

**NORTH WILLOW PARK CO-OWNERS  
ASSOCIATION, INC.**

**RULES AND REGULATIONS**

**Revised 2021**

# FORWARD

Your Board of Managers has made further necessary revisions to the Rules and Regulations document, which is currently dated 2016. This document should make the enforcement of the Covenants more consistent in managing our community.

We are also taking steps to further amend the By-Laws, in the effort to provide more clarity and to bring up-to-date how our community is currently being managed. Once these By-Laws have been approved by our attorney, we will conduct a special meeting of the homeowners to review the By-Laws and vote to approve the changes. Please note, in order to amend the By-Laws, the vote needs to be approved by at least 51% of those homeowners in attendance, at which a quorum is present. A quorum constitutes 25% of the total number of homeowners in the community, which is 55 homeowners. We expect to have these updates ready in late spring or early summer 2021.

The rules and regulations established for this type of community are not to restrict, but rather to protect the majority from the few owners/residents who are unable to accept this type of home ownership, or who may not have the community's best interest at heart. A condominium community and its rules/regulations are very different than those of a residential community, so we encourage every homeowner to take time to read through and fully comprehend this important information.

The Board of Managers is committed to ensuring all Board members, homeowners and residents follow these rules and regulations while also maintaining a harmonious culture within our community. We hope that you will find this document to be helpful and of value.

## **GENERAL INFORMATION**

North Willow Park Condominiums were developed by R & P Enterprises, Inc. between 1980 and 1983, after which the project was turned over to the homeowners.

The community consists of 220 homes (55 buildings with 4 homes per building), all of which have an attached garage.

The water supply for North Willow Park is on community meters and this utility is paid for from the Homeowner's Association fund.

The North Willow Park Homeowner's Annual Meeting is held on the first Monday of November at 7:00 pm. During the meeting, nomination and election of Board members is conducted and the Treasurer presents the current budget status and proposed budget for the coming year for adoption. Additionally, the Property Management Company participates in these meetings to answer any questions raised by the homeowners pertaining to their services.

Monthly Board of Manager meetings are usually held on the fourth Monday of the month, but may be subject to change. Please note with the current COVID 19 pandemic, these meetings are being conducted virtually via Zoom. If you are a homeowner and plan to attend a board meeting, we respectfully request you contact the Property Management Company to confirm the meeting date/time and to request to be included on the meeting agenda. The definition of a homeowner is someone that holds a fee simple interest as evidenced by a recorded deed.

## **MANAGEMENT COMPANY INFORMATION**

The North Willow Park Board of Managers employs a property management agent to handle the day to day operations for the Association. The property management agent's responsibilities include obtaining proposals from and the hiring of contractors for all community infrastructure services, as well as handling all homeowner requests for services and repairs that are the Association's responsibility. Additionally, in collaboration with the Board of Managers, they enforce the rule and regulations outlined in the Covenants of the Association, including the Declaration of Horizontal Property Regime, Code of By-Laws and Policy Resolutions. The property management agent can also assist homeowners with requests to obtain a contractor for any home improvement projects or repairs which are the homeowner's responsibility.

### **STATEMENT OF THE CURRENT MANAGEMENT COMPANY**

Your Board of Managers and property management agent are dedicated to maintaining the community in a proficient manner to protect and ensure your investment in our community continues to progress forward.

The Board of Managers and property management agent can only operate effectively with the collaboration and input from the North Willow Park homeowners. We encourage you to contact us with constructive comments or suggestions to assist us with making continued progress within our community.

Should you have any questions regarding the community or your specific unit, please contact our current property management agent, Ryan Hoffman at:

Omni Management Services  
212 W. 10<sup>th</sup> Street, B300  
Indianapolis, IN 46202  
317.541.0000

North Willow Park Website: <https://www.northwillowpark.com/>

We encourage all homeowners/residents to register for access on the North Willow Park website. The website contains helpful information about our community, and once you register, grants you access to important Association documents, forms, an event calendar, a community directory, FAQ's about our community, and quick links to pay your monthly assessment fees online as well as the Omni Caliber Portal, where you can submit a ticket to address any suggestions, questions or service requests. Additionally, your registration on the website assists the Board of Managers and Omni Management with maintaining more robust communications with the North Willow Park homeowners and residents.

## BOARD OF MANAGERS INFORMATION

- The homeowners of North Willow Park, through their Association, are responsible for establishing the rules and guidelines that govern our community. They elect the Board of Managers who are responsible for guiding the business affairs of the Association.
- The Board of Managers is responsible for the reasonable enforcement of the By-Laws, as well as Rules and Regulations, and to develop and enforce just policies for the proper management, maintenance, upkeep and replacement of the Common Areas.
- The Board of Managers has such powers that are reasonable and necessary to accomplish the performance of their duties.
- Board members must be an owner of a Unit within North Willow Park. An owner is defined as someone that holds a fee simple interest as evidenced by a recorded deed.
- No member of the Board shall receive any compensation for his/her services.
- The Board of Managers consists of seven members who serve the Association and each member is elected for a three year term.
- Officers of the Board of Managers are elected annually by the Board members.
- Board of Managers meetings are typically held on the fourth Monday of each month, but may be subject to change. The management company is represented and participates in these meetings. Should legal counsel be necessary, a legal representative may also be present.
- Should a vacancy occur on the Board, a replacement member may be appointed by the Board of Managers to serve the remaining portion of the resigning member's term.

## CONDOMINIUM LIVING INFORMATION

Because condominium residents live in close proximity and share the use of both "Common" and certain "Limited" areas, the resident's rights to do as he or she pleases must yield to the Covenants of the North Willow Park Co-Owners Association, Inc. (Declaration of Horizontal Property Regime, Code of By-Laws and Policy Resolutions). While some freedoms may be relinquished, homeowners reap the advantages of these protections as neighbors cannot do things that adversely affect each other's property values.

The Covenants of an Association serve the following purposes:

- To inform homeowners and residents of the rules and policies of North Willow Park.
- To inform homeowners and residents of the restriction and limitations imposed by these rules and policies.
- To ensure all homeowners and/or residents maintain a lifestyle which they have chosen and that their rights as homeowners will not be infringed upon by other homeowners or residents in the community.
- To preserve and enhance property values for the benefit of all homeowners.

When a Unit is sold, a welcome letter shall be mailed to the new owner by the Property Management Company.

When a Unit is exclusively occupied by one or more non-homeowners, the homeowner must provide a letter stating such to the Property Management Company, including a copy of the lease contract, if applicable. Currently, there is a 15% rental cap on all non-homeowner exclusively occupied properties.

Major costs are involved in the proper management and upkeep of the North Willow Park community. Also, funds must be budgeted to a Reserve Fund, which once 100% fully vested, may be used for major repairs, replacements and/or major unexpected emergency repairs.

Fire and Extended Coverage Insurance on the Dwelling Units and comprehensive Public Liability Insurance is purchased and paid for from the Homeowners Association funds. The homeowner shall be solely responsible for the loss or damage to the contents of his/her Dwelling Unit, however caused, including all floor and wall coverings, fixtures and improvements installed by the homeowner, including his/her own property. Obtaining his/her own insurance to cover any such loss and risk including, but not limited to, living expenses is the homeowner's responsibility.

The Homeowners Association is responsible for the maintenance, repairs and replacement of the exterior of each Dwelling Unit, with the exception of exterior doors and windows. All additional and/or alterations made on the exterior of the Unit by the homeowner, must have prior written approval of the Board of Managers. All such changes shall then become the responsibility of the homeowner.

## ASSESSMENTS AND OTHER FEES

### Monthly:

- An Association assessment fee is due on the first of each month.
- Checks are to be made payable to North Willow Park Co-Owners Association and mailed to:
  - North Willow Park Co-Owners Association
  - c/o Omni Management Services
  - P.O. Box 98117
  - Las Vegas, NV 89193-8117
- Homeowners can also set up an online BillPay through their financial institution. All checks to be made payable to North Willow Park Co-Owners Association, with reference to account number 1119015901 and mailed to the address above.
- Homeowners may elect to pay their monthly assessment fee securely online via the North Willow Park website and clicking on the Online Dues Payment icon.
  - We recommend new users set up an account in the Online Payment system to create a recurring payment, save your property information and obtain payment history.
  - One time payments using either a debit/credit card or eCheck payments may also be set up. Note: a fee applies for credit/debit card payments.
  - The following information is needed when setting up an account or one time payment:
    - Management ID: 6078
    - Association ID: 1862
    - Your Property Account Number.

### Late Payment Fees:

- The Association monthly assessment fee is due on the 1<sup>st</sup> of each month and considered delinquent if not received by the 10<sup>th</sup> day of the month.
- A late notice and fee of \$35.00 will be assessed to each account with an unpaid balance on the 11<sup>th</sup> of each month.
- All accounts must be paid in full on a monthly basis. Delinquencies are handled as follows:
  - The first month a homeowner is delinquent, a late notice is sent to the homeowner and \$35.00 fee assessed to their account.
  - The second month a homeowner is delinquent, an additional \$35.00 fee is assessed to the account. A final notice is sent to the homeowner to warn their account is in jeopardy of being turned over to the Association attorney for collection.
  - If the account is not paid by the 1<sup>st</sup> day of the third month, it is turned over to the Association's attorney, who will file a small claims court proceeding to collect the funds.

### Returned Checks:

- A fee of \$25.00 will be charged for each check returned for either "non-sufficient funds" or any other reason.

## SUMMARY OF RULES AND REGULATIONS

Policies/Resolutions can be amended by the Board of Managers, however, there can be no inconsistencies between the above said and the Covenants/By-Laws. Should there be any inconsistencies, the Covenants/By-Laws shall govern:

**North Willow Park Homeowner's Annual Meeting:** First Monday of November

**Board of Manager's Meeting:** Fourth Monday of the month, may be subject to change. Note: with the current COVID 19 pandemic, these meetings are being conducted virtually via Zoom.

**Assessments:** The Association's monthly assessment fee is on the first day of each month. Checks can be mailed and should be made payable to "North Willow Park Co-Owners Association". Homeowners may also elect to make a secure payment online or set up a BillPay through their financial institution.

**Questions/Complaints:** Any questions or complaints about service or management of North Willow Park are to be directed to the Property Management Company by letter, phone or registering a ticket via the Omni Caliber Portal on the North Willow Park website, <http://helpdesk.omni-property.com/>

**Service Requests:** Service requests must be directed to the Property Management Company, ideally, by registering a ticket via the Omni Caliber Portal on the North Willow Park website, <http://helpdesk.omni-property.com/>. No requests shall be directed to any member of the Board of Managers. The Property Management Company, in consultation with the Board, shall determine whether the request is the responsibility of the Association or homeowner.

**Newsletter/Email Blasts:** The North Willow Park newsletter had previously been published on a quarterly basis. Copies of archived newsletters are posted in the Documents and Forms section of the North Willow Park website. As a means to improve our communications with homeowners, the newsletter has been replaced with monthly "Email Blasts", containing timely notifications/information that are sent to homeowners who are registered on the North Willow Park website. Archives of the "Email Blasts" can also be found in the Documents and Forms section of the website, <https://www.northwillowpark.com/documents-and-forms/>

**Insurance:** The Association obtains a contract for fire and extended coverage as well as comprehensive public liability insurance. Each homeowner is responsible for loss or damage to the contents of his/her own Dwelling Unit including all floor and wall coverings, fixtures and improvements installed by the homeowner, as well as his/her own property. Each homeowner is personally responsible for obtaining his/her own insurance to cover any such loss and risk, including, but not limited to, living expenses.



**Security:** Any problems with neighbors causing an unreasonable disturbance should be reported to the Marion County Sheriff's Department. In addition, any suspicious or unusual activities anywhere within the North Willow Park community should be reported to the Marion County Sheriff's Department.

**Security Measures Recommendations:**

- Please register on the North Willow Park website, <https://www.northwillowpark.com/>
- If you are unable to register on the website, please ensure the Property Management Company has your contact number and email address in the event of an emergency.
- When a home is left for any length of time, the Property Management Company should be notified, as well as notification to a neighbor who has your telephone number in the event of an emergency.
- Deadbolts should be installed on entry doors.
- Timers should be kept on one or more lights.
- Illuminate all outdoor lights on porches, patios and over the garage doors at night.
- Make arrangements for newspapers, mail and other deliveries to be stopped, or to have a neighbor pick up these items.

**Right of Entry:** A right of entry is granted to the Property Management Company in case of any emergency originating in or threatening any Unit or the building in which it is located, whether the owner or resident is present at the time or not.

**Selling of Individual Homes:** Once a Unit is sold, a welcome letter shall be mailed to the new owner by the Property Management Company.

**Rental Cap of Non-Homeowner Exclusively Occupied Units:** As of May 2014, there is a 15% rental cap on Units that are exclusively occupied by one or more non-homeowners. Any homeowner whose Unit is exclusively occupied by one or more non-homeowners, shall notify the Property Management Company in writing of this status and provide a copy of the current lease contract, if applicable. Current leases shall be in writing and be for a period of at least one year, unless a shorter term lease has been previously approved by the Board of Managers. Any lease contract renewals must also be provided to the Property Management Company. Lease contracts must contain provisions adequate to require the lessee to comply with the Rules and Regulations of North Willow Park. It is recommended that the homeowner provide a copy of the By-Laws and Rules and Regulations to all non-homeowner occupants. At this time, the rental cap is at capacity.

**Alterations, Additions and Improvements:** No architectural changes can be made to any part of the exterior of buildings without prior written approval of the Board of Managers. Homeowners must submit an Architectural Change Form, found in the Documents and Forms section on the North Willow Park website, <https://www.northwillowpark.com/documents-and-forms/> including any written plans and drawings, to the Board of Managers and the Property Management Company for written approval. No changes shall be made until written approval has been received.

**Doors and Windows:** Storm doors must be full-view style. Approved front/garage door and trim paint and deck stain colors are posted on the North Willow Park website in the Documents and Forms section, <https://www.northwillowpark.com/documents-and-forms/>

**Homeowner Maintenance Responsibility:** Homeowners shall promptly perform all homeowner responsibility related maintenance and repairs with his/her own Unit, including any issues adversely affecting the value of the property, due to neglect. Such maintenance and repairs include, but are not limited to, internal water lines, plumbing, electric and gas lines, appliances, furnace/air conditioning units, doors, windows, light fixtures and all other accessories belonging to the homeowner.

Homeowners are also responsible for the maintenance, repair and replacement of all exterior doors, storm doors and windows.

**Common Area Maintenance:** The Common Areas in our community includes all areas outside the building walls. Homeowners/residents shall keep these areas free from rubbish, debris, weeds and other unsightly items.

**Painting and Siding Replacement:** Contracts for exterior painting and/or siding replacement are issued and the responsibility of the Association. Painting of buildings will be conducted on a rotational basis and includes all exterior wood, including doors and door frames.

**Decking/Fencing Maintenance:** The maintenance and repair of existing decking and privacy fences is contracted on a rotational basis and the responsibility of the Association. Homeowners may choose to pressure wash and stain decking on their own, however, they should apply the approved deck stain color posted on the North Willow Park website, <https://www.northwillowpark.com/documents-and-forms/>

**Landscaping:** Contracts are issued annually for mowing, fertilization, lawn treatment and general upkeep of the lawns. Mowing is done weekly, or on an as need basis, based upon rainfall amounts. Grass clippings are blown off of patios, sidewalks and streets.

Homeowners/residents should not apply fertilizer or any other chemicals to the lawn areas, as this may interfere with the contractor's lawn treatment program.

Homeowners/residents wishing to make any changes to landscaping around their Unit, including planting of trees and shrubs, must submit an Architectural Change Form, found in the Documents and Forms section on the North Willow Park website, <https://www.northwillowpark.com/documents-and-forms/> including any written plans and drawings, to the Board of Managers and the Property Management Company for written approval. No changes shall be made until written approval has been received. Once approved, the landscaping maintenance becomes the responsibility of the homeowner/resident. Live flowers may also be planted in the Limited Areas, however, their care and removal are the responsibility of the homeowner/resident.

Shrubbery beds will be weeded as needed, however, we appreciate homeowners/residents weeding these beds to eliminate the expense of a contractor performing this service. Contractors will take adequate precautions to avoid damage to flowers or plants in these beds, however, the Board of Managers and Property Management Company assumes no responsibility for any damage incurred when contractors weed these areas.

Homeowners/residents shall take inside all outdoor planting containers once the growing season is over.

**Snow Removal:** Contracts are issued annually for snow removal from all streets and driveway areas. Snow removal of sidewalks, porches and steps is the responsibility of the homeowner/resident. Snow removal is conducted after a three inch or more accumulation is received.

Homeowners/residents should never apply any type of ice melting products containing salt or sodium to any concrete surface in the community, as it will result in damage to the concrete.

**Trees and Shrubs:** Maintenance and replacement of existing trees and shrubs is contracted and the responsibility of the Association. Homeowners/residents may replace dead shrubs and trees at their own expense, but plans must be submitted to the Property Management Company for prior written approval by the Board of Managers. The Association will maintain all shrubs and trees, regardless of who paid for them.

Trees and shrubs appearing to be dead or are dead are not to be removed by the homeowner/resident as these are sometimes covered by warranty. The Property Management Company should be notified if trees or shrubs appear to be dead and will take appropriate action.

**Refuse/Recycling Pick Up:** The City of Indianapolis holds the contracts for trash removal with Waste Management and each homeowner has been provided with a trash receptacle to be used for this purpose. Should you need a replacement trash receptacle, please contact Waste Management Customer Service at 1-866-909-4458.

All trash is to be secured in heavy plastic bags, tied and placed in the provided trash receptacle. Trash receptacles should be set out after 12:00 noon the day prior to trash pick up and taken in by the evening the day trash is picked up.

Trash is scheduled to be picked up every Thursday, however, when a holiday falls any day within the week, it will be delayed until Friday. Heavy trash pick up occurs on Thursday of the second full week of the month. Homeowners/residents can also sign up for recycling pick up with Waste Management, however, the cost for this service is not included in the Association's monthly assessment and therefore will be at their expense. A full schedule of trash, heavy trash and recycling pick up can be found in the Event Calendar on the North Willow Park website, <https://www.northwillowpark.com/event-calendar/>

**Parking and Speed Limits:** Each Unit has a garage and driveway for parking. The turnaround space at the end of each drive should only be used for parking by short term guests or in the event a homeowner/resident is unable to utilize their driveway/garage due to construction. Parking on the street is only permitted from 6:00 am to 12:00 am. and no overnight parking will be allowed unless the vehicle has a valid parking pass. Should you require overnight parking on the street, please contact the Property Management Company to request a parking pass or go to the North Willow Park website to complete and submit the form, <https://www.northwillowpark.com/guest-parking-pass-request/>. Any vehicle parked on the street overnight, between 12:00 am and 6:00 am, without a valid parking pass will be towed at the owner's expense.

Trucks, boats, campers, motorcycles and mini-bikes must be parked in the garage or on a city street (i.e. Tulane Road). Parking or driving on any grass area is prohibited and is subject to a fine. The speed limit within our community is 15 MPH and should be observed at all times.

**Pets:** The City of Indianapolis pet ordinance applies within the North Willow Park community. All pets must be on a leash and accompanied by an adult, no pets are allowed to run free at any time. The ordinance also requires all pet deposits to be picked up and disposed of immediately. Pets may be outdoors on decks, porches or patios but must be under adult supervision.

**Real Estate Signs:** Real Estate, For Sale, For Rent or For Lease signs may be displayed in doors or windows at any time. Such signs may be displayed on Common Area property within North Willow Park only on weekend days and any holiday that falls on a Monday. Realtors should be notified of this restriction.

**Televisions and Stereos:** No exterior television or any other type of antenna shall be permitted on any structure or on any part of North Willow Park property, with the exception of 18 inch diameter satellite dishes. These are permitted and may be mounted on the fascia board, but not on the roof. Mounting and removal of any satellite dish is the homeowner's responsibility.

Television and stereo volume should be kept to a level audible within an individual Unit.

**Seasonal Decorations:** Decorations may be displayed outdoors, however, they must be removed within two weeks after the holiday. Care must be taken when attaching decorations to buildings, trees and shrubs. Any repairs for damages caused by such decorations will be charged back to the homeowner.

**Firewood:** Firewood may be stacked on the homeowner/resident's patio or porch. However, it is not to be stacked against any building, porch, deck posts or privacy fence as it could result in damage to these structures and creates a pest problem.

**Fireplace/Chimney Maintenance:** It is recommended all chimneys be cleaned and/or inspected annually and is the homeowner's responsibility. Homeowners should also send a copy of the cleaning/inspection report to the Property Management Company for their records. Exterior maintenance of chimneys is the Association's responsibility.

**Freeze Control:** Thermostats should be kept at a minimum of 50 degrees during the winter months to prevent pipes from freezing. The following procedures should be following to turn off water to the outside faucet:

- Locate the water valve on the wall inside the garage and turn the valve off.
- Open the water faucet outside.
- Locate the drain plug (if one exists) near the water valve inside the garage.
- Remove the plug and drain the remaining water into a bucket.
- Replace the drain plug and close the outside faucet

Any repairs necessary because of frozen pipes in this area is the responsibility of the homeowner.

**Government Mail Boxes:** Maintenance and upkeep of the mailboxes is the responsibility of the U.S. Postal Department. Any problem with an assigned post office box, including freezing that makes opening the box impossible, should be reported to the New Augusta Post Office Branch (Phone: 1-800-275-8777).

**End of Revised Rules and Regulations - 2021**