

Hearthstone Manor HOA Homeowners Handbook

**Professionally Managed by:
*David Floyd & Associates, Inc.***

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2020

Dear Hearthstone Manor Homeowner:

Whether you're a new neighbor, or you've called Hearthstone Manor "home" for many years, we hope you'll find this HANDBOOK helpful. Please place these pages in a binder and keep the book in a convenient location. As a homeowner, you will receive periodic revisions and additions as they are made. We suggest that if you ever sell your unit, you leave the book behind for the next owner.

All of us share a special bond as owners in the Hearthstone Manor community. As a homeowner, you are automatically a member of the Hearthstone Manor Homeowners Association - entitled to participate in the election of directors for our Homeowner's Association Board, or even to serve as a director.

PURPOSE OF THIS HANDBOOK

The contents of this HANDBOOK have been prepared to provide you with information about the policies of the Board and the procedures followed by the Management Company to best serve each member/ owner of our association. Our aim is to ensure that these policies and procedures support the dual goals of making Hearthstone Manor a great place to live, and at the same time keeping the investment in our homes growing.

DISCLAIMER AND REFERRAL TO DOCUMENTS

Although the HANDBOOK is intended to give a brief introduction to the association, it is by design, a summary. A more comprehensive reference to any item concerning the association can be found in the Declaration of Covenants, Conditions and Restrictions, the Articles of Incorporation, and the Bylaws of the Homeowner's Association. Copies of each of these documents were provided to you at the time you took title to your home. In case of any conflict between this handbook and the documents, the Declaration, Articles of Incorporation and By-laws shall control.

PURPOSE OF THE BOARD

It is the purpose of the Board of the Homeowner's Association to evaluate current conditions, and set policies intended to maintain, protect, and enhance the value of our homes and our lifestyle. In addition, the management company employed by and working with the Board assists in upholding these responsibilities while maintaining an atmosphere of welcome and comfort to all owners and their guests.

The board and the managing agent work together to ensure the aesthetic integrity of the community. We ask all homeowners to take pride in their ownership. If you see trash on the grounds, please pick it up. If you see people littering, ask them to stop. Show your neighbors you care about your community and want to keep the value of our homes at their highest!

When you have a question or concern, please contact our
Community Manager, David Floyd III, by emailing
HearthstoneManorHOA@gmail.com.

Property Management Company:

David Floyd & Associates, Inc.
[104 East Park Drive, Suite 320](#)
[Brentwood, TN 37027](#)

[\(615\) 297-2824](#) Office
[\(615\) 297-9340](#) Fax

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OUR LEGAL DOCUMENTS

WE ARE A PRIVATE URBAN DEVELOPMENT SOMETIMES REFERED TO AS A PUD. THIS MEANS THAT WE ARE RESPONSIBLE FOR OUR ROADS AND SEWERS AND UTILITLY LINES,

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

The DCCRs as this document is commonly called, details required construction in Hearthstone Manor and limits how each property can be used. It also outlines the rights and obligations of the association. The master regulations are important rules in our day-to-day living. They are set up to make sharing the property convenient and easy for each of us.

ARTICLES OF INCORPORATION

The Articles formally establish the Association and its purpose, structure, and powers.

BY-LAWS

The by-laws set out the way the association conducts its business - holding meetings, making decisions, holding elections etc. They also explain the things you as a homeowner need to do to play your part in the association.

RULES AND REGULATIONS

Rules and Regulations are developed and modified by the board from time to time. These rules are intended to ensure that all residents behave in a manner conducive to harmony and consideration for others and provide guidance for our daily lives together.

Penalties for non-compliance or violations are also included.

ORGANIZATION AND MANAGEMENT

WHAT IS A HOMEOWNERS ASSOCIATION?

A homeowner's association is an organization of residents. In the case of Hearthstone Manor, it was established by reference in the declaration of Covenants, Conditions and Restrictions (the deed restrictions) guiding (and in some cases limiting) the use of properties in the development. Each homeowner automatically becomes a member with the purchase of a home within the community. The Bylaws dictate that members are responsible for a proportionate share of expenses for maintenance of common property and support for other necessary activities of the organization. Also, as a member, you have a voice and vote in the association's affairs. Your votes are cast during annual or special meetings of the general membership.

The major responsibility of the association is to protect the investment and enhance the value of the property owned by the members. This includes providing for the maintenance and operation of the shared property.

The association has other responsibilities too, such as, enforcing the master regulations and architectural controls, and setting up an effective communication system among members.

To assure you of a well-run organization, a professional management firm has been retained as an integral part of the operation of the association. The professional managers will coordinate and supervise the maintenance of items for which the association is responsible as well as the financial and architectural facets.

The automatic membership homeowner's association is an incorporated, nonprofit organization operating under recorded land agreements. The association is a business, and to be successful, it must be operated like a business.

WHAT IS THE BOARD OF DIRECTORS?

The Board of Directors is the governing body of the HOA. Homeowners elect the Board of Directors by direct votes at the annual meetings. Through these elections, homeowners delegate to the Board of Directors powers and authorities to conduct the affairs of the association, including the formation and operation of policies and procedures.

Once they take office, the members of the Board of Directors are recognized by the State of Tennessee as officers of the corporation and as such, have the authority to enter into contractual obligations, carry out and enforce all provisions of the Declaration, Articles of Incorporation and By-laws, and may delegate such responsibilities as deemed appropriate to the managing agent.

WHAT ARE THE RESPONSIBILITIES OF THE BOARD?

The responsibilities of the HOA Board include:

- Establishing the policies and regulations that govern the association.
- Supervising and prescribing the duties of the managing agent.
- Approving all expenditures made by the association, based on the budget adopted annually by the homeowners.
- Setting the amount of assessments due from each property owner.
- Enforcing architectural control rules.
- Maintaining the common areas and structures located on common property.
- Keeping a complete record of corporate affairs and making reports to homeowners.

WHAT ARE THE DUTIES OF THE OFFICERS?

(See By-Laws, Article X,7 b,c,d,e for full description of powers and duties)

- **President**
The President is the chief executive officer of the association. He/she shall preside at all meetings of the association and of the Board of Directors.
- **Vice President**
The vice president shall perform the duties of the president whenever the president is unable to act and shall have such other authority and perform such other duties as may be determined by the board of directors.
- **Secretary**
The secretary shall keep the minutes of all meetings of the board of directors and the minutes of all meetings of the Association.
- **Treasurer**
The treasurer shall have responsibility for association funds and securities and shall be responsible for keeping full and accurate accounts of all receipts and disbursements in books belonging to the Association.

WHAT ARE THE RESPONSIBILITIES OF THE MANAGING AGENT?

The board of directors shall have the power to employ a managing agent, as they deem necessary, and to prescribe his/her duties.

The managing agent is responsible to the board of directors for carrying out the day-to-day operations of all association business and commonly held property.

The managing agent has specific authorization and obligations as contained within the management contract.

Our Managing Agent

Our managing agent is **David Floyd & Associates, Inc.**

The managing agent may assign a community administrator to the homeowners' association to oversee all association business and the operation of the community association property as directed by the board. Ours is currently David Floyd and Associates.

It is also the responsibility of the managing agent to bid, contract, oversee and direct all contractors, vendors, etc., serving the homeowners association under the approval of the board of directors.

The managing agent is the vehicle by which the overall administration, policies and procedures, managerial decisions, etc., of the board of directors acting on behalf of all owners/members, are carried out.

The managing agent shall:

- Provide an emergency contact system
- Maintain all records, documents, and books of the association, pertaining to the financial, administrative, and legal affairs of the association as well as governing documents, insurance documents, and documents pertaining to the compliance with local, state and federal governmental requirements.
- Distribute information to the association members regarding assessment notices, applicable policies, directives, by-Laws, rules, regulations, procedures, and restrictions as may be specially directed by the board of directors.
- Provide administrative support to the association in enforcing the provisions of the association's Covenants, Conditions, and Restrictions, Articles of Incorporation, By-Laws, Rules and Regulations, and contracts.
- Undertake reasonable efforts to implement the association's decisions.
- Establish and maintain bookkeeping procedures.
- Establish and maintain the billing and collection system for the receipt and enforcement of association assessments, following all board set procedures for the collections.
- Attend meetings of the board of directors, including the annual meeting.

- In preparation for these meetings, the managing agent will provide the following information to the board:
 - Financial reports
 - All pertinent correspondence, bids, and specifications
 - Progress reports on work directed by the board
- Make all required disbursements for the association.
- Prepare and distribute from association funds the payment of all bills and obligations on a timely basis.
- Assist the board in financial budget planning.
- Direct the performance of maintenance and other necessary services.
- Inform the board of directors when any maintenance services are not in accordance with the terms of the contractor(s) or work order(s) as authorized by the board.
- Perform on-site inspections.
- Take appropriate action to protect persons and preserve property.
- Solicit bids for contracted jobs.

COMMONLY ASKED QUESTIONS

Financial Affairs of the Association:

DOES THE HOA MAINTAIN FINANCIAL RESERVES FOR EMERGENCIES?

The reserve account is the association's way of setting aside money for emergencies, needed repairs, and replacements of the common areas related to long term issues such as wear and tear. Such repairs and replacements are essential to protect and preserve property values. Part of your homeowner assessment fee is deposited in a special interest-bearing account to plan for these replacements and repairs.

Primary lenders consider reserves for future needs a key part of a good financial policy and can consequently be more receptive to lending money in communities with a good, established reserve account policy. So, your ability to sell your home can be influenced by the adequacy of, or nonexistence of, reserves set aside by the association. Reserves do, therefore, directly affect the resale value of your home!

HOW ARE HOMEOWNER'S FEES USED?

The monthly homeowner's fees cover the following benefits and services:

- o Establish Reserves - to assure funds for future replacements and when necessary, maintenance of common facility.
- o Employ Professional Management
- o Maintain Landscape- cutting grass, mulching, trimming shrubs, lawn areas, shrub and tree replacement in common areas and limited private areas.
- o Purchase Insurance - coverage for common areas and extended coverage on a blanket basis. Also, Directors and Officers coverage for the association.
- o Pay Taxes - property taxes for the common areas.
- o Pay Common Utilities - the cost for water and sewer service to the fountain and irrigation system, electric service to the pavilion, fountain, and entry ways.
- o Maintain Fountains and Water Clarity
- o Maintain exterior of buildings including roofs, siding, etc.
- o Maintain streets within the complex

WHAT HAPPENS WHEN A HOMEOWNER "GETS BEHIND"?

Assessments are levied in accordance with Section X of the Declaration of Charter, Easements, Covenants, and Restrictions for the Residential Neighborhood, for the purpose of preserving, protecting, and promoting the physical and environmental qualities of the association. It is important for the fiscal soundness of the association that monthly fees be paid promptly. Fees begin the first day of the month following the closing of title. In the event of a delinquency, the actions taken will follow the By-laws.

WHAT SHOULD I DO IF I WANT TO SELL MY HOME?

Please notify the management company if you put your unit up for sale. Notify the manager again of the closing date, the purchaser's name, and real estate agent.

When you decide to sell your home -- either through yourself or through a REALTOR, you will transfer not only your property but also the responsibilities of membership in the association. This detail will be handled by the attorney preparing the papers affecting the transfer. Your buyer becomes a member of the association and is then subject to the covenants, by-laws, and rules and regulations of the association.

ARCHITECTURAL CONTROL GUIDELINES

The association has the responsibility of maintaining the aesthetic and architectural character of the community. This control should be looked upon as protection of our investment.

Any owner wanting to make any exterior change, improvement, or addition (including any change in color) must first obtain approval for the change or improvement from the board of directors. ALL applications will be considered on an individual basis and *all* reasons in support of the change or improvement will be weighed and evaluated according to the following considerations:

1. The harmony of external design and location in relation to surrounding buildings in the community.
2. The recognition of future maintenance problems or expenditures the installation might cause the association.
3. Adherence to guidelines established in the Declaration.

The steps followed in applying for and making a change, improvement or addition are:

1. The Homeowner must submit a complete description of the improvement with a drawing, photograph, or catalog picture specification (as necessary) and a completed improvement application, (next page) to the HOA board through the managing agent and the website.
2. The board reviews the application, which will be approved, disapproved, or conditionally approved with additional or alternative recommendations for the improvement.
3. The homeowner will be notified in writing of the board's decision.

Unauthorized changes or improvements must be removed or restored to their original condition at the discretion of the board of directors and such removal/restoration will be at the homeowner's expense.

Please note that any change, improvement or addition made by an owner is the responsibility of the owner in respect to maintenance, repair and/ or replacement, and in respect to damage that derives directly or indirectly from the making of that change, improvement or addition.

The board may charge reasonable fees for the processing of plans and specifications. Such fees may cover the cost of inspections that shall be payable at the time of submission of the respective item for approval and payable to the association.

COMPLAINT PROCEDURE

Most of us try not to encroach on our neighbors' rights and privileges and try to treat others as we would like to be treated. Even so, there are times when problems between neighbors arise.

Accordingly, there must be a way to get the problem solved, especially when a homeowner is violating the Declaration. However, the board needs written documentation of the problem and any attempts to solve it (a 'paper trail').

The procedure is as follows:

1. Homeowners should first try to resolve the issue directly by discussing the situation with the offending party.
2. If not resolved: Notify the management company. We recommend you use the form following this page.
3. Explain your complaint, the steps you have taken toward a reasonable solution and your suggested solution to the problem. Send this to:

Email: HearthstoneManorHOA@gmail.com

Or mail to: David Floyd & Associates, Inc.
104 East Park Drive, Suite 320
Brentwood, TN 37027

Or fax to: (615) 297-9340

The following steps will be taken as necessary to resolve the complaint:

1. An initial letter will be sent to the offending party,

If not resolved:

2. A second letter will be sent.

If still not resolved:

3. If the problem or complaint is not resolved after these two letters, then the issue will be taken to the Board with recommendations made to deal with the complaint.

REQUEST / COMPLAINT FORM

TO: Board of Directors *c/o David Floyd & Associates, Inc.*

FROM: _____ ADDRESS: _____

PHONE: _____ DATE: _____

Name and address of any other party involved:

NAME: _____ ADDRESS: _____

Specific Compliant/Request:

Steps taken towards a solution: (Make attachment if additional space is needed)

Suggested solution for the problem:

Would you be willing to testify in court if the Board were to seek legal remedies in this matter?

(Please initial if yes) _____

MAINTENANCE PROCEDURES

Common areas include all portions of the association property that are owned by all members of the association collectively. The responsibility for maintaining, repairing, or replacing items of common property will be borne by the association from funds derived from the monthly maintenance fee paid by each homeowner.

Periodic common area building maintenance and operations are normally handled by professional contractors or companies specializing in the area of expertise required who/ which are under the direction and supervision of the management company according to the guidelines established by the board. For example, lawn and shrub areas are maintained during spring and summer months by a contractor approved by the board. Applications of fertilizers, insecticides, fungicides, etc. are part of that maintenance.

A bidding process is generally used when selecting contractors. The management company sends written job specifications to a minimum of three contractors who must submit bids by a specified deadline. The bids are reviewed by the management company and presented to the members of the board for discussion and a vote to determine the bid most acceptable in terms of cost, qualifications and reputation of supplier, record of timely completion dates, and other pertinent factors.

The management company intends that each area of operation for the maintaining of the common areas is well planned and scheduled. However, if you should become aware of a condition that needs attention, please fax or e-mail (preferred) the management office at your earliest convenience so the matter may be attended to promptly.

INSURANCE COVERAGE

Each homeowner should have an individual homeowner's insurance policy for his/her home. General liability and umbrella coverage are provided for all common elements in the community through the association's insurance.

Your association purchases the insurance policy. The association's policy affords the following property coverage:

Fire, Extended Coverage and Standard "All Risks" Insurance. The Association shall insure all buildings that are part of the Recreation Facilities and any other Common Elements.

Liability Insurance covers all common elements, and other areas for which the association is responsible.

All common property losses are settled on a replacement cost basis subject to a deductible per occurrence, which is the responsibility of the Homeowner. *(Please contact the Association for the current deductible amount.)*

Homeowners are responsible for insuring:

1. All personal property.
2. Personal liability and medical payments - the association policy does not provide personal liability coverage for homeowners.
3. Loss Assessment Coverage is an optional coverage - we would suggest carrying this coverage.

Please be certain to give your insurance agent a copy of the insurance requirements found in your documents.

The material presented herein has been abbreviated to give you a clear and broad understanding of coverage. **This summary is not all-inclusive, nor does it alter or waive provisions of the actual insurance contract.**

At the time you purchased your home, you should have been provided with a set of Documents consisting of the Declaration and By-Laws. Please read these Documents carefully since they clearly establish your rights as a Homeowner. They also help define the areas that are restricted for the purpose of maintaining the integrity of the community.

Please check the website, HearthstoneManor.net, for the HOA insurance carrier for the current deductible amount, insurance carrier, policy number, and claim phone number.

ANNUAL MEETING PROCEDURES

NOTICE:

1. Notices for the Annual Meeting will be mailed to each homeowner of record 30 days before each meeting.
2. Notices will inform each owner as to the purpose of the meeting (election of board members, for example), date, time, and location of the meeting.

Only homeowners may attend the meeting. Renters or guests are not permitted. Each unit has one vote.

The notice will:

1. Explain the proxy procedure and how it may be assigned to any person or assigned to the Board.
2. May also include a brief bio from each Board candidate,
3. Will include the agenda for the annual meeting,
4. Will include a financial report for the current year and the coming year's budget

MEETING:

1. A sign-in sheet will be provided listing all the owners' names and addresses with space available for signature.
2. Homeowners will sign their names next to their address and will then receive a ballot. If the homeowner or other appointee has been assigned a proxy, they should sign their name on the line of the person who assigned the proxy. They will then receive a ballot. The sign-in sheet will then be marked.

The president of the board, or his/her designee, shall conduct the meeting using parliamentary procedure.

RULES AND REGULATIONS

Of the Hearthstone Manor Homeowners Association

Pursuant to Article IX & X of the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Hearthstone Manor, the following Rules are hereby established which shall be in force.

General Rules

1. **Each residential unit** shall be used as a residence and for no other purpose, except as otherwise provided in the Declaration
2. **No renting.** No owner shall grant any form of leasehold interest in his unit, except to meet special situations and avoid undue hardships as enumerated in the Declaration. The board may grant permission to an owner to rent his/her unit only for the reasons and, and under the conditions set forth therein.
3. **Flags.** Only flags of the United States of America may be displayed on the fronts of units. If you elect to fly an American flag on an extended basis, please ensure that your flag is not wrapped around its pole and that all other rules of flag etiquette are observed. For example, flags should not be out in the rain and should be lit if they are flown at night. Any other types of flags, including but not limited to school flags and seasonal flags, may be displayed if they are not visible from the street. Flags of universities may be displayed on game day only.
4. **No signs or billboards.** No sign or billboard of any kind shall be displayed to public view on any residential unit or the common area, except street or informational signs erected by the Association. During periods when a unit is offered for sale, one sign, not to exceed five square feet in area, is allowed inside a front storm door or a window or in the limited common area of the dwelling. Additional open house signs may be placed in the yard of the unit, and directional signs may be placed at the entrance to the community and at strategic points to assist visitors on the day of an open house, but only during the day of the scheduled open house until one hour after its end.
5. **All vehicles within Hearthstone Manor** must be properly licensed and in operable condition. Unless in garages, inoperative or unlicensed vehicles shall not be parked or stored on the property. Violations may result in towing at the owner's expense.
6. **Vehicles infrequently driven** shall not be parked or stored in common area parking spaces (including driveways).
7. **No major repairs** to vehicles may be undertaken on the property.
8. **Motorcycles**, motor bikes, motor scooters, golf carts or other similar vehicles shall not be operated within the property except on roadways and only for the purposes of transportation to and from the property.

9. **No motor home**, mobile home, recreational vehicle, camper, water craft or other such vehicle shall be allowed to park in common area parking spaces, including on streets or driveways unless specific written permission for short term overnight or weekend parking is granted by the Board of Directors.
10. **Noise and odor.** Residents shall not cause or permit any noise, music, or unusual or objectionable odor to emanate from their units. All radios, television sets, stereos etc. must be turned down to a sound level that does not annoy or interfere with other unit owners/residents. This includes automobile radios, portable radios or boom boxes played outdoors. Barking dogs must be controlled so as not to be an annoyance to any other resident.
11. **Garage or estate sales.** No garage sales, yard sales, moving sales, estate sales, or similar sales where items (whether one or more) are offered for sale to passers-by shall be allowed within any unit, or upon the Hearthstone Manor common areas or limited common areas. No signs, advertising, or other displays of any such sales shall be permitted upon, within, or immediately adjacent to Hearthstone Manor. If any of the above shall be advertised or conducted, then any officer or member of Hearthstone Manor shall be allowed to remove and destroy any such sign or advertising display.

Parking Areas, Private Streets and Driveways

1. **The parking of motor vehicles** in any guest parking place for longer than 72 continuous hours is expressly forbidden. Special circumstances may be approved by the board. Parking of vehicles, including motorcycles, motorbikes, trailers or bicycles, which prevents the use of guest parking spaces or driveway areas is prohibited and may result in a fine or towing and removal of the vehicle at the owner's expense. All residents are expected to park in their respective driveways or garages.
2. **Traffic flow** at the entrance of the property is one-way, with the easternmost lane one-way for inbound traffic only and the westernmost lane one-way for out bound traffic only. Exiting or entering the property from the wrong way is deemed to be extremely hazardous and is prohibited.
3. **The regular parking** of any commercial vehicle--including but not limited to vans, or panel trucks advertising a business--on limited common area or general common area is prohibited. Garage parking is permitted.
4. **The speed limit** on the property is **15 miles per hour**.

Pet Responsibilities

1. Pet owners assume the responsibility for any action of their pet(s) and must act

with consideration of their immediate neighbors as well as all Hearthstone Manor residents. All pets are to be maintained within the resident's unit in a quiet manner.

2. All pets shall be appropriately licensed, leashed, and at the immediate command of their owners and/or custodians while on any part of the property. Metro ordinances as well as our rules require all pet droppings to be promptly picked up and properly disposed of. Failure to clean up pet droppings will result in the immediate imposition of a fine.
3. Pets must not be left unattended outside of a unit, except as otherwise provided in the Declaration. Restraining an untended animal by use of an attached leash, chain, rope, etc., is never allowed.
4. Dogs and cats are the only allowed pets in Hearthstone manor. See DCCRs.

Lake and Surrounding Areas

1. **Swimming or boating** on the lake is prohibited.
2. **Fishing** in the lake by anyone other than the owner of a unit is always prohibited. Children age twelve and under may fish if they are accompanied by an owner at all times.
3. **Nothing of an aquatic nature** shall be placed in the lake.
4. **Feeding** of geese, squirrels, fish, turtles, or any other wildlife is prohibited.

Tennis/Pickleball Courts

1. **Guests** shall be accompanied by an owner unless they are "in-house" guests.
2. **Players** shall wear appropriate attire, which shall include standard tennis shoes.
3. **No bicycles**, skateboards, roller skates, roller blades or pets shall be allowed within the fenced area of the tennis courts.
4. **Players** are always to show proper tennis etiquette.
5. **Last player** shall make sure that the lights are turned off, **the tension on nets is released**, and that all gates are locked before leaving the courts.
6. **Trash** shall be removed from the courts by the respective players.
7. **Tennis courts** shall not be used for any purpose other than playing tennis/pickleball without written permission from the board.

Use of Common Area and Limited Common Area

1. **Common area water** may be used by lawn maintenance personnel only, unless otherwise permitted in writing by the Board of Directors.
2. **Alterations and changes are not allowed in the common areas except by written permission of the HOA Board.**
3. **Common areas or limited common areas** shall not be used for storage of any kind. This prohibition extends to driveways.
4. **Unit owners or residents** shall keep balconies, decks and patios clean, orderly and free from clutter. Storage or use of firepots, chimney, fire pits, portable heaters, or grills (except permanently attached grills operated by natural gas) is not allowed on decks. Decks must be kept in repair and painted the allowed colors.
5. **Balconies, decks, driveways and patios** shall not be used for storage. Areas under decks shall not be used for storage.
6. **Trash cans must not be visible** to public view except on trash days. Trash cans shall not be kept out on any driveway. All trash, refuse, garbage and waste of any kind must be placed in the appropriate waste containers and kept within an individual's unit or garage except on designated garbage pickup days. All trash, refuse, garbage and waste must be in a tightly secured container or tightly secured plastic bag or box. **REVIEW THE METRO TRASH GUIDE FOR WHAT WILL AND WILL NOT BE TAKEN BY THE TRASH COLLECTORS.**
7. **Water hoses** and related equipment shall be removed from the limited common area and common area when not in active use. They shall not be stored by attached hangers on the exterior of decks or units.
8. **Cigarette and cigar butts** shall not be placed on the ground anywhere on the common area or limited common area.
9. **Guidelines for Replacing Windows & Patio Doors:** In general, when windows and doors are being changed (see Request for Change Form above), they should have the same appearance and style as the ones being replaced. Windows must have the same grid pattern and patio doors should not have grids. All exterior surfaces and trim of windows are to be painted in accordance with the current guidelines. The exterior surfaces of doors **AND THE TRIM** are to be painted Sherman Williams black fox. Door hardware is not specified, and the owner is free to make the selection.

10. **Utilities:** All unit owners are expected to be current in their utility bills. whether they are occupied or not. When units are vacant during the winter season and the utility _company turns off the heat or electricity due to non-payment. it creates a hazard for neighboring units. When the HOA becomes aware that utilities are not connected. it shall plan to have them restored with the cost of doing so added to the unit owners• HOA account. If necessary, a lien will be placed against the property. Thermostats should be set at 55 degrees during the winter.
11. **Termite Control:** Working with Cook's Pest Control. the HOA utilizes to an active system of termite control which reduces presence of termites and reduce property damage and the necessity of repairs. You will notice the cap of green cylinders that have been placed in the ground around the neighborhood. You may have noticed this system around many building and newer home developments. This system is entirely safe for pets. children and adults.

Violations of the above rules and regulations may subject the perpetrator to a fine. Continued violations may result in additional fines and other actions as set forth in the Declaration of Covenants, Conditions and Restrictions including loss of voting rights.

Requests for exceptions to any rule may be submitted to the Board. Requests for exceptions must be in writing and made in advance.

However, it should be realized that some rules are enumerated in the community's Declarations document. The Board has no power to grant waivers of these.

"Hearthstone Manor Notes"

- **Deck Stain:** Black Fox from Sherman Williams is the correct stain color. The store on Wilson Pike in Brentwood has all the details. **NOTE: the finish is important- be sure to get the correct finish.**
- **Garage Doors:** While the HOA paints the doors, it is the responsibility of the homeowner to keep the doors clean.
- **Deck & Garage Lights:** Police tell us that leaving your deck lights on prevents more crime than any other measures used so please consider leaving your deck and garage lights on during the night hours

ADDITIONAL GUIDELINES

- **AUCTIONS AND ESTATE SALES** - These are discouraged. There is not adequate parking in the area. They may be allowed with prior approval from the HOA board and must be submitted for consideration at least 30 days prior to the next HOA board meeting for their consideration. Any damage occurred because of the Auction/Estate Sale by anyone attending will be the Unit Owner holding the event's responsibility.
- **COMMON AREAS** - are maintained by the HOA.
- **Deck Color and Maintenance Policy** – SEE DECK POLICY FURTHER DOWN must be stained an approved color. A privacy shield/fence may be Lattice or shadow, ' box. Deck material: MUST be regular wood material. It can be stained I and all of these are found at Sherwin Williams under Hearthstone Manor Approved colors (located on Wilson Pike in Brentwood) be sure to get the correct finish.
 - The approved deck color for the community is Sherwin Williams Black Fox - Solid Stain.
 - The trim about the deck doorway entrance is to be painted the same color as the deck-Sherman Williams black fox paint. Paint door trim and aluminum trim.
 - Decks must be constructed of pressure treated wood - NO new composite decks will be permitted. (Existing composite decks are grandfathered)
 - All wooden decks must be painted the approved color by June 30, 2021. (Any owner with an existing composite deck who wishes to paint his/her deck may only do so using the approved color).
 - Spindle distance for decks is 4 inches.
 - Decks must be kept in good repair. When structural changes occur such as warpage, bending or fixation changes it is the responsibility of the homeowner to have the item repaired. When the wood begins to rot it is the responsibility of the homeowner to have it replaced.
 - Decks must be cleaned of moss and debris on a regular basis. Moss must not be allowed to cover the deck areas.
 - Nothing should be stored on the deck. If items are stored under the deck either shrubbery or an allowed painted barrier must cover the items from view.
 - Review the architectural guidelines before planning on deck alterations and repairs.

- Decks are to be kept to their original footprint. Upper decks are not to be extended.
- Only fixed gas grills are allowed and must be placed on the lower deck in an area that is not under the upper deck. NO propane grills are allowed.
- **DUMPSTERS** are allowed WITH HOA BOARD PERMISSION. They may be allowed for a 30-day time. Any damage done by having the dumpster on your property will be the owner's responsibility.
- **FIRE PITS** are never allowed (Fire Department rule).
- **FLAGS** - The American Flag is the only flag allowed on the front of your unit. Decorative Flags may be on the back of the unit. On the back of your unit, School or Professional Game flags can be put up on the day of the game but must be removed by the end of day.
- **FOR SALE SIGNS** are allowed but must be no larger than 24 x 36 inches and can be placed in the landscaped area beside the garage door.
- **FRONT DOORS** - The approved paint colors are: Terra Brun or Black Fox and the approved stain is Classic Cherry Transparent (all from Sherwin Williams on Wilson Pike.)
- **GARAGE SALES** - *Are not allowed.*
- **GRILLS** - are allowed but only if it is directly attached to the gas line on your deck. The Grill should not have rolling wheels. This must be a stationery unit. Under no circumstance are Charcoal or Propane Gas tank Grills allowed. Fire Department Rule.
- **HANDRAILS on steps**- Submit request to the HOA Board 30 days prior to their next HOA Board Meeting and describe the material and design.
- **HANGING ITEMS ON BRICK AREAS** - The ONLY thing that should be attached to the brick on your unit is a holder for the American Flag, should you choose to put one up. It can also be attached to your garage door's frame.
- **HANGING ITEMS ON VINYL SIDING AREAS** - Never hang anything on the siding
- **HOT TUBS** - Not allowed
- **LIGHT POSTS** - at curb are maintained by the HOA
- **LIGHTS ON BACK DECKS** - Only the approved light that is on the garage door
- **LIGHTS AT FRONT DOORS** - There are two choices and prices may change without notice: Make and model numbers and Mfg.: Quoisel Lighting - Newbury

Outdoor Lantern #10317411 in Medici Bronze. Available at Hermitage Lighting \$74.10 for HM residents or on line for \$77.99. The other choice is Mfg.- Kichler-Madison Collection #9650TZ - Tannery Bronze, Available at Hermitage Lighting for \$52.50 for HM residents or online for \$62.00. It is the same as the front of the garage. Hermitage is located at 531 Lafayette St., Nashville. 615 843-3300. FRONT DOORS ONLY!

- **LIGHTS ON GARAGE** - Only the approved light is allowed on garages. It is Kichler-Madison Collection Model# 9650TZ, Tannery Bronze. Order from Hermitage Lighting located at 531 Lafayette St. in Nashville. 615 843-3300. Must be ordered and has a 7-10 day wait. Can also be ordered online for \$62.00. or at Ferguson Lighting, 3201 Powell Ave., Nashville for 62.03 615 385-3054 with a 3 day wait.
- **PAINT COLORS** of: Gutters, Downspouts, Privacy Fences, Garage Doors, Shutters, Soffits, Community Fences, Gazebos, and Mailboxes are all maintained by the HOA and will use the approved colors.
- **PLANTING AREAS AROUND THE UNIT** - that are limited common areas should be well kept and tastefully planted. No invasive plants allowed.
- **STORAGE AREAS (under decks)** - if the owner uses the area under the back deck for storage of any kind, it must be covered by either Lattice, shadow box design of wood or shrubs as to obscure the view of your neighbor.
- **WINDOWS...** color, style, (changing size of window). Replacement Windows should be the original Style, white or gray color with grids

HEARTHSTONE MANOR HOA **RULES VIOLATION/FINE POLICY**

To ensure compliance with the governing documents for Hearthstone Manor and the adopted rules and regulations, the HOA Board has approved and adopted a Fine Policy effective September 20, 2019. Please respect your neighbors by adhering to the standards set by our government documents. For those who do not comply, the following Policy will be applied.

FIRST NOTIFICATION: Warning Letter

A letter will be sent to the owner mailing address regarding the violation. The homeowner will be given an opportunity to correct the violation within a specified period of time.

SECOND NOTIFICATION (30 days): \$50.00 Fine

A letter will be sent to the owner regarding the uncorrected violation and a fine will be added to the owner's HOA account. The homeowner will be given another opportunity to correct the violation within a specified time period.

THIRD NOTIFICATIONS (60 days): If the violation is still not corrected by the compliance deadline provided in the Second Notification letter, the following escalating notice/fine schedule will apply:

Third Notice	\$75.00 Fine
Fourth Notice	\$100.00 Fine
Subsequent Notices	\$125.00 Fine

After 90 days the issue will be turned over to the HOA Attorney who will be charged with taking the steps laid out in the Hearthstone governing documents to resolve the issue.

Fines assessed against homeowners are debts owed to the Hearthstone Manor Homeowners Association and are collectible in the same manner as unpaid Association fees. This includes legal action to collect the fees owed. Unpaid fines create a lien against the unit and may be reported by the Association to the Credit Bureaus as a debt owed to Hearthstone Manor Homeowner's Association. All collection costs incurred by the Association in collection of a debt will be added to the account of the homeowner.

Questions about a fine assessed against your unit should be addressed to David Floyd & Associates Inc. through the website portal. Copies of the HOA governing documents and rules and regulations can also be found on the Hearthstone Manor website (HearthstoneManor.net).

NOTE: This Policy is not a prerequisite to the Board's utilization of any other remedy or method of enforcement available in the Governing Documents or described in the Rules and Regulations INCLUDING LOSS OF VOTING PRIVILEGES and/or legal action.

HEARTHSTONE MANOR

DECK COLOR & MAINTENANCE POLICY

- The approved deck color for the community is Sherwin Williams Black Fox - Solid Stain.
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- Spindle distance is 4 inches.
- Decks must be kept in good repair. When structural changes occur such as warpage, bending or fixation changes it is the responsibility of the homeowner to have the item repaired. When the wood begins to rot it is the responsibility of the homeowner to have it replaced.
- Decks must be **cleaned of moss and debris on a regular basis**. Moss must not be allowed to cover the deck areas.
- Nothing should be stored on the deck. If items are stored under the deck either shrubbery or an allowed painted barrier must cover the items from view.
- Review the architectural guidelines before planning on deck alterations and repairs.
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