brother, or sister of an officer, director, or employee. There must be least three Compliance Committee members present at each meeting/hearing.
- Notice of the Compliance Committee meeting/hearing must be sent out to the Unit Owner (and any other party to be fined) to advise him/her that the Phase IV BOD has levied a fine and that a hearing will be held before the Compliance Committee.
 - This notice of the Compliance Committee meeting/hearing shall be sent no less than 14 days prior and shall provide:
 - A statement of the violative behavior, act or circumstance, the provisions of the governing documents which have been allegedly breached and the amount of the fine levied by the Phase IV BOD.
 - A statement of the date, time, and location of the Compliance Committee meeting/hearing advising the Unit Owner (and any other party to be fined) that they shall be allowed to attend and address the Compliance Committee in their own defense and that a determination may also be made in their absence should they elect not to participate.
- The Unit Owner and any other party to be fined may appear at the meeting/hearing to present his/her case.
 - This provides them the opportunity to respond, present evidence, and provide written and oral argument to the Compliance Committee.
 - They shall also have the opportunity to review, challenge, and respond to any other material considered by Phase IV in determining to initially levy the fine.
- The Compliance Committee does not have authority to alter or modify in any way the details of the fine, including the dollar amount. The Compliance Committee can only approve or disapprove of the fine in the form and amount as levied by the Phase IV BOD.

- Once the Compliance Committee approves or disapproves the fine, a final notice must be sent.
 - If the fine is disapproved, the matter is over.
 - If the fine is approved, Phase IV sends a notice stating the amount and due date of the payment of the fine.
 - A fine that has been approved by the Compliance Committee may not be deemed to be due less than 5 days from the date of the meeting/hearing at which it was approved.



Scan for a downloadable
version of the documents



Huntington Pointe
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