

# EASTSIDE OAK STREET ROWHOUSES CONDOMINIUM ASSOCIATION

## Handbook for Owners and Renters

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### 1 THE OAK STREET ASSOCIATION

Since our association began in 1980, we have had a fairly stable population. The newcomers have generally been good neighbors who eagerly entered our community and contributed willingly. We have an association we can be proud of, and, with good luck and good feelings, it can remain the intentional community that began in 1980.

To encourage a sense of community, we:

- recycle
- have occasional work parties
- share resources as possible
- give and get help
- know ourselves through sharing fun and food
- contribute to our neighborhood
- attend to neighborhood security
- participate in shared decision making about community life via our Association meetings

Association members provide and maintain current telephone and email information, as well as emergency names and numbers to the Secretary. The Secretary will keep the information and share it with the person who creates the listing for all Association members.

## 2 MONTHLY MEETINGS

We hold Association meetings once a month. The meetings rotate among households of resident owners. The President of the Board of Directors calls and chairs the meeting. Please attend as regularly as possible; otherwise, we will make decisions without your input. A quorum (50%) of owners is necessary for major decisions.

## 3 PETS

Animals and fowl are not permitted within the condominium, with the exception of domestic dogs, cats, and other common small household pets. The Board of Directors has set a maximum of two cats or one dog in any single unit (see 7 b).

No residents may keep, breed, or raise any animal of any kind for commercial purposes.

Pet owners must abide by:

- Municipal sanitary regulations
- Humane Society regulations, and
- Rules and regulations established by the Board of Directors

Owners are asked to use care in choosing an animal. Dogs should be appropriate for a dense, urban environment. Dogs are expected to be good rowhouse citizens.

Dogs shall be accompanied by their owners when using common areas.

Dogs shall be curbed away from rowhouse property. If pet accidents occur in common areas, owners are asked to pick up after their dogs immediately.

Dogs are expected to be inside during Association activities such as work parties and social events.

Owners using the common areas with their dog are expected to ask other owners who wish to use the common space if the dog can continue to be present.

As stated in the by-laws, a pet owner may be required to remove a pet from the condominium after receiving two written notices from the Board of Directors of violations of any laws, rules, or regulations regarding pets.

## **4 WORK PARTIES**

We hold work parties routinely during spring through fall on an optional basis. The work parties help to reduce landscaping costs and are also an important community building activity. Although voluntary, we strongly encourage participation by all.

A typical work party lasts two hours and focuses on lawn care, weeding of garden areas, and maintenance of other common spaces and property. Past work parties have included painting of fences, porches and porch railings, pruning of trees, and general landscape work. Residents provide tools. In case of rain, we schedule an alternate date.

The Landscaping Coordinator acts as the Work Party Coordinator. The work party date and tasks are determined during a regular association meeting. If unable to attend work parties, members make alternate arrangements with the Coordinator of Landscaping in order to make their individual contributions.

The Association expects all households, including renters, to participate in work parties. Absentee owners are responsible for making this clear to their renters.

Our association differs from the normal legal association in that it was founded as an intentional community, and continues as such. Work parties, besides accomplishing necessary maintenance tasks, are also intended as social interactions. Fellowship among us is the glue that holds us together and distinguishes our association from other condominium associations. It is our hope that the coming together of friends for constructive purposes will help to maintain the personal ties originally intended.

## **5 COURTYARDS/PATIOS/DRIVEWAYS**

Courtyards are not common areas. Each resident is responsible for the maintenance of his/her own area, particularly keeping the area surrounding the unit free of weeds and debris.

Common areas include back and front areas and walkways, and they require weeding. Landscapers do not perform general weeding, and it is necessary for residents to take responsibility for this constantly needed task. Please keep your sidewalks clear of weeds and dead vegetation.

Our Landscaper is neither responsible for cleaning the street gutters to prevent weed accumulation, nor for keeping the driveways free of litter and leaves. Sloping driveways are a particular problem because leaves clog drains and can flood basements. Each resident is responsible for sidewalks and driveways.

## **6 RECYCLING AND SOLID WASTE DISPOSAL**

A posting on what Cloudburst recyclers will take is in both recycling rooms, including preparation and setout instructions. Collectible materials currently include:

- Newspaper
- Scrap paper (sticky labels and glassine windows are okay)
- Corrugated cardboard
- Glass jars and bottles
- #2 plastic bottles and jugs (no caps or lids)
- Flattened milk and other waxed food containers
- Aluminum
- Tin food cans

Bag all trash and tie the bag tightly.

Please do not put:

- Recyclables in the trash
- Returnable items (cans, bottles) in the Recycle/Trash rooms

The recycling rooms are common space and not to be used for storage by individual owners unless approved by the Association.

## 7 RULES OF CONDUCT (QUOTED FROM BYLAWS)

The following rules and restrictions are in addition to all other restrictions and requirements contained in the Declaration and these Bylaws. Failure by an owner, owner's family, invitees, or lessees, to comply with these rules of conduct and restrictions contained in the Declaration, Bylaws, or others promulgated by the Board of Directors will be cause for which the Board of Directors may deny or restrict such owners' right to use any common element facility with respect to which such owner otherwise had a right of use, in addition to all other actions which the Board of Directors may take against such owner.

- a) Residents shall exercise extreme care about creating disturbances, making noises, or using musical instruments, radios, television, and amplifiers that may disturb other residents.
- b) No animals or fowl shall be raised, kept, or permitted within the condominium or any part thereof, except domestic dogs, cats, or other household pets kept within a unit. No animals of any kind shall be kept, bred, or raised for commercial purposes. The Board of Directors may by rule set a maximum number of pets per unit of two cats or one dog, provided that said rule shall not be applied retroactively to existing pets. Dogs must be accompanied by their owners in the common areas of the condominium. Those unit owners keeping pets will abide by municipal sanitary regulations, Humane Society regulations, and rules or regulations promulgated by the Board of Directors. A unit owner may be required to remove a pet after receipt of two (2) notices in writing from the Board of Directors of violations of any such laws, rules, or regulations governing pets.
- c) If a rule setting a maximum number of pets is adopted by the Board, the Board of Directors, by majority vote, may grant a unit owner permission to own one additional dog or cat beyond the maximum established by rule. The factors to be applied by the Board of Directors in deciding whether to grant an exception must include, but are not limited to, if it is a dog, the breed of dog, the unit owner's history of abiding by municipal, Humane Society, and Association laws, rules, and regulations regarding pets, and the number of dogs and cats already using the Association common areas. In addition to being subject to all other rules regarding pets, exceptions granted under this provision will be reviewed and affirmed or revoked after six months by a majority of the Board.
- d) No garbage, trash, or other waste shall be deposited or maintained on any part of the property except in areas or containers designated for such items.
- e) No owner, resident, or lessee shall install wiring for electrical or telephone installation, television antenna, machines, or air conditioning units, or similar devices on the exterior of the project or cause them to protrude through the walls or the roof of the project except as authorized by the Board of Directors. No exterior window guards, awnings, or shades, or exterior lights or noise making devices shall be installed without the prior consent of the Board of Directors.
- f) In order to preserve the attractive appearance of the condominium, the Board of Directors or the Manager may regulate the nature of items which may be placed in or on windows, decks, patios, and the outside walls so as to be visible from other units, the common

elements, or outside the condominium. All such items shall be maintained in a neat, clean and sanitary manner by the unit owner.

- g) The driveways designated as limited common elements in the Declaration are intended for use of automobiles of owners and guests. In compliance with requirements of the City of Portland, vehicles parked in the driveways shall not encroach upon the sidewalks on SE Oak Street or SE 14th Ave or SE 13th Ave. Failure to abide by this rule may, without further notice, result in the offending vehicle being towed at the owner's expense.
- h) No house trailers, motor homes, pickup campers, mobile homes, or like recreational vehicles shall be used for residential purposes, nor stored on the common elements, or on any roadways or other ways of egress or entry thereto. The restrictions herein do not apply to the parking of pickup campers, trailers, motor homes, or other such recreational vehicles for a reasonable period by visiting guests of the unit owners.
- i) An owner or occupant residing in a Unit may conduct business activities within the Unit so long as: i) the existence or operation of the business activity is not apparent or detectable by sight, sound, or smell from outside the Unit; ii) the business activity conforms to all zoning requirements for the Eastside Oak Street Rowhouses; iii) the business activity does not involve regular visitation of the Unit by clients, customers, suppliers, or other business invitees or door-to-door solicitation of residents of the Eastside Oak Street Rowhouses; and iv) the business activity is consistent with the residential character of the East Side Oak Street Rowhouses and does not constitute a nuisance or hazardous or offensive use, or threaten the security or safety of other residents of the East Side Oak Street Rowhouses, as may be determined in the sole discretion of the Board.
- j) Nothing shall be done or kept in any unit or in the common elements which will increase the cost of insurance of the common elements. No owner shall permit anything to be done or kept in his unit or in the common elements which will result in cancellation of insurance on any unit or any part of the common elements.
- k) No flammable liquid in quantities in excess of one gallon shall be stored on any part of the condominium property, including the unit itself, except fuel in automobile tanks.
- l) In order to enhance the livability of the condominium, two-bedroom units shall be limited to four permanent occupants, and three bedroom units shall be limited to six permanent occupants, unless otherwise approved by the Board of Directors. Guests of owners residing in a unit less than 30 days shall not be considered permanent occupants.
- m) In addition, the Board of Directors from time to time may adopt, modify, or revoke such rules and regulations governing the conduct of persons and the operation and use of the units and common elements as it may deem necessary or appropriate in order to assure the peaceful and orderly use and enjoyment of the condominium property. Such action may be modified by vote of not less than sixty-six percent (66%) of the unit owners present, in person or by proxy, at any meeting at which a quorum is constituted, the notice of which shall have stated that such modification or revocation of rules and regulations will be under consideration. A copy of the rules and regulations, upon adoption, and a copy of each amendment, modifications or revocation thereof, shall be delivered by the Secretary promptly to each unit owner and shall be binding upon all unit owners and occupants of all units from the date of delivery. (End of quote from Bylaws)

## 8 ADMINISTRATION - FINANCIAL

The Eastside Oak Street Rowhouses Condominium Association (EORCA) budget consists of estimated common expenses and a reserve fund for maintenance, repairs and replacement of those common elements which must be replaced on a periodic basis.

The Board of Directors shall from time to time, and at least annually:

- Prepare a budget for the EORCA
- Estimate the common expenses expected to be incurred; and
- Assess the common expenses to each unit owner

The budget shall provide for an adequate reserve fund for maintenance, repairs and replacement for those common elements that must be replaced on a periodic basis.

The Board of Directors shall:

- Advise each unit owner in writing of the amount of common expenses payable by him/her
- Furnish copies of each budget on which such common expenses are based to all unit owners, and
- If requested, to their mortgage holders.

Common Expenses shall include:

- Expenses of administration
- Expenses of maintenance, repair or replacement of common elements
- Cost of insurance or bonds obtained in accordance with the bylaws
- A general operating reserve
- Reserve for replacement of deferred maintenance
- Utilities for the common areas and other utilities commonly billed to the Association
- Any other items properly chargeable as an expense of the Association

Capital improvement assessments may be imposed by action of the Board of Directors through resolution to establish separate assessments for improvements to the common elements, which may be treated as capital contributions by the unit owners, and the proceeds of which shall be used only for the specific capital improvements described in the resolution.

Assessments are due and payable to EORCA on the first day of the month starting at the time of closing and may not be waived due to limited or non-use of common elements as they are mandatory through the bylaws.

If assessment or other charges levied under the declaration is not paid within 30 days of its due date, it will be considered delinquent and shall bear a late charge as established by the Board of Directors in resolution. The Association will go to court for collection or for placing liens if necessary, in order to effectively protect the rights of the Association and other owners from undue financial burden resulting from delinquencies.

Association will file and send the following notices in such cases:

- Friendly reminder – certificate of reminder
- Second reminder – imposing late fees
- Notice of procedure to create the lien (demand legal letter)
- Creation of lien
- Notice of extension of lien after the initial lien period had expired
- Notice of lien release

Such procedure, formally adopted by the Board, will:

- Enhance the enforceability of the assessment collection process.
- Keep the costs of collection to the Association to a minimum, and
- Ensure that assessment collection procedures are initiated promptly, uniformly, and firmly by successive boards of directors and management agents



## 9 CONFLICT RESOLUTION

Conflict is inevitable among people who live near each other. Conflict in our community may take several forms, and range from minor to quite intense.

Should conflict occur, minor or major, the first step should be for a person to go to the other person directly. It is important to be clear and direct to the person, rather than relying on hints and innuendoes.

Use "Active Listening" skills. State your concern about the actions of the other person, and tell them how it affects you, being careful to avoid such words and phrases as:

- You always...
- You never...

Instead, use the following: "I feel (sad, hurt, angry, frustrated, fearful, etc.) when you (state what occurred succinctly, not accusingly, just using the facts).

An example might be: "I feel frustrated and angry when you park in front of my driveway. I have to try to find you and ask you to move your vehicle, and it causes me to be late for work (or for my appointment, etc.)." Make no accusations, do not blame, but make a simple statement of how you feel and in what way the other person's behavior causes you harm.

If individuals are unable to resolve the problem between them, speak to the President or Secretary of the Condominium Association. The next step, if the problem is still unresolved, is to contact a Community Mediator.

## **10 RENTERS POLICY - ASSOCIATION STATEMENT TO OWNERS AND TENANTS**

The Association allows the leasing of the units. Association members prefer no more than two units be leased at one time. The Rowhouse Association requires a \$50 move in/move out fee from the owner of a leased unit.

The Association expects Tenants to participate in the life of the community. Owners are responsible for orienting their tenants including, but not limited to, the handbook and recycling. Tenants need to know who to go to with questions. The owner should be the one who answers their questions, or delegate the responsibility to a willing rowhouse owner.

Owners who lease/rent their unit must leave their new address, phone number, and emergency contacts with the Association Secretary.

The documents and the Board's resolutions and policies also contain the following restrictions:

No unit shall be rented for transient or hotel purposes. Any lease must be of at least six months duration. A lessee with a six-month lease or longer may not sublet or allow a third party to occupy the unit for less than six months.

No unit shall be leased or occupied by more than two persons per bedroom.

All tenants or occupants are subject to Association regulations and the owners shall be held responsible for any and all infractions. The lease must contain a clause that indicates the tenant has received a copy of the Association rules and regulations.

Tenants or occupants of a leased unit are entitled to use the common areas only if the unit owner relinquishes his/her right to use common area for the length of the lease.

The unit owner(s) must provide the Board of Directors with a copy of the lease, full name(s) of lessee and occupants and the permanent address and emergency telephone number of owner(s).

The unit owner(s) is always responsible for Association assessments, insurance deductibles, and any other charge the Board of Directors may direct to the unit.

The tenants and occupants of a unit are the guests of the unit owners. They are encouraged to assist the Association on committees, but are not allowed to sit on the Board of Directors, nor do they have the right to vote on any item of business brought before the Board.

## **11 EXTERIOR APPEARANCE**

Owners shall keep the exterior of their units, including patios and decks and other limited common areas in a neat, clean and sanitary condition.

As stated in our by-laws, "a unit owner may not change the appearance of the common elements or the exterior appearance of a unit without permission of the Board of Directors." In addition, "no owner, resident, or lessee shall install wiring for electrical or telephone installation, television antenna, machines or air conditioning units, or similar devices on the exterior of the project or cause them to protrude through the walls or the roof of the project except as authorized by the Board of Directors. No exterior window guards, awnings, or shades, or exterior lights or noise making devices shall be installed without the prior consent of the Board of Directors."

As stated in our by-laws, "in order to preserve the attractive appearance of the condominium, the Board of Directors or the manager may regulate the nature of items which may be placed in or on windows, decks, patios, and the outside walls so as to be visible from other units, the common elements or outside the condominium. All such items shall be maintained in a neat, clean and sanitary manner by the unit owner."