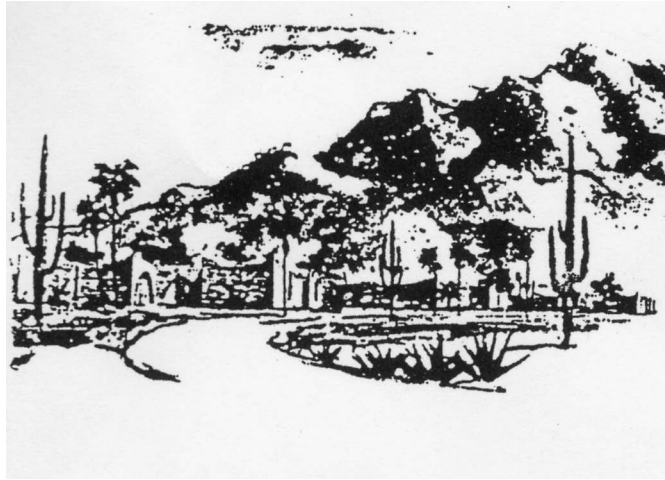


Casitas de Castilian  
Tucson, Arizona 85704



RULES,  
REGULATIONS,  
RECOMMENDED PRACTICES

for

HOMEOWNERS,  
TENANTS,  
and GUESTS

Promulgated  
By

THE BOARD OF DIRECTORS  
of the  
CASITA DE CASTILIAN HOMEOWNERS ASSOCIATION  
(Rev. 7/93, 10/2008, 12/2008, 06/2010,  
05/2011, 10/2011, 02/2012 and 10/1012)

## PREAMBLE

Casita de Castilian is a unique residential community and a most desirable place in which to live. It is in our common interest to retain and improve the virtues and advantages inherent in this design.

In order to achieve this it is necessary to have an established set of standards for guidance to the end that all property owners, tenants and guests will know what conduct and activities have been deemed acceptable/desirable for the residents.

In an effort to maintain consistency throughout the total community, and under the authority granted the Board of Directors in the By-Laws, the Board has developed the enclosed "Rules; Regulations; Recommended Procedures and Information for Homeowners, Tenants and Guests".

The material set forth herein was developed throughout the past several years by homeowners and committees and approved by the Board of Directors of the Casita de Castilian Homeowners Association.

It is incumbent upon homeowners to take positive steps to ensure personally or through their agents that tenants are fully knowledgeable of these provisions and receive a copy of these rules, acknowledge and comply with them.

Board of Directors  
CASITA DE CASTILIAN HOMEOWNERS ASSOCIATION

## **RESPONSIBILITIES OF RESIDENTS**

It is the responsibility of each Casita homeowner and/or occupant to abide by the rules set forth herein. It is also the responsibility of the Homeowner's Association to enforce these rules, to take notice of obvious infractions and to act upon them. Therefore, it is requested that homeowners and/or occupants take the following action if necessary:

- a. Notify the Board of Directors, by a dated and signed letter, of any serious infractions of our rules and regulations if the infraction has been apparent for 2 weeks or more.
  
- b. The Board of Directors, upon receiving these written complaints from homeowners and/or occupants, will correspond directly with the offending party, setting forth the nature of the annoyances and the action to be taken if cooperation is not forthcoming.
  
- c. Telephoned complaints will not be accepted.

Finally, we should all recognize that Casita de Castilian individual homeowners will be held responsible for all acts of their tenants, guests and children, and will be assessed for damages caused by these persons to the pools, tennis courts and the common areas.

**1. APPEARANCE OF CONDOMINIUMS – (Rev.10/2012)**

- a. Occupant is responsible for appearance of areas inside front and back patios.
- b. Storage of any debris, wood, or any kind of trash outside a unit is prohibited.
- c. Clothes, rugs, bedding, etc. are to be hung so as not to be seen by neighbors or passersby.
- d. Bicycles, grocery carts, etc. are not to be visible to passerby. Barbecue sets are not to be stored or used on front patios or on the common grounds.
- e. Radio aerials, TV antennas, or satellite dishes are permitted on roofs ONLY, and are not to exceed six feet in height.
- f. Requests for changes or alterations to front patio or any common area must be submitted in writing to the Board of Directors. It shall be the sole discretion of the Board of Directors to approve or disapprove these changes.
- g. Front patio protective coverings must be either high-quality white awnings or ramadas built according to design on file with the Secretary. In either case, 1- f above applies.
- h. All bush, shrub, and tree plantings around the outside of a Casita and throughout the common grounds are planted, maintained, and removed upon approval of the Board of Directors. Owners may request IN WRITING, such plantings or removals. Plantings, by the owners, of seasonal bedding plants, ground covers and rose bushes in the garden area immediately outside a casita are permitted and must be maintained by the owner or occupant.
- i. "FOR SALE" or "FOR RENT" signs are permitted in condo windows, but are Not permitted in common areas nor on grounds. "FOR SALE" signs are permitted on Owner's patio gate. (rev10/2008). Garage sales and/or Estate Sales of Personal property on the grounds of the Casitas are prohibited in order to protect the residents and grounds from excessive public traffic. Realtor "OPEN HOUSE" signs are permitted at curbside only during the hours of the open house.

**2. USE OF CONDOMINIUM UNITS – (Rev. 12/2008)**

- a. All condominium units shall be used for residential purposes only. Furthermore, each condominium is considered a single family unit only and permanent occupancy is limited to 2 persons in a one-bedroom unit and/or 4 persons in a two-bedroom unit. 6 persons in a three-bedroom unit.
- b. The clubhouse, tennis court, or pools cannot be used for any commercial purpose without the express consent of the Board of Directors.
- c. Water in Arizona is a scarce and precious commodity. Excessive watering or patio and other gardens, grassy areas, etc. is prohibited.
- d. Door-to-door solicitation for any commercial reason is strictly prohibited.

**3. SELLING AND RENTING CONDOMINIUM UNITS – (Rev. 12/2008)**

a. Each owner, before selling their unit, shall:

1. Notify the Secretary of the Association in writing within five (5) days after the action has been initiated with respect to the intended sale.
2. Provide proof to the Board of Directors by a signed and dated form that the purchaser(s) or their agent have received and the purchasers agree to abide by the Bylaws and Rules, Regulations and Recommended Practices of the Casita de Castilian, Inc.
3. A transfer assessment of \$125.00 must be paid upon sale of a unit.  
A document fee of \$35.00 must also be paid.

b. Each owner, before renting their unit, shall:

1. Notify the Secretary of the Association in writing within five (5) days after the action has been initiated with respect to the intention to rent, and specify the agent, if one is used.
2. Present a copy of the rental agreement showing the length of the lease to the Board of Directors together with the names and phone numbers of the persons who will be living in the unit, and the date of their occupancy.
3. Understand that the rental of their unit shall be for not less than one year, except in the case of seasonal visitors where the rental period shall be proposed to and approved by the Board of Directors.
4. Understand that the Homeowner will be held accountable for any infractions of our Rules and Regulations by the renter, and for any damages to common areas and/or property by said renter.
5. Understand that sub-leasing of a unit is prohibited. Persons, other than the original renter, living in a unit more than 30 days will be considered to have sub-leased the unit.
6. Understand that the occupancy rule under 2a (Use of Condominium Units) also applies to Rental of the units.
7. Be aware that a member of the Liaison Committee will call on the renter to extend a welcome to the complex and to provide a copy of the Casitas Rules and Regulations and other necessary Information.
8. Provide proof to the Board of Directors by a signed and dated form that the renter or their agent has received and the renter has read, and agrees to abide by Bylaws and Rules, Regulations and Recommended Practices of the Casita de Castilian, Inc.

**4. CLUBHOUSE – (Rev 7/1993)**

- a. Reservations for use can be made only by residents: approvals must be obtained from the Board of Directors thru the Social Committee Chairperson. Regular scheduled meetings are not allowed except for Casitas Association functions.
- b. Users must leave clubhouse clean and in proper order.
- c. Users are responsible for damage done by self or guests.
- d. No furnishings or utensils are to be taken from building without permission of Social Committee Chairperson.
- e. Users are responsible for checking for personal items left behind, for locking both front and rear doors and for turning off heat and/or air-conditioning when departing.

**5. TRASH – (Rev. 7/1993)**

- a. Must be bagged in plastic and tied securely. Collections are made on Monday and Friday mornings. If holidays for maintenance workers (New Year's, Memorial, Independence, Labor, Thanksgiving and Christmas) fall on Monday or Friday, trash will generally be picked up on Tuesday after or Thursday before the regularly scheduled pick-up.
- b. Occupant is responsible for cleaning receptacle.
- c. Animal droppings must be bagged and placed in trash receptacle.

**6. VEHICLE WASHING – (Rev. 7/1993)**

Washing of any type of vehicle is not permitted unless wipe-off detergent cleaner and polisher is used. Use of water is not allowed because of lack of drains.

**7. POOLS – (Rev. 05/2011)**

The use of pools by residents and guests is at their own risk. The Casitas does not provide a lifeguard on duty. All residents are encouraged to enjoy the pools and facilities, always being considerate of other residents and observing the following rules:

- a. Persons who display any form or skin disorder are not permitted to use the pool facilities.
- b. Alcohol, smoking, and glass containers are not permitted in these areas.
- c. Residents may have no more than 4 guests (including children) using the pool at any one time. A responsible adult **MUST** supervise and enforce pool rules.
- d. Only bathing attire may be worn in pools. Anyone in bathing or sunbathing attire **MUST** use a towel on chairs or chaises, to protect the strapping of the furniture from sunscreen or other lotions.
- e. Behavior and safety of young children and teenagers is strictly the responsibility of the occupant they are visiting. Running, jumping, pushing, screaming and cannon-balling are all strictly prohibited.
- f. The use of floats, rafts, tubes, heavy plastic water guns or other large water toys is strictly prohibited if anyone else is present.
- g. Anyone removing the pool cover after it has been closed is responsible for re-covering the pool. Two people are required to cover and uncover the pool.
- h. Radio volume must be kept to a minimum or earphones used.
- i. Anyone who does not follow the rules of pool behavior outlined above will be denied the privilege of using the pools.
- j. The pools hours are sunrise to sunset. Residents and their guests must vacate the pool area at sunset.
- k. Lost pool keys may be reported to any board member. A \$5.00 fee will be charged for providing a new key.



**8. STORAGE UNITS – (Rev. 7/1993)**

- a. Units must be kept free of all outside impediments.
- b. Storage of combustible materials such as gasoline is not permitted
- c. Wood is both combustible and an invitation to snakes, spiders and termites, and is not to be stored in the carport storage unit.
- d. It is recommended that residents thoroughly clean their carport storage units at least once a year.

**9. TENNIS COURT – (Rev. 12/2008)**

- a. Available to all occupants: a maximum of 4 guests per unit.
- b. A clipboard is located in the box by the court for sign-up times. 90 minutes maximum.

**10. BICYCLES AND SKATEBOARDS – (Rev. 12/2008)**

- a. Bicycles are not allowed on the Casita sidewalks, lawns or around the pool areas.
- b. Skateboards, roller skates and roller blades are not allowed within the Casitas grounds.

**11. PARKING – (Rev. 02/2012)**

We do not have an over-abundance of parking in the Casitas, but COMMON SENSE and GOOD JUDGEMENT will eliminate most of the problems.

- a. Parking is to be in designated areas and is strictly prohibited in areas marked “NO PARKING” or yellow-painted curb areas. Parking at white-painted curbsides should be only for loading or unloading, restricted to delivery or service vehicles, and for accommodating visitors when visitor lots\*\* are full or the visitors need curbside parking because they are disabled.  
\*\* Visitor Lots are (1) near the Big Pool, (2) NE of casitas 743-747, and (3) North of small pool/clubhouse(excluding area reserved for Casitas Truck). (See MAP of our complex – these lots are marked “V.P.” on this map.)
- b. Parking on grass is strictly prohibited because of damage that might result to water sprinklers.

- c. Carports are for passenger vehicles (and motorcycles) only. Everything else, including recreational vehicles and recreational accessories must be parked outside the grounds or stowed in the carport closets; except for loading or unloading periods of 24 hours for motor homes and/or RV's.
- d. Vehicles may not be repaired or rebuilt within association area, except for flat tires, emergency start-up, etc.
- e. Residents with two vehicles must park vehicle #2 behind vehicle #1 in carport unless it blocks traffic or their carport is directly across from another carport as in the two cul-de-sacs near the clubhouse. In this situation, the second vehicle must be parked in the visitor lot or outside the gates.
- f. The Board realizes the problems of providing adequate parking for our residents and guests as well as the need to accommodate trades people who service our residents. We ask that you inform them of our rules and regulations and take responsibility for their actions. If a trade vehicle will be blocking a road, please inform maintenance so that traffic can be rerouted.
- g. Carports are common area and for this reason, cannot be sold or rented. Carports may be traded, if requested to and approved by the Board of Directors. Each unit owner is assigned at least one carport parking space with storage area. No owner may sell an assigned parking space. The assigned parking space, with the owner's permission, may be used for their lessee(s), guests of temporary tradesmen having legitimate reasons for access to the Casitas; but all lessees, visitors, guests and agents must observe and comply with Casita rules and regulations. Unit owners who have been assigned two parking carports at the time of purchase, or obtained by lottery, will retain the two (unless electing to return one to the Association) until selling their unit, or failing to pay the additional fee, at which time the second carport will return to the Association to be reassigned by lottery. The two-story units will be assigned two carports in perpetuity. No Unit will be assigned more than two carports.
- h. Caregivers/employees working 8-hour plus shifts should be asked to park outside the serpentine walls.
- i. Vehicles that are *seldom driven* must be parked in owner's carport, outside the Casitas or in overflow parking by the big pool. Under normal circumstances, failure to drive a vehicle in a two week period will mean *seldom*. No vehicle shall be left in any parking area that is in a non-operative condition or unlicensed.

**12. PETS – (Rev. 02/2012)**

- a. Dogs must be currently licensed and must be inoculated against rabies.
- b. Pets must be kept on leash at all times when out of doors and on Casita grounds.
- c. Owners must pick up after pets and dispose of droppings, bagged in trash receptacles.
- d. Dogs and cats are not allowed in clubhouse, pool areas, or common areas where their presence could be deemed a nuisance and a health hazard.
- e. Owners must control the noise disturbance by their pets.
- f. For the protection of our birds, all cats must have collars and bells.
- g. One dog is permitted per unit, unless special circumstances are approved by the Board of Directors.
- h. Vicious and noisy dogs are not permitted.

**13. MONITARY PENALTIES – (Rev12/2008)**

Flagrant and consistent violations of these Rules and Regulations will be notified by letter, followed up with a second letter assessing a monetary penalty of up to \$500. At the discretion of the Board, the penalty may be reassessed if the violation is not corrected in a reasonable length of time. The violator may appeal to the Board.

**14. BULLETIN BOARDS – (Added 12/2008)**

Bulletin boards are mainly for Casita Association business and functions. Before posting a personal notice, you must request and receive permission from a Board Officer. All notices must be dated, and removed within 30 days.

**15. INSTALLATION OF SOLAR ENERGY DEVICES – (Added 10/2011)**

- a. **OVERVIEW:** These guidelines are intended to comply with the Arizona Revised Statute (ARS) 33-1816 "Solar Energy Devices", and ARS 33-439 "Restrictions on Installation or Use of Solar Energy Devices". The installation of solar energy devices for Casitas de Castilian residences is permitted, following the Architecture Committee review and approval process.
- b. **DEFINITIONS:** The Architecture Committee requires the homeowner to submit their application using the following ARS 44-1761 "Definitions":
1. Collector means a component of a solar energy device (solar panel) that is used to absorb solar radiation, convert it to heat or electricity and transfer the heat to the heat transfer fluid or to storage.
  2. Heat exchanger means a component of a solar energy device that is used to transfer heat from one fluid to another.
  3. Solar daylighting means a device specifically designed to capture and redirect the visible portion of the solar beam spectrum, while controlling the infrared portion, for use in illuminating interior building spaces in lieu of artificial lighting.
  4. Solar energy device means a system or series of mechanisms designed primarily to provide heating, to provide cooling, to produce electrical power, to produce mechanical power, to provide solar daylighting or to provide any combination of the foregoing by means of collecting and transferring solar generated energy into such uses either by active or passive means. Such systems may also have the capability of storing such energy for future utilization. Passive systems shall clearly be designed as a solar energy device, such as a trombe wall, and not merely a part of a normal structure, such as a window.
  5. Solar energy device does not include heat pumps, evaporative coolers, conventional windows and window treatments, skylights, reflective roof coatings, insulations, misting systems and vegetation.
  6. Storage unit means a component of a solar energy device that is used to store solar generated electricity or heat for later use."
- c. **APPLICATION REQUIREMENTS:**
1. Prior to installation of a solar energy device, an application must be submitted for Architecture Committee approval. The application should include scaled drawings showing construction details itemized in ARS 11-323 "Solar Construction Permits and Standards - County":

2. In addition to the scaled drawings showing construction details, the owner must include documentation from the licensed solar contractor that proves RULES and compliance with all seven of the conditions outlined in ARS 44-1762 "Solar Energy Device Warranties; Installation Standards; Inspections".
3. The color of the solar energy device and associated components must also be included.
4. The Architecture Committee will not review, nor approve any application that does not have the required permit.

d. APPROVAL STANDARDS:

1. Collectors (solar panels and coils) shall be mounted to minimize visual impact. Collectors shall be located so as not to be seen from the ground level of the common area. All collectors shall be hidden behind the parapet wall of the owner's flat roof.
2. Collectors (solar panels and coils) shall not exceed 400 pounds in weight.
3. All components of the solar energy device shall match the color of the roof to which they are attached. The glass top of the collectors must be black or dark blue.
4. Wires, conduit, pipe and other associated components shall be hidden from view.
5. Approval by the Architecture Committee does not relieve the owner of their responsibilities for the maintenance and repair of the entire roof covering, as described in the Third Amended and Restated Declaration of Development and Operating Plan for Casitas De Castilian. Inc. as recorded on January 20, 2010, Section 5.2(b).

### **RECOMMENDED PRACTICES**

It is recommended that each occupant adopt the following practices and/or procedures to insure their safety and well being as well as that of others within the community.

#### **1. FIRE PREVENTION/PROTECTION**

Install a smoke alarm and have at least one portable fire extinguisher immediately available in or near the kitchen area. **IMPORTANT** - Know how to use it. Check batteries in smoke alarm every six months.

#### **2. SECURITY**

Prior to departing the premises for a protracted period of time (one week or more) the following should be accomplished:

- a. Request that delivery of all mail and newspapers be stopped during the period of absence or have a DEFINITE arrangement with a neighbor to pick up your papers and mail.
- b. Leave a key to your residence with a neighbor with permission to enter your home.
- c. Turn off the water to the entire house and turn off the hot water heater.
- d. Express your willingness to your neighbor to help with these small requests mentioned above.

#### **3. MEDICAL EMERGENCIES**

Fill out the Medical Emergency Form and return it to the Secretary so the information will be on file if ever needed.

#### **4. SPEED LIMIT**

Adhere to a speed limit of 15 miles per hour within Casita grounds.

#### **5. CHILDREN**

Persons aged seventeen or younger may visit adult occupants of a unit and utilize the recreational facilities of the Association while on such visit for a period no longer than 30 days.