

# Lafayette Place Condominium Owners Association

## Community Rules and Regulations

Adopted by the Lafayette Place Condominium Owners Association  
Board of Directors  
January 2019

(Supersedes Lafayette Place Condominium Owners Association Rules and Regulations dated September 2016, and Lafayette Place Condominium Owners Association Renter's Rules and Regulations with two addendums attached, "Pet Rule Addendum" and "Addendum to Vehicle Towing Rule" dated January 21, 2014)

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The Lafayette Place Board of Directors remains committed to maintaining and protecting the property from deterioration and liability. One of its most important functions is to make living in the community as harmonious as possible for all residents.

The Board of Directors suggests that all Owners familiarize themselves with the Association's Bylaws, the Condominium Covenant's Conditions, and Restrictions (CC&Rs), and the Rules and Regulations.

The Rules and Regulations have been established through the Associations CC&Rs, subsequent amendments to the CC&Rs, suggestions from the annual meetings, and problems noticed within the community.

The Rules and Regulations will be strictly enforced for the benefit of all residents of Lafayette Place Condominiums. We thank you in advance for being aware of and adhering to these Rules and Regulations.

## **AC Shut Off Policy**

The AC shut off policy is as follows:

- AC units must be shut off by October 15<sup>th</sup>
- At the time a leak is discovered from an AC unit, the owner will be notified to the best of the association's ability through phone, email, or written notice on the front door and back gate of the unit.
- After proper notification is received, the owner will have 24 hours to make the repairs before the association schedules a repair at the owner's expense.

## **Address Format – Incoming Mail for Residents**

The proper format for mail sent to Lafayette Place is:

- 3301 Monroe St. N.E., Building and Unit Number, (for example, "A-1"),
- Albuquerque, NM 87110-1870.

## **Application of Association Fees**

The monthly association fees cover the following maintenance and expenses:

- Maintenance of :
  - plumbing mains (lines)
  - common area lighting
  - common area walls
  - covered parking
  - exterior of the buildings
  - fences (exterior only)
  - landscaping
  - roofs
  - streets
  - sidewalks
- Expenses for:
  - administrative costs
  - common area electricity

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- insurance for the building exteriors only
- insurance for the common area
- management fees
- trash removal
- water/sewer service

## Association Fees

- Lafayette Place association fees and correspondence are to be mailed to the address listed below
- Association fees are due on the first (1<sup>st</sup>) day of every month
- A late fee of \$25.00 will be assessed to all payments that:
  - are received after the 15<sup>th</sup> of the month
  - are less than the monthly fee
  - have an unpaid delinquent balance
- Monthly statements will be mailed only to delinquent homeowners.
- See “Delinquency Actions” for more information.

## Association Fee Payments

- Payable to: Lafayette Place Condominium Owners Association (COA) to: Lafayette Place Condominium Owners Association, PO Box 45960, Rio Rancho, NM 87174-5960
- Payment coupons and envelopes are sent to homeowners by management company at the end of each year for the following year.

## Barbecue (BBQ) Grills

Residents are reminded to be safety-conscious when operating their BBQ grill in the community.

- Grills should be used:
  - under adult supervision
  - only in the patio area of the unit.
- Use caution when disposing of charcoal ashes.
- Ashes are not to be disposed of within the common area

## Board Meetings

- The Board of Directors meets on the third Tuesday of every month at 6:00 p.m. at the offices of the management company.
- There is no meeting in December.
- Unit Owners are encouraged to attend the Board meetings.
- If an Owner has a concern to present to the Board for discussion/action, please submit requests via email or telephone to the management company.
- All requests will be presented at the Board meetings. The management company will contact the Owner, in writing, of action taken by the Board.
- Additional meetings are scheduled when necessary.

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## Children, Residents and Guests

- All children under the age of five (5) must be accompanied and supervised by an adult when in the common areas.

## Correspondence

- All correspondence for Lafayette Place must be directed to the management company via e-mail or US Postal Service.
- Please include your name, unit, and telephone number in all correspondence.
- Action will not be taken on items sent anonymously.

## Delinquency Actions

The following delinquency actions will be implemented until the delinquency is at a zero balance.

- Delinquent notices will be sent to the Owner.
- A lien and civil action will be filed when the delinquency is over \$300.
- A lien will be placed when a delinquent unit is offered for sale.
- Owner will be responsible to pay all legal and late fees

## Emergency Services

Police (911) for Emergency	242-COPS (2677)
School Police	243-7712
Fire (911) for Emergency	311
Poison Control	800-222-1222
Gas Leak	345-1841

## Fences

The Association maintains the exterior fences and gates.

- If slats fall out of the fence, please keep them and notify the management company of needed repairs.
- The upkeep of the interior fence (the fence between units) is the Owner's responsibility
- Interior fences must be composed of the same material and be of the same height as the exterior fence.
- Attachments or mounting to exterior fence is prohibited.

## Fines

The Board of Directors has adopted the following Administrative Fine Policy pursuant to the Resolution dated September 20, 2011 and revised with Board approval at the monthly Board meeting on August 16, 2016.

- Prior to issuance of any administrative fine, the unit Owner will be sent a "Courtesy Notice" stating that a violation of the governing documents (Declaration, Bylaws, or Rules and Regulations) has occurred. The unit Owner shall be given a minimum of ten (10) days to correct the violation.
- Should the violation not be corrected within the ten (10) day period, the following fine schedule shall apply:

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- First Notice \$ 75.00
- Second Notice \$100.00
- Third and subsequent notices \$200.00

## Fireworks

Fireworks are prohibited within the complex. A notice and subsequent fine will be applied.

## General Sales

- Individual sales (garage, estate, etc.) conducted inside or outside the unit are prohibited within the community.

## Gates

- Please keep your gate closed to prevent wind damage.
- Owners will be charged for any repairs needed if the gate is left open.

## Holiday Decorations

- Holiday decorations (to include decorations in the public view such as lights, decals, wreaths, etc.) are permitted - and encouraged – for generally-accepted holidays but must be removed no later than thirty (30) days after the holiday.
- No decoration shall be attached to the building in such a way as to penetrate or otherwise damage the stucco or wood trim. Any damage will be repaired at the Owner's expense.
- United States flags are permitted during applicable holidays.

## Improvements

- Pursuant to the CC&Rs, no improvements may be made to the exterior of a condominium unit without prior written approval of renderings of the proposed changes by the Board. A comprehensive architectural guide (Architectural Compatibility Design Guide Rev 1.0) is available upon request to the management company.
- Submit plans and drawing to the management company.
  - **Window Air Conditioners** – The installation of window air conditioners is not permitted. Window air conditioners in place prior to August 10, 2009, are permitted. However, upon removal of the air conditioner for any reason, it may not be reinstalled, and the air conditioner must be removed upon sale or rental of the unit.
  - **Installation of New Doors and/or Windows** – Replacement of windows and doors is the responsibility of the unit Owner. Prior to the replacement of windows and/or doors, a proposal for replacement must be submitted to the Board for its approval or rejection. Guidelines for replacement are:
    - **Front Windows** – May be single or double hung. Both aluminum and vinyl are permitted. If aluminum, the color must be bronze. If vinyl, the color may be beige or brown. Decorative window grids are recommended, but not required.
    - **Rear Windows** – Must be a horizontal sliding unit. Color must be the same as the front windows.

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- **Balcony Doors** – Must be a double door with glass window, substantially same as existing.
- **Trim Paint** (to include front door) – Must be approved color.

## Insurance

- The common area property insurance is bid on an annual basis.
- Owners must provide their own homeowners insurance for the unit's interior (e.g., contents).
- The Association is not liable for any interior damage regardless of the cause, including windows, doors and swamp coolers.

## Landscape

- Reports of excessive water drainage, ponding, or malfunctioning irrigation valves should be directed to the management company at once.
- Residents are asked to respect and protect the integrity of the landscape and flower bedding areas.
- Notify the management company of any violations and/or vandalism of any landscaped area, i.e., whether it is a repeated pet owner not cleaning up after a pet, or children climbing trees, or trash tossed from cars into the common areas.
- Damage and/or destruction to common area landscaping will result in a \$100.00 fine to the unit's Owner, plus all replacement costs.
- No personal plantings or personal, decorative items (pots, planters, bird feeders, wind chimes, etc.) are allowed in the common landscaped area outside the perimeter of the buildings or the area behind the rear fences.

## Lighting

- Please report, to the management company, any post lights that appear to be burned out, flickering or that are not turning off during daylight hours.
- Motion lights are acceptable for Owners to install on their units at the existing rear porch light location only, provided the lighting does not disturb the neighbors.

## Moving Trucks and Portable Storage Units

- A truck or portable storage unit (POD) required to move in or out of a unit may be parked in front of, or in the rear of, a unit to facilitate loading or unloading so as not to block passage by other vehicles.
- The truck or POD may be on the property no longer than five (5) days.
- Trucks must be moved to a parking lot when not being loaded or unloaded.

## Newsletter

- Newsletters for the Association will be published and sent via e-mail, if available or postal mail to Owners on an as-written basis. A copy will be attached to the front door of each unit for the use of renters and Owners alike.
- Any resident having an item of community interest is requested to submit it in writing, to the management company or to the Board at the next Board meeting.



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## Noise

- In respect for the rights of other residents to a peaceful community, please:
  - Limit noise-making activity to the hours of 9:00 a.m. to 10:00 p.m. (Exception for commercial activity; e.g., landscaping, sanitation trucks)
  - Refrain from any disturbances in the parking or common areas.
  - Lower the sound on the boom boxes when entering the community.
  - Ring the doorbell instead of honking car horns.
- Owners are responsible for soundproofing any activity which creates noise above normal levels.
- Please refrain from slamming and banging of doors and gates upon closing
- Motorcycles, cars and trucks with altered exhaust systems must refrain from revving their engines when entering, cruising and leaving the complex.

## Non-Sufficient Funds (NSF)

- The following charges will apply upon the return of a check for non-sufficient funds:
  - Service charge of \$55.00
  - A late fee of \$25.00, if applicable
- After two (2) NSF checks have been issued by the homeowner the following will apply:
  - The homeowner will no longer be permitted to pay by check.
  - Payments must be made in the form of cashier's check or money order.

## Parking Areas

Residents of Lafayette Place:

- have one (1) covered parking space assigned to their unit,
- are requested to park in their assigned space, as designated by lined markings, and
- are responsible to keep the covered parking area free of debris and unsightly stains such as those caused by automobile fluids.
- Uncovered parking is not assigned and is available on a first come basis. Parking is prohibited in the red fire lanes.
- As a courtesy to Owners, please notify your guests not to park under the covered parking spaces.
- Park vehicles properly to allow emergency vehicles easy maneuverability through the streets.

## Patios

Acceptable items for the patio areas are:

- patio furniture
- cooking grills
- plants

Residents are asked:

- to keep the patio areas neat and clean at all times,
- not to use for storage of any type, and
- not to hang laundry or anything of this nature from windows, patios or fences

Owners are responsible for any damage caused by trees and roots within their patio area

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## **Pets**

The following rules apply to all pets living or visiting in the community.

- There may be two (2) pets per unit.
- Pets are not allowed in the common areas of Lafayette Place community unless accompanied by an adult and restrained on a leash.
- Removal of waste is the responsibility of the pet owner. Carry a plastic bag with you and clean up the droppings immediately. Owners violating this rule will be fined.
- Noise disturbance by a pet is in violation of City Ordinance and should be reported to Animal Control by the homeowners affected by the dog. Management cannot call Animal Control as a “third party”. Management will send notices to the pet owner(s) and will apply a fine if problem is not corrected within ten (10) days of the receipt of the letter. Please see Fine schedule on page 5 of the Community Rules and Regulations.
- If a homeowner suspects that a pet is being abused or not properly cared for, the appropriate step is to call 311. They will investigate the matter and, if it is substantiated, criminal charges may be filed against owner (per City Ordinance). Management will send letters to the pet owners, but the Association will not be involved in the legal proceedings as this is a criminal matter.
- Aggressive or threatening dogs are to be reported to Animal Control by calling 311. The rules are similar to the rules above for abused or mistreated pets.

## **Post Office Location**

Uptown Station, 2505 Graceland N.E., Albuquerque, NM (505) 889-3377

## **Refuse**

- Refuse should be promptly deposited in a dumpster.
- Please keep dumpster lids closed to keep the smell in and the insects out. Refuse is not to be temporarily stored outside or around any portion of the unit. The management company will remove refuse improperly stored and the unit Owner will be assessed a fee.
- The dumpsters are to be used for normal household waste.
- Please break your boxes down before putting them in the dumpsters.
- Do not dump old furniture, mattresses, box springs, TV sets, etc. at the dumpsters. Any Owner needing removal of large items from the premises may make arrangements with the management company to have items removed at the Owner’s expense.
- A letter from the Solid Waste Management Company is attached.

## **Rental Units and Units with Family Members**

- All rental units are required to have a signed lease agreement between Owner/representative and the renter(s).
- The Owner/representative is to ensure a copy of the executed lease and “Addendum to Rental Agreement”, attached hereto, is provided to the Lafayette Place management company...
- When the residents are family members, the unit Owner (who lives off-site) is required to complete a “Certification of Occupancy by Family Members”, attached hereto.
- Copies are to be received by the management company within thirty (30) days of signing or incur a one-time fine of \$100.00 per new rental.

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- This process is to be repeated every time the unit is rented.
- The Owners are responsible for the actions of guests and renters. Pursuant to the CC&Rs, Declaration, Paragraph 9, Limitations on Use of Units and Common Area, the Board may seek a Court order to terminate a lease with tenants.

## Roof Access

Acceptable reasons to access the roof are as follows:

- Repair and maintenance of individual AC units.
- Replacement of individual AC units.
- Repair and replacement of satellite dishes that have been grandfathered in.

Please be aware:

- Do not put ladders in direct contact with the stucco walls or the roof surface. Protect these surfaces by using a buffer (cardboard, towel, piece of carpet) under the ladder contact points.
- Do not place or throw tools directly on the roof surface. Again, use a buffer as addressed above.
- When working with HVAC or swamp coolers, place covers or panels FLAT on the roof. Do not drop or throw panels.
- Redistribute any disturbed gravel so the roof membrane stays covered.
- Do not make any new roof penetrations. New roof penetrations will be repaired at homeowners' expense.
- Do not attach anything to the roof or walls.
- All job debris must be removed from the roof.
- No tools or materials may be stored on the roof, except as approved during an active project.

## Satellite Dishes

- Satellite dish antennas must be installed in the back yard of the unit on a 4" x 4" pressure-treated post, not to exceed five (5) feet in height.
- Antenna posts must not be attached to the fence surrounding the unit or the interior fence separating the units.
- Installation of the post can be (a) in a cement bucket or (b) in a hole dug in the dirt and surrounded by concrete.
- Installation to be performed by satellite company.
- Satellite dish antennas installed on the roofs prior to September 1, 2016 are permitted and will be grandfathered.

## Security cameras

- A security camera doorbell, such as a Ring Doorbell, is approved with no Architectural Control Committee request necessary.
- A security camera may be installed and attached to a wooden triangle header above a unit's door if one is on the unit.
- A security camera may be attached to the metal lattice on a balcony above a unit's front door.
- Security cameras **MAY NOT** record the private yards of neighbors. They may record the personal area of the owners back yard or front door.

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- To ensure the camera is within these guidelines, ACC approval must be granted prior installation of the camera. The ACC must include a description of the location of the camera to be installed, as well as the type of camera to be installed.
- No security camera may be attached to any unit's stucco under any circumstance or the thin wooden door frame of any unit.
- The unit owner is responsible for any damage that comes from the installation of the cameras.
- Cameras must be small and unobtrusive, as must any conduit or cabling connecting to them. The camera may not exceed the size of a 4x4x6 inch cube. All conduit or cable attached must be painted to match the stucco and may not exceed 12 feet worth of wiring showing.
- All security cameras must comply with all city, state, and federal laws. The intent of the installation of a camera is to provide added security for a unit. By taking video, the owner acknowledges sole responsibility for the use of that video and agrees to hold the HOA harmless for any use of that video. By submitting for written consent, the owner affirms that the video footage will not be used for any illegal or tortious activity. Any dispute on this will be considered a neighbor-to-neighbor issue that will need to be resolved between the involved parties only. The HOA will not mediate on this issue.
- The HOA is not responsible for any video collected by personally owned security cameras.
- Owners agree to use the cameras to image open areas. This includes streets, sidewalks, and any common areas. Limited common areas such as back yards or balconies may not be subject of security cameras except by incidental occurrences.
- Security cameras may not be pointed at another unit's bedroom or bathroom window.

Only recording of visual footage is allowed; no audio recording is allowed.

### **Signs**

- No signs of any kind shall be displayed in the public view on or from any unit or on the common areas without the prior consent of the Board. This includes unit numbers since each unit is identified by a number over the front door and on the rear fence.
- The following exceptions shall apply:
  - Standard sized, professionally printed "For Sale", "For Rent", or "For Lease" may be posted only inside a window of the unit.
  - Security company stickers and emergency information stickers may be placed on windows.
  - Small "No Soliciting" signs are allowed, provided they are professionally made, and of a neutral color.
  - Legally required notices.

### **Skateboards and All-Terrain Vehicles (ATVs)**

With the safety of all residents of the Lafayette Place community in mind, skateboards and/or ATVs are not allowed in the common areas, including the community drives and sidewalk areas.

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## **Speed Limit**

The speed limit within the Lafayette Place community is 15 MPH. Keep in mind that pedestrians, children, and pets could be in the roads and parking lots. Please be a courteous neighbor. If a resident is found exceeding the speed limit, the management company will issue a written warning. A fine will be levied for subsequent violations.

## **Stop Signs**

Please stop at all stop signs, especially the stop signs at the entrance to Lafayette Place, incoming and outgoing. There is a great risk of a head-on collision if the stop signs are not observed.

## **Swamp Coolers**

- Owners are responsible for winterizing their coolers by October 15 each year. If not done and the tubing breaks causing water to collect on the roof and/or flow over the building, a \$100.00 fine will be imposed on the unit.
- An unpaid fine will result in a lien being placed on the unit.
- Owners are responsible for any damage done to the roof or other units.
- Access your cooler only from the front or back of your specific unit.
- For your information: the management company can provide you with names to perform this service.
- Please use the following steps when servicing your unit:
  - Turn off the water to the cooler at the hot water heater,
  - Disconnect and drain the copper tubing,
  - Drain the cooler tray,
  - Place the “cookie sheet” in the damper to prevent cold air from entering or hot air from escaping your unit. (Remember to remove the “cookie sheet” in the Spring).

## **Swimming / Wading Pools**

- Due to water conservation measures in Albuquerque, swimming/wading pools are not allowed anywhere on the property.
- Violators will be fined \$100.00, plus all costs, for replacing any damaged common area landscaping.

## **Trees in Patios**

- Owners are responsible for any damage caused by trees and roots within their patio area. Trees must be trimmed by the Owner to ensure that tree limbs do not rub against the stucco or fall upon covered parking structures.
- Trees must be kept in a healthy condition by Owner. Dead or dying trees are a fire hazard and must be removed at the Owner’s expense.

## **Vandalism**

- Notify the police of all vandalism (see Emergency Services, listed above).
- Notify the management company via e-mail or by telephone so that a record can be maintained of the vandalism. Management has no power or authority to act on the vandals.

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## **Vehicle Repair**

- No repairs of automobiles or other motorized vehicles shall be conducted within the community, except for minor repairs such as changing windshield wipers, battery replacements, or flat tire repairs.
- Changing of oil, transmission fluid, coolants, and brake fluid is not allowed.

## **Vehicle Towing**

The towing of vehicles, at the owner's expense, will occur when the parking areas are used for the following purposes:

- Storage of vehicles.
- Parking of trailers, campers, recreational vehicles, boats, junk or inoperable vehicles.
- Vehicles without current registration properly displayed.
- The owner of the unit harboring the violators will be notified by letter of the violation noted. Within 10 days of the date of the letter, if there is no compliance, the vehicles will be towed at the owner's expense. Owners will also be notified that after 10 days, fines will be assigned to their account in accordance with "Fines", listed herein on Page 5.

## **Vehicle Washing**

- In order to conserve water, the washing of vehicles in the community is prohibited.
- The Association is on a master-metered water/sewer system.
- All homeowners bear the expense for water consumption.

## **Window Coverings**

- Any window drapes, curtains or coverings, which are visible from the outside of the unit, must be of a reasonable and acceptable nature and appearance, in keeping with the general standards of the community.
- Aluminum foil, bed sheets, blankets, towels, banners, newspapers, etc. are not acceptable.