

**HERITAGE PLACE CONDOMINIUM**

**HANDBOOK**

**OWNERS AND RENTERS**

**AUGUST 2018**

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**WELCOME TO HERITAGE PLACE CONDOMINIUM. We think it's a great place to live and hope you'll feel the same.**

We've developed this booklet to help you decide if this community is for you and to ease your adjustment to "condominium" living.

First thing to understand is who owns what and what is your responsibility.

- 1) Basically the inside of the unit is your responsibility. The external part of the unit and all other property is held in common. If you plan to undertake a renovation of your unit that would impact the structural integrity of the building or require significant plumbing or electrical work you'll need Board of Directors' approval since it may impact other units and/or our insurance requirements. If in doubt, check first.
- 2) Some common property is limited to the exclusive use of the unit occupants e.g., driveway and patio. Although these areas are for your specific use there are restrictions and regulations on their use. You are to provide routine maintenance of these areas and are prohibited to enhance, enclose or build in these areas.
- 3) Lawn and landscape areas are for all. You do not have exclusive use of the grass directly in front or in back of your unit. Accordingly if you have a pet you are required to clean up immediately after your pet. Board of Directors will determine common charges to maintain these areas.
- 4) Each unit is restricted to residential use for a single family and for no other purpose. You are not allowed to convert your unit or garage to a commercial business operation. You are not allowed to convert your garage into additional living space or work shop or to change the exterior of your unit, e.g., install window air conditioners, external window coverings, television dishes, antennas and doors without Board of Directors' approval. If you do you will be required to convert back to the original configuration and may be subject to a fine.

**SUMMARY  
of  
KEY RULES AND REGULATIONS**

- 1) Each unit shall be used as a residence for a single family and for no other purpose. No subletting of any fractional part of any unit.
- 2) Common elements shall be used only by the owners, their authorized guests and authorized renters. No obstruction of the common area shall be allowed without written approval of the Board of Directors.
- 3) Each owner shall have the right, subject to reasonable regulation by the Board, to place furniture upon the patio. Nothing herein contained shall be deemed to give any owner the right to decorate, landscape or adorn any patio, building extension or part thereof without the written consent of the Board or subject to rules and regulations to be established by the Board. All limited common and common areas shall be kept free and clear of refuse, debris and other unsightly matter.
- 4) Nothing shall be done or kept in any unit or in the common area which will increase the rate of insurance on the building without the prior written consent of the Board. No owner shall permit anything to be done or kept in his unit or in the common area which will result in the cancellation of insurance on the building or which would be in violation of any law.
- 5) No sign of any kind shall be displayed to the public view on or from any unit or the common area without the prior written consent of the Board, except that one (1) sign of not more than five (5) square feet may be placed upon any unit advertising the same for sale, provided the design of such sign shall be subject to approval by the Board.
- 6) No animals, livestock or poultry of any kind shall be raised, bred or kept in any unit or in the common area, except that one dog or cat may be kept in any unit, provided that the owners and/or renters of the unit comply with all ordinances of the City of Hamilton, rules and regulations regarding the maintenance of pets, including compliance with leash laws. The Board of Directors may adopt uniform rules and regulations regarding the control of such pets, and providing further that any such pet causing or creating in the sole judgement of the Board a nuisance or unreasonable disturbance may be required to be permanently removed from the property upon three (3) days written notice from the Property Manager or the Board of Directors. No dog higher than twenty (20) inches at the shoulder may be kept in any unit.
- 7) No noxious or offensive activity shall be carried on in any unit or in the common areas, nor shall anything be done therein which may be or become an annoyance or nuisance to the other owners and/or renters. No truck (except pickup trucks), no trailers and no recreational vehicles shall be allowed to park for longer than 24 hours within the condominium, nor shall any vehicular repairs be conducted within the condominium.
- 8) Nothing shall be done in any unit or in, on or to the common area which will impair the structural integrity of the buildings or which would structurally change the buildings, except as is otherwise specifically provided herein.
- 9) Nothing shall be altered or constructed in or removed from the common areas, except upon the written consent of the Board.
- 10) There shall be no violation of uniform rules for the use of units or the common area adopted by the Board and furnished in writing to the owners, and the Board is authorized to adopt such uniform rules.

**SUMMARY  
of  
KEY RULES AND REGULATIONS**

- 11) Gas stoves may be installed in the units at the unit owner's expense, but only after the same has been approved by the Board and by complying with all state and local regulations. No wood burning stoves may be installed.
- 12) All complaints by unit owners of matters relating to the condominium shall first be presented to a homeowners' court for hearing before the owner may resort to a court of law. The Board of Directors shall constitute the homeowners court.
- 13) Failure of owners or their renter occupants to abide by all Rules and Regulations of Heritage Place Condominium may result in the owner being fined \$50 a day until suitable (Board approval) corrective action is taken. If like violations occur again the fine will be \$100 a day.
- 14) No unit owner shall be permitted to sell or lease his/her unit until all unpaid common charges assessed by the Board against his/her unit are paid in full.
- 15) Residents shall comply with all City of Hamilton and Ravalli County Noise and Disturbance Ordinances. No resident shall make or permit disturbing noises by their family or visitors that would interfere with the rights, comforts or convenience of other residents. No resident shall play or permit to be operated television, radio, musical instrument and other like items in such a manner as to unreasonably disturb or annoy other residents particularly from 10PM to 8AM.

**ADDENDA**

The following addenda are required for all leases. Signed copies must be on file with Cardinal Properties Inc.

LEASE between (Owner) \_\_\_\_\_ and (Tenant) \_\_\_\_\_  
For Unit \_\_\_\_\_ beginning on \_\_\_\_\_ (date of lease) and ending \_\_\_\_\_ (date of expiration) and all renewals thereof.

Addendum 1: In the event that an Owner is in default in the payment of assessments or other sums due and owing to the Heritage Place Condominium Association, the Association shall have the right and authority to collect the rent to be paid by the Tenant to the Owner directly from the Tenant. In the event such Tenant fails to remit said rent directly to the Association within the 10 days from the day the Association notified such Tenant in writing that the rents must be remitted to the Association, but no later than the day the next rental payment is due, the Association shall have the right to terminate the lease and evict the Tenant. All sums received from the Tenant shall be applied to the Owner's account for the leased Unit according to the priority established in Montana Statutes, until the Owner's account is current.

Addendum 2: Any conflicts between the terms of this lease and the Rules, Regulations and By-Laws of Heritage Place Condominium; the Rules & Regulations and/or By-Laws will take precedent.

These terms of these Addenda are controlling over anything to the contrary in the Lease and cannot be modified without the prior written consent of the Heritage Park Condominium Association.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

OWNER(S)

TENANT(S)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

## HELPFUL HINTS

### 1) Air Conditioning

Some units have central air. If you wish to install a central air system – no problem. Just need to need to notify the Board and let us know where any outside units, e.g. compressors, will be located and provide the name of the licensed and insured installer.

Normal window AC units are a problem because of our sliding (east/west) windows. Before installing and modifying your window you'll need to submit a request to the Board of Directors showing how you plan to modify your window area. A hint. If you plan to board up the window area, your request won't be approved. You will need to adopt a method of conversion that keeps the window area looking basically as it is.

Our recommendation for an AC unit is a portable unit. They are more expensive but require no real modification to the window area to operate. Such units don't require Board of Directors' approval. Best price we've seen for such a unit is Darby Distribution - \$260 as of August 2016.

### 2) External Doors

To install, replace or paint any external door requires Board approvals. The Board will normally approve requests for installation of an external storm door that meets the following specifications and is installed personally by the owner or a properly licensed and insured commercial source.

#### SPECIFICATIONS

- a) Color of storm door must be white. Handle/hardware should be brass, bronze or nickel.
- b) Door can be either a Larson or ENCO/Anderson product.
- c) All glass should be clear.
- d) Door can be full or partial view.

**HINT:** MASSA, Home Depot and Lowes should have what you need.

HERITAGE PLACE CONDOMINIUMS REQUEST FOR CHANGES

NAME: \_\_\_\_\_

PHONE#: \_\_\_\_\_

DATE OF REQUEST: \_\_\_\_\_

\*BRIEF DESCRIPTION OF REQUESTED CHANGE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Contractor Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone# \_\_\_\_\_

Contractor Insurance \_\_\_\_\_

Estimated Cost \_\_\_\_\_

Estimated Start Date \_\_\_\_\_

City/County Permit \_\_\_\_\_ Yes \_\_\_\_\_ No

\*\*Attach sketch or plan

-----do not write below this line-----

BOARD OF DIRECTORS \_\_\_\_\_ Approved \_\_\_\_\_ Denied

BOARD MEMBER SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_

Mail or FAX completed form to

Cardinal Properties Inc.

TEL: 406-363-4430

320 South 2<sup>nd</sup> Street

FAX: 406-363-4432

Hamilton, Montana 59840

NOTE:

Use this form to request all changes to external appearance of the unit; internal and external changes to restricted common areas, i.e. garage, patios, driveway and all major internal changes to unit requiring electrical and/or plumbing or removal of internal walls.

Examples of changes to external appearance of unit include but not limited to TV antennas and dishes, external window and patio coverings, installation of window AC units, removal of screens, painting, installation of storm door...



## CLOSING REMARKS

Thank you for your interest in Heritage Place Condominium. We hope you found this booklet useful. But before you make a decision, we strongly recommend you carefully read all the documents available. Our booklet is only 7 pages. The actual By-Laws are 18 pages. If you have questions, we'll try and answer them. The rules for Heritage Place Condominium are typical of condominiums nation-wide. They are intended to make all occupants good neighbors while maintaining the value of owners' investment in our community. Please note the rules and if you have a pet note the restrictions on type, number and size. If you live here as either an owner or renter, the rules will be enforced.

Thank you,

THE BOARD OF DIRECTORS