

**GUIDELINES FOR UNIT OWNERS  
(RULES AND REGULATIONS)  
REVISED SEPTEMBER 1, 2008**

**FOR RESIDENTS OF THE FAIRWAYS CONDOMINIUM ASSOCIATION  
(SUPPLEMENT TO DECLARATION OF CONDOMINIUM)**

Pursuant to the powers vested in the Board of Directors of the Fairways Condominium Association of Rio Rancho, New Mexico, by New Mexico Statute and the Articles of Incorporation and the By-Laws of the entity under Article II, Section 4, the Board of Directors has unanimously promulgated the following regulations prepared and recommended to the Board of Directors by the Guideline Committee, effective as of September 1, 2008.

It must be recognized that all residents, both owners and tenants, are required to observe these regulations, the violation of which is enforceable by the Board pursuant to the New Mexico Condominium Act, Sections 47-7A-a thru 47-7D-20 NMSA1978. It should be noted that owners are liable for penalties (evictions, fines, etc.) as defined in the Uniform Owner-Resident Regulations Sections 47-8-1 et seq. NMSA1978, et seq. of the New Mexico Statutes, and the Building Unit Ownership, Sections 47-7-1 et seq. NMSA1978 through 27 of the New Mexico Statutes.

**CONDOMINIUM RULES AND REGULATIONS ARE AS FOLLOWS:**

**1. SALES**

**In the case of prospective sale of a unit by an owner, before approval of the sale can be given by the Board of Directors, at least one member of the Board of Directors, or an authorized representative, must be given the opportunity to review with the prospective buyer, our By-Laws, Declaration of Condominium and this set of Guidelines. The prospective buyer will be required to sign the statement included in this set of Guidelines, indicating his willingness to abide by this set of documents. At least one Board member or an authorized representative will countersign, indicating that he has reviewed these documents with the applicant.**

**A letter of Intent to Sell and a Certificate of Authorization for Sale of a unit must be approved by the Board of Directors before the sale of said unit may be legally consummated.**

**2. RENTALS**

Any leasing agent, company, representative, or any individual owner which serves to lease a unit at the Fairways Condominium Complex is advised that:

- A. Tenant is to have copies of this set of Rules and Regulations on hand, obtainable from any Board member or by the Fairways duly appointed managing agency. The set and a Registration form should be filled out and signed by the Applicant before a lease can be signed. It must then be filed with the Fairways office within one week of the lease signing. Violation of this Rule can result in a \$100.00 fine each month to the owner or his duly appointed representative for every 30 days of non-compliance.
- B. A lease must be for a minimum of six (6) months, and a copy of the lease must be given to the Board of Directors by either sending it to the Fairways office at 907-F Country Club Dr SE, Rio Rancho, NM 87124 or to our duly authorized representative.

- C. A lease must list specifically the name of each person who will be living in the rental unit, and occupancy must be limited to those individuals. The number of persons occupying a unit shall be no more than is appropriate for the size of the unit. The name of the occupants and other pertinent information such as date of occupancy, etc., is to be forwarded to the Condominium Complex Board of Directors or its duly appointed representative.
- D. Owners are responsible for collecting security deposits to cover any claims that may be made pursuant to the Association's Guidelines, By-Laws, or Declaration of Condominium as allowed under New Mexico State Law.
- E. Any owner who leases their unit shall be directly responsible for the conduct of their tenant. When an owner is presented in writing, by the Board of Directors, a complaint or complaints, regarding a tenant, the owner must take immediate action to rectify the situation. Failure to respond, may lead to penalties for the owner. The existence of a lease, or prompt payment of rent, shall not be deemed adequate reason to ignore behavior by a tenant who is detrimental to the quality of life of other residents of the Fairways Condominiums.
- F. All owners, their representatives, and tenants are required to adhere to all Rules and Regulations in regards to automobiles and animals as set forth in, but limited to, Item #6 and Item #9.

### **3. MONTHLY MAINTENANCE FEES**

- A. The monthly maintenance fee is due\* and payable by the 10<sup>th</sup> of each month unless the 10<sup>th</sup> falls on a weekend at which point it will be due the following day of business.
- B. If the maintenance fee is not paid on or before the 10<sup>th</sup> day of the month, a late charge of \$20 will be assessed.
- C. In the event that maintenance fees are over ninety (90) days past due, the managing representative acting on behalf of the Board of Directors will turn the matter over to the Fairways' Attorney for action. This could result in a lawsuit or a lien being placed against the unit.
- D. There is a \$30 fee for checks returned for insufficient funds. Such checks shall be treated as non-payment and late charges will also apply.
- E. All money from fines and late fees are placed in the Association's Operating Fund.

### **4. GARBAGE**

- A. Perishable garbage must be placed in plastic bags before being placed in dumpsters.
- B. Do not place discarded appliances, large cartons, or other building materials, i.e., shelving, tiles, shower doors, lawn care debris etc. into or next to the dumpster. Violation of this rule will result in a \$100 fine to the offender. Waste Management will not pick up items left beside the dumpster and they will fine the Fairways for illegal items placed in the dumpster. This fine will be passed for payment to the unit owner.
- C. Residents are responsible for the removal of items not permitted in the dumpster.
- D. The Board of Directors will investigate the source of large or inappropriate items and take necessary action.
- E. Additionally, if large cardboard boxes are properly broken down and flattened, they may be placed in the dumpster.
- F. Special arrangements must be made at owner's expense for the collection of unwanted large items and other household items due to maintenance, repair and/or updating of units.

### **5. PATIOS AND STAIRWELLS**

- A. Patios of all units are to be neatly maintained. Objects such as clotheslines, drying racks, rugs or other items hung on the railings will not be permitted. Patios are not to be used as storage areas. Only appropriate patio furniture and accouterments are allowed.

- B. The use of charcoal or propane grills is permitted. One is no more hazardous than the other according to the Rio Rancho Fire Department. Care of use should be applied to both types and should be moved at least 4 feet from any structure before firing up. Grills may not be placed near or under any trees or other shrubbery when in use. No open ground pit fires are permitted.
- C. Only propane grills are permitted on the second level. No grills are to be used in enclosed patios.
- D. Seasonal decorations are permitted, provided they are not a disturbance to neighbors, not attached to the stucco and are removed in a reasonable length of time following the holiday. Live Christmas trees must be disposed of in a timely manner. Trees are a fire danger to all residents. Do not remove tree to the balcony for disposal at a later date! The Board strongly recommends the use of artificial trees.
- E. Fireworks, rockets and other flammables are not permitted to be fired off on Condominium grounds. These are a fire hazard.
- F. The areas under the stairs cannot be used for storage of tools or unused furniture.

## **6. USE OF DRIVEWAYS, CARPORTS AND WALKWAYS**

As of October 1, 2008, all owners and renters will be required to obtain and display from the rear view mirror of the auto, a Fairways Parking tag. Only two (2) tags per unit will be distributed. Any autos not registered and displaying a tag by December 1, 2008 will subject the owner to a fine of \$100.00 and/or an amount as set by the Board and having the car towed at the auto owner's expense.

Tags may be obtained from the Fairways office during posted hours. If these hours are not convenient to you, you may leave a message on the office phone and someone will call you to arrange a more convenient time. You may also pick up your tags from our duly authorized property manager during their posted hours of operation.

- A. The speed limit in all sections of the Fairways Condominium is 10 MPH, and no parking is permitted in the drive areas.
- B. Residents must use only the carport space officially assigned to them. The visitor parking area is to be used for the parking of the second car assigned to the household.
- C. The using of another's carport while the owner is not in residence is strictly prohibited without the written consent of that owner having been sent to the Fairways' office or to its duly assigned representative. Violation of this Rule can result in a fine to the offender.
- D. Residents are to advise their guests to use only the visitor's parking spaces and not park in the carports.
- E. Parking areas are not to be used for storage of any kind.
- F. Inoperable vehicles or vehicles with expired tags are not permitted. Failure to comply with this Rule will result in the towing of this vehicle by the Board at the owner's expense.
- G. No vehicle is to be used for overnight accommodations. Recreational vehicle parking is prohibited.
- H. Vehicles are to be parked Head-in only. Failure to comply with this Rule will result in a violation slip being placed on this auto. If owner still fails to comply, the Board will either fine the unit owner or have the vehicle towed at the owner's expense.
- I. Absolutely no car repairs, oil changes, etc., are to be done on the Fairways Condominium Property.
- J. Walkways are for walking only. No running, playing, bike riding or skate boarding is permitted on the walkways. Get off your bike while still in the driving lane and walk your bike on the sidewalk.
- K. Any unit owner who has an auto which leaks oil is encouraged to put kitty litter on the oil drops to eliminate a fire hazard.

## **7. GENERAL DEPARTMENT**

Every resident is entitled to the peace, quiet, safety and security of his home and the Fairways Common Property. The Board of Directors will take every action deemed necessary, and given to them by the Rio Rancho Noise Abatement Law including fines and legal action to ensure the above. Acceptable social behavior is expected of everyone, including children.

## **8. NOISE**

- A. Any unusually high level of noise which may disturb others is not acceptable at any time. Noise from stereos, televisions, musical instruments, or parties as well as barking dogs, must be kept to an acceptable level at all times.
- B. At 10:00 pm the volume on any of the above or any other activity must be reduced for the benefit of other residents.
- C. The hours of 10:00 pm until 8:00 am should be considered as quiet hours for the courtesy and comfort of all residents.
- D. Any use of fireworks, or the firing of any weapon will immediately be turned over to the local law enforcement.
- E. Persons entering the Fairways property in their vehicle must lower the volume on their car radio.

## **9. ANIMALS**

All pets (dogs, cats, fish, etc.) must be registered with the Fairways office and have the appropriate pets licensed and vaccinated as required by city and state laws. Action will be taken against all residents infringing upon any of the following after September 1, 2008.

A \$100.00 non-refundable fee will be required per dog or cat (animals which are required to be leased and licensed) to live in The Fairways payable upon move in or at the signing of the lease. It is the responsibility of the unit owner and/or his representative to see such fees are collected and forwarded to The Fairways duly appointed representative.

It is further mandated barking from dogs creating a disturbance to residents will not be tolerated. The Board has the right to take action by removing the offending animal by contacting the police and/or animal control.

- A. No animals, reptiles, rodents, birds, fish or livestock of any kind shall be raised, kept or bred in any unit or within the confines of any enclosed addition or improvement to the unit except as follows: Each unit owner or person(s) in possession of a unit may keep a total of one animal, reptile, rodent or bird as follows: a dog no larger than 14" (inches) in height from floor to shoulder when fully grown OR any ordinary house cat OR fish kept in an enclosed aquarium no larger than 20 gallons OR a bird, a reptile or a rodent that must be caged.
- B. No animal, reptile, rodent or bird shall be allowed outside the unit, or any fenced portion thereof, at any time unless on a leash and accompanied by a person and said person is responsible for picking up after the animal, wrapping feces in a plastic bag and properly disposing of waste in the dumpster. Other refuse including but not limited to litter boxes, paper used to line cages, shavings used for cage bedding must be sealed in a bag for disposal in the Fairways dumpsters. Violations of this rule will result in fines being levied on the unit owner. The Board may, in its discretion, fine on a graduated basis, pet owners who fail to clean up after their pets and/or who dispose of pet refuse improperly: \$30.00 for a first offence, \$50.00 for a second offense, and \$70.00 for each and any subsequent offenses.
- C. It is also the responsibility of the pet owner to see that any one walking the animal follows the above Rules or the unit owner is subject to fine.
- D. Any resident who permits a guest to bring a pet onto the Fairways grounds understands that the guest is bound by the same Rules as listed above and liable to all other unit lessees, occupants, guests and invitees for any personal injury or property damage caused by such animal while it is

on the property of the Fairways. The Fairways Condominium Association is relieved of any liability as outlined in the Declaration Section 3, pg. 7, subsection 6.

- E. Pets are not allowed to be left tethered to the exterior of the units or to any common area of the Fairways and caged pets are not to be kept on open patios or in open areas.
- F. All residents must obey city, state, and federal laws that provide for the protection of wildlife of the premises of the Fairways.

## **10. LANDSCAPING**

Proper care and respect is to be given to the lawns, shrubs, trees and flowerbeds and all landscaping in the common areas.

- A. Stay off the rock landscaping. Please!
- B. Landscapers are not to be interrupted when working. Any complaints or suggestions are to be presented to the Board of Directors or called to the attention of the Fairways managing representative.
- C. Do not pick the flowers or rip leaves off the trees.
- D. Absolutely no driving or parking vehicles, bike riding, or skateboarding is permitted on any of the landscaped areas or walkway.
- E. Be aware that there are sprinkler heads throughout the grassy landscaping and they are easily damaged. No resident is permitted to handle any condominium equipment, machinery, tools, sprinkler heads, etc. If sprinkler head adjustment is required, the Board of Directors is to be contacted so they may inform the landscaper.
- F. Tampering with any Fairways equipment, including sprinkler heads is absolutely prohibited. Any person causing damage to Fairways equipment will become financially responsible. In some cases, local law enforcement will be contacted.

Care should be taken when playing games on the lawns so as to no create holes and damage to the landscaping.

## **11. CHILDREN**

Children must maintain the same deportment required of all residents of the Fairways.

- A. No bicycles, skateboards, scooters, or any other such devices are allowed to be used on Fairways property. This equipment poses extreme danger to pedestrians within the complex.
- B. Parents/Guardians/Caretakers will be held directly responsible for any personal injury to others, or for any property damage caused by their children or children in their charge.
- C. Children's toys are not to be left scattered about the unit, patios, sidewalks or other common grounds.
- D. All of the activities listed above in the Children category (or any other such activities that may be brought to the attention of the Board of Directors) must be taken outside the Fairways property. Rio Rancho has an abundance of parks and playgrounds where these activities are allowed and encouraged.
- E. If you choose to buy or rent any Fairways unit and you have children, you do so with the full understanding and acceptance of the Fairways Condominium Rules and Regulations.

## **12. GARAGE SALES, SOLICITATION AND SIGNAGE**

- A. No yard/garage sales are permitted at the Fairways Condominiums. This is an invasion of privacy for all residents of the Fairways and is in direct violation of the Rules and Regulations as stated in the heading of **LANDSCAPING, PATIOS, AND PARKING**. The common areas are insured by the Fairways Association. The potential liability from an incident at a yard or garage sale could raise all residents' maintenance fees and possibly lead to assessments.
- B. Estate sales may be considered on an individual basis. The person or agency considering an estate sale must present the proposal and applicable insurance rider in writing to the Board of Directors for consideration. The decision of the Board of Directors shall be final.
- C. No solicitation is permitted by any business or any individual at the Fairways Condominium Complex. Additionally, no flyers, handbills or other forms of advertising will be permitted. There is a billboard in the condominium office at 907F.
- D. No signs or flyers are to be posted in the windows or on the Fairways Property by Real Estate Agents or any other person for ANY REASON whatsoever.

### **13. REPAIR AND GENERAL AESTHETICS**

No unit owner or renter may enter into a contract or agreement for work to be done on any common area of The Fairways grounds. Any common area that is in need of repair or replacement should be brought to the attention of the Board or its managing representative.

No one is permitted to request additional services to the common areas from any personnel working on the grounds. The Board governs any work.

- A. All owners must keep their property in acceptable repair. Exterior upkeep is the responsibility of the Condominium Association. However, broken windows, screen doors and window screen are considered interior elements and are the sole responsibility of the unit owner. Broken windows and screens must be replaced immediately.
- B. Curtains blowing out of the windows will not be tolerated, nor the installation of a window air-conditioner.
- C. Littering will not be tolerated.
- D. No outside structural alterations. Enclosures for patios and the installation of new windows must be presented to the Board of Directors in writing and be in compliance with the established Guidelines of the Fairways Condominium Association and approval received before the work can be done.

### **14. VANDALISM AND MISUSE OF FAIRWAYS PROPERTY**

- A. Vandals will be prosecuted to the fullest extent of the law; this includes graffiti, vehicle damage, and destruction of Fairways property.

### **15. SECURITY**

- A. The Fairways has an active Neighborhood Watch and concerned residents. All suspicious or illegal activity should be reported to the police immediately.
- B. Fairways Rules and Regulations will be enforced by the Neighborhood Watch program
- C. The Board of Directors and its managing representative work closely with the Rio Rancho Department of Public Safety (The Police Department). Offenders or uncooperative persons will be reported to the Rio Rancho Police Department at the time of the infraction so proper measures can be taken.
- D. In extreme cases of ongoing violations by a renter, the Board will contact the unit owner to demand eviction. Ongoing violations by an owner will be presented to the Fairways attorney for contemplation of further action against the owner.

## **16. CABLE TELEVISION, SATELLITE DISHES, SOLAR PANELS**

- A. Satellite is permitted by following the Guidelines set forth by the Board of Directors.
- B. Dishes are not to be attached to the buildings or set up in the grassy areas.
- C. The Fairways roofs are now being recovered with a vinyl material which is a 45 mil thermoplastic roof membrane and is subject to punctures from shoes and other materials. Dishes are not to be put on these roofs. Ask you installer to use a tripod which can be setup on the ground in the back of your building.
- D. When repair or replacement is necessary for any existing dishes on a roof, this dish must be removed and placed on a tripod on the ground.
- E. Any dishes illegally placed on a new membrane roof and damage is done during installation or maintenance, will subject the owner to being fined the cost of repair to the roof.
- F. Solar panels are not permitted.

## **17. KEYS**

Some residents choose to leave a set of keys at the Fairways Office for emergency access to their unit. It is understood that this is for emergency use only. The intent is to be able to access your unit in case of fire or flood. It is not intended to be a place to keep an extra key for convenience in case of lock out.

## **18. SWIMMING POOL**

The swimming pool was established for the pleasure of all residents. It is not for the sole enjoyment of children, nor is it a play area solely for children. If the pool is to remain open, the rights of all must be respected. A swimming pool is for swimming. Adults deserve the space for swimming and relaxation. Adults are expected to monitor the activities of children in their care and follow the rules.

- A. The pool manager or his designee may ask to see your pool tag. Please cooperate and do not become offended. These measures are for the protection of all Fairways residents.
- B. Persons exhibiting signs of intoxication or indulging in rowdy behavior will be expelled from the pool by the pool manager or local law enforcement, if necessary.
- C. All residents must be registered with the Association office and have their homeowner's fees up to date to be eligible for a pool key and tags.
- D. Renters must have a signed permission sheet from the unit owner on file at the office to be able to obtain a key.
- E. One key and two tags per unit. One tag admits two persons. Temporary passes for guests may be obtained from the office. No exceptions. No more than 4 persons, which include children, are permitted to enter the pool area with one key and 2 tags. Failure to follow these rules could mean confiscation of your key and/or being banned from the pool. There is a \$25.00 fee to replace lost keys.
- F. Do not open the gate from the inside to admit others. This is a security issue.
- G. Residents must have pool tags with them when using the pool. Trespassers will be ejected immediately.
- H. Horseplay will not be tolerated. Absolutely no running, jumping, pushing, screaming or any other action deemed disruptive by the pool manager, the Board of Directors, or any owner present.
- I. Foul language, failure to observe rules and warnings, or engaging in activities that offend or endanger others will not be tolerated. Offending parties will be ejected. Repeated offenses may result in being banned from the pool for the remainder of the season.
- J. No children in diapers, unless covered by regulation baby swimwear.
- K. All persons in the pool must wear appropriate swimwear. No street clothes, cutoffs, etc. are permitted in lieu of a bathing suit.

- L. Unacceptable pool toys: No rafts, long floating devices, balls, water guns or swim fins, no equipment that is deemed dangerous, diminishes the swimming area or infringes on the enjoyment of others will be permitted.
- M. Acceptable pool toys: Small swim rings for safety, eye, ear, and nose devices. Small snorkel and arm floats.
- N. Do no mistreat/misuse pool furniture, chairs, lounges or tables. These are provided by the Association at your expense.
- O. No lifeguard on duty. Non-swimmers stay in the shallow end.
- P. Children under fourteen years of age must be accompanied by an adult with tags.
- Q. Inside pool area: No smoking, no food, no glass containers and no animals.
- R. Hair must be tied back by both males and females. No metal hair pins. Metal clogs the filters and drains.
- S. Do no remove the center rope. Pool will be closed immediately if this happens. Safety equipment is for emergency only. Do not remove.
- T. Any person afflicted with infectious disease, suffering from open sores or wearing bandages will not be allowed in the pool.
- U. Private pool parties are not permitted.
- V. Towels, etc. are not to be hung on the fence.
- W. There will be no matters of a personal nature conducted in the bathrooms, i.e., hair drying and leg shaving or any other activities deemed lurid.

#### **BATHHOUSES:**

- 1. Bathhouses are solely for the purpose of showering before entering the pool and rinsing after swimming. All persons are required to shower before entering the pool and after applying sun tanning oils or lotions.
- 2. Limit showers to 5 minutes to accommodate other swimmers.

Every precaution must be taken to ensure the cleanliness of the pool water. There is to be no spitting, urinating or any other obvious contamination of the pool water. The pool water is tested on a regular basis (sometimes several times a day) and if found to be unsafe, the pool will be closed immediately.

#### **19. No waterbeds are permitted in the 2<sup>nd</sup> level units of the Fairways.**

Residents are required to advise guests of this set of Rules and Regulations. Residents are responsible for their guests' actions.

#### **20. BOARD OF DIRECTORS CONTACT**

These Rules and Regulations are for the comfort and safety of all residents of the Fairways. They will be strictly enforced. Any resident may request a hearing before the Board of Directors. The decision of the Board of Directors in the case of a hearing will be final.

The Fairways Association Office is open at posted times. Board Members can be contacted during those hours, when available. Please do no contact Board Members at home. Become familiar with your Building Representative and the Chairman of the Committee. Become active in the Association.

#### **The Board of Directors**

#### **The Fairways Condominium Association**