

Lake Forest Glen Homeowner Handbook

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INTRODUCTION

This handbook is to answer questions frequently asked by Lake Forest Glen Homeowners.

Lake Forest Glen is recognized under State law as a “common interest development” of the type known as a “planned unit development”, or PUD. Construction was begun in 1970 and completed by 1972 by McCuen, a Sacramento-based contractor. The Association was formed in 1976 when the owner sold the remaining units at a public auction. (see Appendix S)

The primary means by which your rights and obligations as a homeowner are determined and enforced are the “Third Amended and Restated by-laws of Lake Forest Glen Unit #1 Homeowners Association” (known as the “by-laws”) recorded on May 22, 2010 the “Third Restated Declaration of Covenants, Conditions and Restrictions of Lake Forest Glen Unit #1” (known as the “CC&Rs”) recorded on June 15, 2010, and the “Certificate of Amended and Restated Articles of Incorporation of Lake Forest Glen Unit #1 Homeowners Association” recorded on April 20, 1989. The by-laws and CC&Rs are filed in the Office of the Placer County Recorder in Auburn, California, and the Articles of Incorporation are filed in the Office of the Secretary of State in Sacramento, California.

Copies of these documents may be obtained from the Association Office.

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HOW IS LAKE FOREST GLEN GOVERNED AND MANAGED?

A nine-member Board of Directors elected by the membership to three year overlapping terms governs the Association. The President, Vice-President, and Secretary/Treasurer are elected from and by the existing Board. Vacancies due to resignation or death are filled by appointment from the remaining Board members.

The Board meets on a Saturday each month at the Association Office in Tahoe City. (see Appendix U) Meetings begin at 8:30 a.m. and are usually over by noon. You are cordially invited to attend. A portion of each meeting is set aside for a Homeowner's Forum when members may question the Board, express their concerns or make suggestions on ways to improve or streamline the operation. Minutes of meetings are available to all Homeowners upon request. Please contact the Association Office to confirm the time and place of the monthly meetings.

An Annual Meeting of the Homeowners is held on a Saturday in October to elect three members to the Board, present the budget for the coming year, and vote on measures requiring the vote of the membership. It is vital to the welfare of the Lake Forest Glen community and your interest as a property owner that you attend this meeting. There is a picnic following the Annual Meeting which is an opportune time to become acquainted with your Board members and fellow Homeowners.

The Board of Directors is solely responsible for overall policy and direction of Lake Forest Glen. A General Manager is employed as the working agent of the Association in control of daily operations. Problems or concerns affecting your unit or common area may be addressed to the Association Office for disposition. Please be advised the Manager or other employees may not make exceptions to Board policy.

The Association needs your active participation. The following is a quote from the statement, which the State of California now requires be provided to purchasers in a common interest development:

The purchaser of an interest in a common interest development should contemplate active participation in the affairs of the Association. He or she should be willing to serve on the Board of Directors or on committees created by the Board. In short, "they" in a common interest development is "you". Unless appointed by the Board, your control of the operation of the common areas and facilities is limited to your vote as a Member of the Association. There are actions that can be taken by the governing body without a vote of the Members of the Association, which can have a significant impact upon the quality of life for Association members.

If you have any concern about the way things are being done at Lake Forest Glen or have any ideas as to how they could be done better, get involved!

* * * * *

WHAT DO I NEED TO KNOW ABOUT RENTALS?

The Association DOES NOT provide a rental program for vacation rentals or residential rentals. Homeowners may handle rentals themselves or engage the service of a property manager. (see Appendix J, K)

The homeowner of the unit is solely responsible to the Association for violations of the CC&Rs, Rules & Regulations, Snow Removal Procedures, etc., by anyone visiting or residing in the unit. (see Appendix A, B, C)

* * * * *

CAN I ALTER THE OUTSIDE OF MY UNIT?

In order to maintain the uniform quality and appearance of our community, no exterior structural modifications or alterations are permitted without prior written approval of the Architectural Review Committee. This includes, but is not limited to, siding, windows, doors (including screen doors), decks, gates, fences and courtyards. (see Appendix D, P)

Requests for modifications, alterations, or any work involving the exterior of a unit must be submitted to the Committee and must be signed by the owner of record and include detailed drawings. The application should indicate if the requested modifications or alterations are to facilitate access for handicapped or disabled persons.

If the Committee approves the request, the applicant must sign a standard waiver and indemnification form prior to proceeding with the modification or alteration. All associated costs, including any permits, required by the County of Placer, will be at the applicant's expense.

* * * * *

CAN I USE THE COMMON AREA GROUNDS IN FRONT OF MY UNIT?

You may plant in the ground area in front of your unit, however; you must request this in writing, and the plants you wish to put in the ground must be approved by the Association Manager. You are responsible for the maintenance of the planted area. (see Appendix E – Lake Forest Glen Common Area Standards)

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MAY I HAVE A SIGN?

The CC&Rs allow one standard “for sale” or “for rent” sign be posted on the unit which is for sale or rent and/or a home indemnification sign which has been approved by the Board or a committee of the Board. No other signs are allowed.

* * * * *

WHAT IF I WANT TO CHANGE THE INTERIOR?

The building in which your unit is located is the property of Lake Forest Glen Homeowners Association. Exterior maintenance, with some exceptions such as decks, water bibs, exterior light fixtures, front and rear doors and windows, is the responsibility of the Association. You own the lot directly underneath your unit and all that is visible to the eye inside your unit. This includes, but is not limited to, fixtures, counters, fireplaces, stairways, doors and windows. You are required to maintain and repair the fireplace system including the firebox, flue, pipes, cap, and flashings at the top. (see Appendix I)

Alterations to the interior that affect the existing framing structure must be cleared with the Association. The Homeowner as required must obtain the appropriate Placer County Building permits.

* * * * *

WHAT ARE MY INTERIOR MAINTENANCE RESPONSIBILITIES?

Unless they have been changed by you or a previous owner, several interior conditions which have begun to manifest themselves are deterioration of the “stop and drain” valves under units, “splitter valves” in shower/tub stalls and “setting rings” of hot and cold shower valves, toilets, and all angle stops (supply line valves) under sinks and toilets. These conditions, and other more obvious problems such as tile, linoleum and carpet, are primarily due to age deterioration and normal wear and tear and are *not* the responsibility of LFGHOA.

Repairs to installed appliances, including the furnace and hot water heater, or problems involving plumbing or electric fixtures are the responsibility of the unit owner. Sierra Pacific Power and Southwest Gas may provide assistance with hot water heater or furnace problems. We encourage homeowners to call Southwest Gas to have this free inspection be performed at least annually. (see Appendix L)

To facilitate access to your unit for repairs, deliveries and emergencies, you should provide the Association Office with an extra set of keys to your unit that they will give out at your direction or you may ask the office to give out the keys they maintain for emergency access to your unit. In either event, the Association will not be responsible for keys that are not returned by vendors, and keys will not be given to renters who have been locked out.

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HOW ABOUT LANDSCAPING?

The common area landscaping is maintained by the Association so as to present a uniform and pleasing appearance. Not all LFG property is intensively gardened as the perimeters have been left in a natural state to preserve the native environment. Planting of the area immediately in front of a unit or between the rear privacy fences by the owner may be allowed provided written permission is obtained from the Association Office. Plants must be approved by the Association Manager. (see Appendix E)

Watering of lawns is controlled by a master sprinkler system. Please report broken sprinklers or instances of water sprayed on decks or siding to the Association Office. Landscape maintenance has been scheduled so each area is attended at least twice each month. Contact the Association Office to make special requests or learn when the crew will be working in your area. Workers may only take direction from the management.

Please utilize the footpaths and roadways to avoid damaging the landscaped areas. Bicycles may not be ridden on lawns. Do not allow children to climb trees or play in the planted areas. Enjoy the lawns but be careful not to throw balls or Frisbees in the areas adjacent to units where windows may be broken. (see Appendix A)

* * * * *

DO WE HAVE A MAINTENANCE POLICY?

Maintenance problems are usually minor for several years after the original construction of a common interest development. Wooden structures have a limited life span and, as the buildings age, roofs, siding, porches, and trim around doors and windows will have to be replaced; streets and tennis courts resurfaced; water and sewage systems repaired or replaced as needed. Tahoe weather, with its low humidity, high altitude sun and alternating cycles of freezing snow and ice, is damaging to exposed wood, surfaced areas and landscaping in general.

In 1985 the State legislature, recognizing the need to prescribe the basic maintenance responsibilities of associations, adopted the Davis/Stirling Common Interest Development Act. This law covers many aspects of community living, among which is that an association must identify and establish the estimated remaining life of the major components and fund sufficient reserves to repair and/or replace same. The Board of Directors is responsible for establishing monthly dues that pay current expenses and set aside monies for these reserve funds.

Each month a portion of your Homeowner Association Dues is deposited into an insured investment plan with Solomon Smith Barney. Funds will be used for the scheduled repair and/or replacement of common area items such as roofing, roads, pools, tennis courts, exterior painting, etc.

An important caveat exists with respect to LFGHOA's maintenance obligations. Section 1346 (b) (2) of the Civil Code, as amended in 1987, provides that each individual unit owner of a planned unit development is responsible for such "repair and maintenance...as may be occasioned by the presence of wood-destroying pests or organisms", unless the CC&Rs otherwise provide or unless the majority of the members delegate such responsibility to the Association. The quoted language entitles, and may indeed require, LFGHOA to look to the unit owner for that part of the cost of any maintenance project on the unit attributable to such causes. (see Appendix I)

Homeowners can help reduce the cost of maintaining structures in two ways:

1. Not to allow internal problems to become external problems. For example, plumbing problems, for which the Homeowner is responsible, are an internal problem, but, if allowed to continue, can cause damage to components for which the Association is ordinarily responsible. Owners may be held financially liable for such damage. Each Homeowner should carry a condominium insurance policy that has significant structural and personal property coverage. This is not to be confused with the Association's master insurance policy. (see Appendix Q)
2. Reporting to the Association Office any noticed damage or deterioration of facilities so they may be repaired before a minor problem becomes a major one. Each homeowner should carry a condominium insurance policy that has significant structural and personal property coverage. This is not to be confused with the Associations master insurance policy.

* * * * *

HOW CAN I BE A GOOD NEIGHBOR?

Follow the provisions in the CC&Rs and apply the Golden Rule: “Do unto others as you would wish others to do unto you”. Be the kind of neighbor you would like to have as your neighbor. The CC&Rs state that “no noxious or offensive activity shall be carried on...nor shall anything be done...which may cause unreasonable embarrassment, disturbance or annoyance to other owners in the enjoyment of their property or in their enjoyment of common areas.” (see Appendix A)

Commercial Activities – LFG is a residential community and no commercial activities are permitted with the exception of a professional or administrative occupation conducted “without an external evidence thereof”.

Open Storage – Common areas, including decks, are not to be used for storage of trash, lumber, tires, appliances, excess furniture, or other materials. Firewood may be neatly stacked on the deck so long as it is not in contact with the house wall.

Roads – LFG is private property and the roads are intended for use by residents, guests, employees and persons providing a service to the Association or individual units. Roads must be kept clear to provide access for personal and emergency vehicles. A speed limit of 10mph is posted and all vehicles are required to yield the right of way to children, pedestrians, and bicycles. Skateboarding is not allowed at Lake Forest Glen. Rollerblades are permitted on the premises for ingress and egress purposes only.

Snow Removal – Procedures have been established for clearing of roads, courtyards, and parking lots whenever snow depth exceeds three (3”) inches. Cars may not be left unattended in front of units and those hindering snow removal may be towed and a fine issued to the unit owner. See snow removal procedures attached (appendix C) for more details.

Dogs – Unit owners are allowed 2 pets maximum in their unit at Lake Forest Glen. It is forbidden for an owner, renter or guest to allow a dog to be in the common areas with no responsible person in control. Uncontrolled dogs will not be tolerated and may be impounded by Placer County Animal Shelter (telephone: 546-4269) at the owner’s expense. Prompt cleanup of feces deposited by pets is required.

Rules & Regulations – attached (appendix A) are the Rules & Regulations for Lake Forest Glen. Please read carefully. Failure to comply with these Rules & Regulations at all times will result in a monetary penalty.

* * * * *

DO I NEED INSURANCE?

Yes, it is very important that you carry a Condominium Owners Insurance policy

The Association provides liability insurance for the common areas and replacement cost coverage for all structures including roofs, porches, fences, and exterior walls. The Association DOES NOT maintain flood or earthquake insurance or coverage provided for personal possessions located inside the unit, including but not limited to furniture, cabinets, appliances, clothing, decorative items, floor coverings, wall coverings, or window(s) broken by projectiles such as rocks, snowballs, or ice.

Association liability insurance **DOES NOT** provide coverage for your personal liability inside a unit or on a deck. Your liability insurance should protect you, your property and everyone else while in your unit, on the deck, walking in and out of the unit and parking in the assigned areas in front of your unit, including damage or injury caused by snow and ice falling off the roof. While the Association is responsible for the buildings and the common area, it is not responsible for damage or injury caused by Acts of God.

September 13, 2010

The LFGHOA Board of Directors and the Association's attorney reviewed the insurance requirements for the Association and each homeowner.

The Association carries insurance for the entire complex, essentially what is considered the common area. However, each homeowner is also required to carry insurance for the interior of their unit. This interior (building) coverage must cover all items from the drywall finish (such as paint) in. The association policy covers from the drywall out.

You must carry a condo owner's policy that covers:

- 1.) Liability
- 2.) Contents coverage
- 3.) Building coverage

The Building coverage is often overlooked, underinsured, or absent in some of your existing policies. This is coverage for damage to the building components of your interior such as walls, flooring, ceilings, cabinets, your deck, etc.

Each owner is responsible for the plumbing, electrical, heating, appliances and fireplace systems in their unit. Damage as a result of these (such as a busted pipe resulting in water damage) is your responsibility, which can only be covered with this building coverage in a condo policy.

At sometime, the Board of Directors may require the Association Manager to be notified by the unit owner's insurance policy carrier if the policy lapses. Call your insurance agent immediately to make sure you have condo owners insurance with the building coverage and the appropriate limits. Have your agent call me with any questions, or you may call me at any time if I can help.

* * * * *

PARTIES, SWIMMING, OR TENNIS ANYONE?

The recreational facilities of Lake Forest Glen are for the exclusive use of current residents and guests. A maximum of four (4) guests per unit accompanied by a resident are allowed in the recreational areas. The pools, Jacuzzi, sauna, and tennis courts are locked with access permitted only by authorized key holders. Keys must be attached to a laminated LFGHOA identification tag and shown upon request. Keys without identification numbers or laminated tags will be confiscated. The tag is to ensure your safety and to prevent public use of the facilities. Please refer unknown persons who claim they forgot or misplaced their key to the office where "loaner keys" are available with proper identification and a deposit. Lost or found keys should be returned to the Association office.

Glass or breakable containers are never allowed at the pools or on the tennis courts. Tennis courts are for playing tennis only, and everyone in the courts must wear tennis shoes. The gazebo area is for your use for parties or picnics so long as you do not disturb or intrude upon the adjacent units and leave the area free of garbage or other debris.

If you notice a disturbance or after hours use at the pools or tennis courts, please call the Sheriff's Department at 581-6300 or if there is an emergency dial 9-1-1. Non-emergency problems may be reported to the Association office at 583-2307. If the office is closed, the answering service will take your call. For a violation of the Association's Rules & Regulations, please contact High Sierra Patrol at 775-887-3642. High Sierra Patrol services Lake Forest Glen from 7:30 PM to 4:30AM daily. (see Appendix H)

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WHAT HAPPENS WHEN I SELL MY UNIT?

When you sell a home in a planned unit development such as Lake Forest Glen, the law requires that you must provide the following documents to the perspective buyer:

1. A copy of the CC&Rs and any other governing documents.
2. The Association's most recent financial statement.
3. A statement in writing from an authorized representative of the Association as to the amount of any assessments levied upon the owner's interest which are unpaid in the date of the statement, and the additional sums which are or may be made a lien on the owner's interest. The seller will be assessed \$100 for each recreational facilities key not returned to the Lake Forest Glen office prior to the close of escrow.

The seller of any home is required by law to disclose to the buyer conditions that affect the value and desirability of the unit. An inspection on the home may reveal conditions for which you are responsible (unit out of compliance), or for which the Association is responsible, or which will have to be shared in some proportion by you and the Association.

Whether these conditions will be corrected prior to transfer of title, and at whose expense, is generally a matter of negotiation between seller and buyer. Correction of conditions for which the Association is responsible will be done as quickly as possible with every effort to complete the work prior to the close of escrow.

Damage caused by wood destroying pests or organisms may be the responsibility of the unit owner according to Section 1346(b) 2 of the Civil Code.

Prior to the close of escrow, the Association will require delinquent accounts be paid in full, transfer fees paid to the Association office and, the recreational keys returned or paid for at \$100 per key, the storage locker cleaned out or payment to the Association office to do this, and all common area and architectural violations assessed to the unit corrected or fines paid in full to the Association.

The following Appendix items are very important administrative policies for you to understand:

- Appendix G- Disclosure Policy
- Appendix M- Delinquency Assessment Collection Policy
- Appendix N- Alternative Dispute Resolution
- Appendix O- Homeowner Mailing List and Labels Policy

Please call or come by the Association office if I can help in any way.

Thank-you,

Alan Miescke, General Manager