

**Heritage Woods**

**Guidelines, Rules and  
Regulations**

**Heritage Woods Homeowners Association  
January, 2020**

**Published by the Heritage Woods Board of Directors  
January, 2020**

**Comments and questions should be directed to:  
Heritage Woods Townhome Association  
c/o CAS Management Association  
Phone: 919-403-1400**

## About This Document

This overview document is provided to all residents, homeowners, and landlords of Heritage Woods to simplify the language and organization of the most pertinent parts of our governing legal documents. This document supersedes all previous versions. For complete information on homeowner rights and responsibilities, please consult the Heritage Woods Declaration of Covenants, Bylaws, and Articles of Incorporation available on the CAS website <https://www.casnc.com/communities/heritage-woods/> and also the Woodcroft HOA governing documents available on the Woodcroft website.

This information is divided into the following sections:

1. Board of Directors
2. Assessment of Fees
3. HOA Responsibilities
4. Homeowner Responsibilities
5. Rules and Regulations

### 1. Board of Directors

The Heritage Woods Homeowner's Association (HWHOA) is managed by the Board of Directors, which is made up of 3-15 legal homeowners, all of whom are unpaid volunteers.

Terms: The terms of service for Board members are staggered to allow half of the Board to consist of newly elected members who may serve up to two years, and the remaining half to consist of reelected Board members who may serve up to one year.

Meetings: The Board currently holds 8 executive meetings (as needed) per year for members of the Board. Homeowners are welcome to attend board meetings; contact the community manager for the next scheduled meeting if you would like to attend. Special meetings can be called by the President, the Board, or by the written request of 25% of the membership.

Elections: In March, the Board holds an election to nominate and elect Board members. Notices of this meeting are mailed to all homeowners at least 30 days in advance. The quorum for elections is 10% of all townhomes either in person or by proxy. Each townhome has one vote only.

Duties and Powers: Some powers and duties of the Board are:

1. Manage the funds of the Association.
2. Hire a property manager, contractors, or other such employees as necessary.
3. Appoint committees as necessary.
4. Create new rules and enforce the rules and regulations.
5. Make sure that residents and their guests adhere to the various rules and regulations.
6. Establish penalties for violation of rules.
7. Oversee maintenance of the common areas, such as streets, parking lots, and landscaping.
8. Foreclose liens against property owners for nonpayment of homeowner dues.
9. Revoke homeowner's maintenance rights for failure to maintain plant beds in a neat and orderly manner, and restore the original landscaping if changed without Board approval.
10. Inspect townhome sites undergoing exterior structural changes by the homeowner to determine whether the work conforms to Board-approved plans and is being constructed with appropriate and quality materials.
11. Implement needed repairs at the homeowner's expense, if the homeowner fails to undertake needed repairs for which the homeowner is responsible. Refer to "Homeowner's Responsibilities" on page 3.

## 2. Assessment of Fees

Two types of fees can be assessed by the Board to each Heritage Woods homeowner:

1. **Annual fees** (homeowner dues) are paid in monthly installments and are due to the Management Company by the first of each month. If payment is not received within 30 days, the payment is considered delinquent. A late fee may be assessed for any late payment. Failure to make payment can lead to attorney action with additional legal fees being charged to the homeowner.
2. **Special Assessments** are used for emergency repairs, capital improvements or reconstruction.

The Board can unilaterally raise the annual assessment each year, but not by more than the rate of the U.S. Consumer Price Index (CPI). To raise the annual assessment above the CPI, or to set a special assessment, approval by 2/3 of the required quorum must be obtained (either in person or by proxy) at a special meeting that must be scheduled 30 days or more in advance.

## 3. HOA Responsibilities

The Heritage Woods Homeowners Association is responsible for regular maintenance of the original exterior construction:

<ul style="list-style-type: none"><li>▪ Common Areas</li><li>▪ Decks (repair, power wash, and seal)</li><li>▪ Gutters and downspouts</li><li>▪ House numbers</li><li>▪ Landscaping</li><li>▪ Mailboxes</li></ul>	<ul style="list-style-type: none"><li>▪ Sidewalks</li><li>▪ Siding (wood replacement, painting)</li><li>▪ Steps</li><li>▪ Streets</li><li>▪ Street lights</li><li>▪ Parking areas</li></ul>	<ul style="list-style-type: none"><li>▪ Porches – Surface Only</li><li>▪ Roofs</li><li>▪ Walkways</li><li>▪ Water lines from the water meter to the City's main lines within the boundaries of Heritage Woods</li></ul>
--	---	---

Maintenance of the items above does not imply liability on the part of the Association should an accident result in personal injury or property damage.

Maintenance will be provided under the direction of the Board of Directors after considering the specific circumstances and the most economical and appropriate methods. The Association will decide when a situation requires a remedy. Repairs may be delayed for budgetary reasons.

The Association is not responsible for repairs caused by negligence or abuse of the above, or for any responsibilities listed under "Homeowner Responsibilities."

The HOA may provide snow removal or salt/brine services in the community as determined by the Board. The HOA does not salt or shovel any deck, porch, or sidewalk.

## 4. Homeowner Responsibilities

---

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>▪ Animal control</li> <li>▪ Animals or insects getting into townhomes, chimneys, HVAC systems, ventilation systems, etc</li> <li>▪ Doors and door frames</li> <li>▪ Electrical fixtures and lines attached to and within each townhome</li> <li>▪ Exterior surfaces that have become interior surfaces as a result of an improvement by the homeowners</li> <li>▪ Fenced (or enclosed) area maintenance</li> <li>▪ Foundation and structural problems on the home, deck, and porches</li> <li>▪ Glass surfaces</li> <li>▪ Heating and air conditioning units and feeder lines to them</li> </ul> | <ul style="list-style-type: none"> <li>▪ Ice/snow removal from decks, steps, and individual walkways (and liability for such)</li> <li>▪ Interior damage caused by settling of the foundation or outside leaks or failures</li> <li>▪ Outdoor lighting attached to the townhome</li> <li>▪ Plants, gardens, flowers, and other vegetation installed by the homeowner</li> <li>▪ Sewage blockages and all sewer lines from the townhome to the common sewer line</li> <li>▪ Skylights</li> <li>▪ Storm or screen doors and windows</li> <li>▪ Ventilation systems and their piping attachments including dryer vents</li> <li>▪ Water lines within the townhome and between the townhome and the water meter.</li> <li>▪ Exterior water spigots</li> </ul> |
|---|---|
- 

Homeowners are also responsible for repairs caused by negligence, abuse, natural disasters, or other types of damages, such as:

<ul style="list-style-type: none"> <li>▪ Aircraft</li> <li>▪ Civil commotion</li> <li>▪ Deck damage</li> <li>▪ Exterior damaged caused by homeowner-directed repairs</li> <li>▪ Fire</li> </ul>	<ul style="list-style-type: none"> <li>▪ Firewood stored improperly</li> <li>▪ Explosions</li> <li>▪ Hail</li> <li>▪ Landscape damage due to negligence</li> <li>▪ Lightning</li> </ul>	<ul style="list-style-type: none"> <li>▪ Oil spills</li> <li>▪ Riot</li> <li>▪ Smoke</li> <li>▪ Vehicles</li> <li>▪ Windstorms</li> </ul>
---	---	---

In the event the need for the maintenance or repair of a lot or the improvement thereon is caused through a willful or negligent acts the cost of such maintenance replacement or repairs shall be added to and become part of the assessment to which such lot is subject. Please refer to Article VII of the Declaration of Covenants.

## 5. Rules and Regulations

The Board has the right to enforce all rules and regulations. If a particular rule is not currently enforced, that is no indication that it will not be enforced in the future.

Every homeowner has the right to insist that all rules, regulations, assessments, etc. are applied equally to all homeowners.

### General

1. Homeowners are expected to pay monthly association dues regularly and on time. Refer to "Assessment of Fees" on page 2 for more information.
2. Townhomes are to be used only as single family residences and shall not be subdivided
3. No loud, obnoxious, or offensive activity shall be carried on upon the property, nor shall anything be done which is or may become a nuisance, annoyance or disturbance to residents within the property.
4. No activity shall be done in any home or common area that will impair the structural integrity of any townhome, building, or common area.
5. No activity shall be carried on in any building that will increase the rate of insurance, or result in the cancelling of insurance.
6. Curtains or other appropriate window coverings shall be installed within 60 days.
7. Homeowners share a responsibility for the upkeep and maintenance of townhomes. Refer to "Homeowner Responsibilities" on page 3.
8. Homeowners share a responsibility for providing community leadership by serving on the Board of Directors or on a Board committee.

### Businesses

1. No solicitation is allowed on the property.
2. Townhomes may not be used as a place of business. That is, no business, industry, or profession that involves trafficking or soliciting may be conducted, maintained or permitted on any part of the property, including construction trucks and materials that are not on the property for Association business.

### Townhome Exteriors and Grounds

1. No alterations may be made to townhome exteriors, including the landscape (planting or removal of plants), enclosures, fences, partitions, storm or screened doors, and common areas, without written Board approval. Any alterations shall become the responsibility of subsequent homeowners.
2. The planting of flowers and shrubs around the sides and back of townhomes is permitted if the area is enclosed or if lawn mowing and other property maintenance are unaffected.
3. The Board must respond within 30 days of proper written requests for exterior changes.
4. Firewood may not be stacked on front porches or directly on the ground in common areas, next to the foundation, along the front or side of townhomes, under porches and decks, or in crawlspaces where firewood is an invitation to termites. Firewood may be stored on decks and back porches.
5. Homeowners are required to comply fully with termite inspection reports and must implement corrections and repairs in a timely fashion.
6. No accumulation of clutter is permitted on front or back porches, decks, or any exterior part of the townhome or grounds.
7. No dumping of waste is permitted on any part of the property, except for the appropriate trash receptacle.
8. No waste and recycling containers may be left in the common areas, with the exception of trash and recycling bins, which may be left on the curb on days designated for trash pickup for the department of Sanitation. Trash and recycling bins must be removed promptly from the curb after trash pickup.

## **Townhome Exteriors continued**

9. The following structures are prohibited unless approved by the Board: antennas, clotheslines, exterior buildings, fences, placards, signs, posters, walls, or any other structure, with the exception of "For Sale" and "For Rent" signs which may be placed in plant beds next to the front steps, but not in common areas, and political signs (see below).
10. Political Signs: Homeowners are permitted to display up to 2 political yard signs in their front yard. Signs may not be placed in common areas, and may not be put up more than 45 days before the election and must be removed no later than 7 days after Election Day.
11. Residents are required to allow contractors access to each townhome's exterior water for cleaning, plant watering and other required maintenance for the upkeep of the townhome.

## **Guests**

1. Residents are responsible for rules violation of their guests.
2. Guests are subject to the same rules as residents.
3. The Association may limit the number of guests of any resident.
4. Guests must park in designated "visitor" parking spaces if provided.
5. No loud, obnoxious, or offensive activity shall be carried on upon the property, nor shall anything be done which is or may become a nuisance, annoyance, or disturbance to other residents.

## **Leases and Rentals**

1. Landlords are responsible for ensuring that tenants comply with all rules, and are held accountable for tenant infractions.
2. The Association may demand termination of a tenant with multiple rule violations
3. Any lease must specify that tenants are subject to all rules and regulations of Heritage Woods. Any failure of a lessee to comply with the lease constitutes a default under the lease agreement.

4. All leases must be in writing and no lease may be for less than thirty (30) days.
5. Any rental less than 6 months must be approved by Woodcroft.

## **Parking**

1. All vehicles parked on the property must be in operating condition and display current license plates.
2. No vehicles may be parked off the paved area or in such a way as to impede passage of fire trucks and other emergency vehicles.
3. No boats, trailers, campers, recreational vehicles or vehicles other than cars, motorcycles and pickup trucks may be parked on the property.
4. Up to 2 parking spaces may be used for each townhome.
5. If assigned parking is provided, vehicles must be parked in their assigned spaces, unless a special arrangement is made with other homeowners to use their parking spaces.
6. Vehicles parked in violation of the above rules can be towed and stored without notice to the owner. Towing and storage fees will be charged to the violator.
7. Vehicle maintenance and repairs, except for emergency repairs, is prohibited on the property.

## **Pets**

1. All Durham County Animal Control Laws are to be strictly obeyed, including leash laws. Pet owners are required to clean up after their pets to avoid unsanitary conditions.
2. All pets must be kept inside of the resident's townhome.
3. No pet pens, runs, or shelters are permitted on the property.
4. Pets may not be left unattended outside, nor should they be tied to trees in the common area