



**OPEN MEETING**

**MINUTES OF THE SPECIAL MEETING OF UNITED  
LAGUNA WOODS MUTUAL BOARD OF DIRECTORS, A  
CALIFORNIA NON-PROFIT MUTUAL BENEFIT  
CORPORATION**

Wednesday, September 26, 2018 – 9:30 a.m.  
Laguna Woods Village Community Center Board Room  
24351 El Toro Road

Directors Present: Juanita Skillman, Janey Dorrell, Don Tibbetts, Maggie Blackwell, Gary Morrison, Cash Achrekar, Manuel Armendariz, Pat English, and Andre Torng and Reza Bastani (arrived late)

Directors Absent: Carl Randazzo

Staff Present: Siobhan Foster, Brett Crane, Eve Morton, Eileen Paulin and Cheryl Silva

Others Present: VMS: Mary Stone, Dick Rader, Anthony Liberatore

1. Juanita Skillman stated the purpose of this meeting was to approve resolutions on 30-day review from August. The Board will not take action on any items not on the agenda.
2. President Skillman led the pledge of allegiance
3. Director Blackwell made a motion to add (6d & 6e) Architectural Control and Standard Committee recommendations for (455-C) and (645-C) to the agenda. The motion was seconded by Director Achrekar. The amended agenda passed by unanimous consent.
4. Open Forum (Three Minutes per Speaker) – *At this time Members may address the Board of Directors regarding items not on the agenda and within the jurisdiction of this Board of Directors. There is a maximum time limit of three minutes per speaker and a speaker may only address the Board once during this period. The Board reserves the right to limit the total amount of time allotted for the Open Forum.*

Several members spoke about immediately stopping the use of “Round-up”

pesticide in the Community.

5. Responses to Open Forum Speakers

Director Blackwell commented that the pesticide test is in progress and the Board is taking the issue seriously. The Board will decide on the use of pesticides in the Community before the end of the year.

Director Morrison commented that the residents must be aware that changing from "Round-up" to another form of pesticide may cost more money monthly.

Director Tibbetts asked Julie Bagish about the pesticide used around her unit.

6. Unfinished Business

**6a. Entertain a Motion to Adopt a the Amended United Harassment, Nuisance and Clutter Policies (AUGUST initial notification – 30 day notification to comply with Civil Code §4360 has been satisfied)**

Director Blackwell read the following resolutions:

**RESOLUTION 01-18-102**  
**Harassment Policy**

**WHEREAS**, the Governing Documents Review Committee has recognized the need to adopt a Harassment Policy to set forth guidelines for harassment complaints received by the Board;

**NOW THEREFORE BE IT RESOLVED**, September 26, 2018, that the Board of Directors of this Corporation hereby adopts the Harassment Policy, as attached to the official minutes of this meeting; and

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

**AUGUST Initial Notification**  
**30-Day notification to comply with Civil Code §4360 has been satisfied.**

**RESOLUTION 01-18-103**  
**Nuisance Policy**

**WHEREAS**, the Governing Documents Review Committee has recognized the need to adopt a Nuisance Policy to set forth guidelines for nuisance complaints received by the Board;

**NOW THEREFORE BE IT RESOLVED**, September 26, 2018, that the Board of Directors of this Corporation hereby adopts the Nuisance Policy, as attached to the official minutes of this meeting; and

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

**AUGUST Initial Notification**  
30-Day notification to comply with Civil Code §4360 has been satisfied.

**RESOLUTION 01-18-104**  
**Clutter Policy**

**WHEREAS**, the Governing Documents Review Committee has recommended revising the Care & Maintenance of Patios, Balconies, Breezeways & Walkways Policy addressing the safety and prevention of damage issues relating to items placed in or on Common Area and Exclusive Use Common Areas;

**NOW THEREFORE BE IT RESOLVED**, September 26, 2018, that the Board of Directors of this Corporation hereby amends the Care & Maintenance of Patios, Balconies, Breezeways & Walkways Policy, and renames it to "Clutter Policy," as attached to the official minutes of this meeting; and

**RESOLVED FURTHER**, that Resolution 01-03-134 adopted September 9, 2003 is hereby superseded and cancelled; and

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

**AUGUST Initial Notification**  
30-Day notification to comply with Civil Code §4360 has been satisfied.

Director Blackwell made a motion to adopt the amended United Harassment, Nuisance and Clutter Policies. The motion was seconded by Director Dorrell and it passed by unanimous consent.

**6b.** Entertain a Motion to Adopt a Resolution for Revisions to the United Architectural Standard 15: Floor Coverings; Exterior (**AUGUST initial notification – 30 day notification to comply with Civil Code §4360 has been satisfied**)

Director Blackwell read the following resolution:

**RESOLUTION 01-18-105**

**Revise Alteration Standard 15: Floor Coverings: Exterior  
[Balconies and Patios]**

**WHEREAS**, the Architectural Controls and Standards Committee recognizes the need to amend Alteration Standards and create new Alteration Standards as necessary; and,

**WHEREAS**, the Architectural Controls and Standards Committee recognizes the need to revise Alteration Standard 15: Floor Coverings: Exterior.

**NOW THEREFORE BE IT RESOLVED**, September 26, 2018, that the Board of Directors of this Corporation hereby adopts revisions to Alteration Standard 15: Floor Coverings; Exterior [Balconies and Patios], attached as part of the Official Minutes;

**RESOLVED FURTHER**, that Resolution 01-05-64, adopted June, 2005 is hereby superseded and cancelled; and

**RESOLVED FURTHER**; that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out this resolution as written.

**AUGUST Initial Notification**

**30-Day notification to comply with Civil Code §4360 has been satisfied.**

Director Blackwell made a motion to resolution for revisions to the United Architectural Standard 15: Floor Coverings; Exterior. The motion was seconded by Director Dorrell and it passed by unanimous consent.

**6d. Entertain a Motion to Adopt a Resolution for Revisions to the United Architectural Standard 16: Fences; Wrought Iron (AUGUST initial notification – 30 day notification to comply with Civil Code §4360 has been satisfied)**

Director Blackwell read the following resolution:

**RESOLUTION 01-18-106**

**Revise Alteration Standard 16: Fences; Wrought Iron**

**WHEREAS**, the Architectural Controls and Standards Committee recognizes the need to amend Alteration Standards and create new Alteration Standards as necessary; and,

**WHEREAS**, the Architectural Controls and Standards Committee recognizes the need to revise Alteration Standard 16: Fences, Wrought Iron.

**NOW THEREFORE BE IT RESOLVED**, September 26, 2018, that the Board of Directors of this Corporation hereby adopts revisions to Alteration Standard 16: Fences; Wrought Iron attached as part of the Official Minutes;

**RESOLVED FURTHER**, that Resolution 01-03-170, adopted December 2003, is hereby superseded and cancelled; and

**RESOLVED FURTHER**; that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out this resolution as written.

Director Blackwell made a motion to approve a resolution for revisions to the United Architectural Standard 16: Fences; Wrought Iron. The motion was seconded by Director Achrekar and it passed by unanimous consent

The next two items were added to the agenda.

**6d.** Approval Recommendation – 455-C (Madrid, 4) Window Addition in Living Room

Director Blackwell read the following resolution:

**RESOLUTION 01-18-107**  
**Variance Request**

**WHEREAS**, Ms. Sharon Bogin of 455-C Avenida Sevilla (Madrid, 4), requests Board approval of a variance for a window addition in living room; and

**WHEREAS**, a Neighborhood Awareness Notice was sent to Owners of affected units on August 30, 2018, notifying them that an application to make an alteration to a neighboring Unit had been made and that comments or objections could be made in writing to the Architectural Controls and Standards Committee or in person at the Architectural Controls and Standards Committee Meeting on September 20, 2018.

**NOW THEREFORE BE IT RESOLVED**, on September 26, 2018, the Board of Directors hereby approves the request with the condition that the proposed alterations are constructed in accordance with the Conditions of Approval as included in the official Board Decision Notice;

**RESOLVED FURTHER**, all costs for maintenance, repair, renovation, replacement or removal of the improvement, present and future, are the responsibility of the Property Shareholder at 455-C and all future Mutual Shareholders at 455-C.

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

Director Blackwell made a motion to approve a resolution for 455-C (Madrid, 4) Window Addition in Living Room. The motion was seconded by Director English

Discussion ensued among the Directors.

President Skillman called for the vote and the motion passed by unanimous consent.

**6e. Approval Recommendation – 645-C (Cordoba, 1A4R) Retain Previous Paint Scheme Entry Door**

Director Blackwell read the following resolution:

**RESOLUTION 01-18-108**  
**Variance Request**

**WHEREAS**, Ms. Elizabeth Rodriguez of 645-C Avenida Sevilla, a Cordoba style unit, requests Board approval of a variance to retain the 'Spiced Berry' red entry door color; and

**WHEREAS**, a Neighborhood Awareness Notice was sent to Owners of affected units on September 11, 2018, notifying them that an application to make an alteration to a neighboring Unit had been made and that comments or objections could be made in writing to the Architectural Controls and Standards Committee or in person at the Architectural Controls and Standards Committee Meeting on September 20, 2018.

**NOW THEREFORE BE IT RESOLVED**, on September 26, 2018, the Board of Directors hereby approves the request with the condition that the proposed alterations are constructed in accordance with the Conditions of Approval as included in the official Board Decision Notice;

**RESOLVED FURTHER**, all costs for maintenance, repair, renovation, replacement or removal of the improvement, present and future, are the responsibility of the Property Shareholder at 645-C and all future Mutual Shareholders at 645-C.

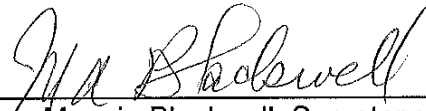
**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

Director Blackwell made a motion to approve a resolution for 645-C (Cordoba, 1A4R) Retain Previous Paint Scheme Entry Door. The motion was seconded by Director English and it passed by unanimous consent.

**7. Director's Comments**

- Directors Dorrell and Achrekar thanked Director Tibbetts and Director English for their service on the United Board.
- Director Tornng asked about the comments that the Landscape Division is

- understaffed.
- Siobhan Foster, COO, asked Director Tornig to provide examples to the Landscape Committee for follow-up with the Landscaping Division.
  - Director English thanked the Board for their service; she has enjoyed working on the Board.
  - Director Achrekar thanked the residents for their input on the pesticides.
  - Director Armendariz thanked the residents for coming out today to speak out about "Round-up" and encouraged the Board to make changes to the use of pesticide.
  - President Skillman commented about the use of pesticides to eliminate ants and how the residents are notified.
8. Recess to Discuss and Consider Legal Matters – *At this time the Meeting will recess for lunch and reconvene to Executive Session to discuss the following matters per California Civil Code §4935.*
- The Board recessed to closed session at 10:15 a.m.
9. The meeting was adjourned at 12:04 p.m.



Maggie Blackwell, Secretary to the Board  
United Mutual Laguna Hills



## Harassment Policy

### I. Purpose

The purpose of this policy is to set forth guidelines for harassment complaints received by United Laguna Woods Mutual (United).

### II. Definitions

- a. Community – Laguna Woods Village.
- b. Golden Rain Foundation (GRF) – the Golden Rain Foundation of Laguna Hills, a California nonprofit mutual benefit corporation.
- c. Governing Documents – all of the following, collectively, the Articles of Incorporation; the Bylaws; Occupancy Agreements; the Rules and Regulations; and any Resolutions or Policies of the Board; all the same may be lawfully amended or modified from time to time.
- d. Harassment – see details under Conditions.
- e. Member – Shareholder(s) entitled to Membership in the Corporation and approved by the Board of Directors. Also known as Shareholder(s).
- f. Resident is defined as any person who has been approved by the Board of Directors for occupancy.
- g. Staff - Employees of Village Management Services, Inc. authorized to act on behalf of United.
- h. United Laguna Woods Mutual (United) - is a non-profit cooperative housing corporation which owns and manages all real property within the original 21 cooperative Mutual's. In a cooperative, Shareholders are members of a corporation which own all real property, including the dwelling units, carports, and laundry facilities within the Mutual's boundaries, and each Shareholder is entitled to occupy a specific dwelling unit under the terms of an Occupancy Agreement. Also known as Corporation. Also known as the Mutual.

### III. Conditions

**Federal Law:** Under federal law, "harassment" is defined to mean "a serious act or a course of conduct directed at a specific person that causes substantial emotional distress in such person and serves no legitimate purpose." (18 U.S.C.A. §1514(d)(1)(B).)

**California Law:** California defines "harassment" as unlawful violence; a credible threat of violence; or a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, or harasses the person, and that serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress to the petitioner. (Code Civ. §527.6(b)(3).)



"Course of Conduct" is defined as a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose, including following or stalking an individual, making harassing telephone calls to an individual, or sending harassing correspondence to an individual by any means, including, but not limited to, the use of public or private mails, interoffice mail, facsimile, or computer email. (Code Civ. §527.6(b)(1).)

"Credible threat of violence" is a knowing and willful statement or course of conduct that would place a reasonable person in fear for his or her safety, or the safety of his or her immediate family, and that serves no legitimate purpose. (Code Civ. §527.6(b)(2).)

**Department of Housing and Urban Development (HUD) "Final Rule":** New guidelines were enacted in an effort to further define housing discrimination in the form of harassment. In that regard HUD's new guideline, adopted in August 2016 and referred to as the Final Rule, now deem harassment in housing a form of illegal discrimination. Based on HUD's guidelines the Board must now evaluate alleged harassment from a perspective of a housing provider, which HUD deems homeowners association Boards as just that, and to investigate whether a resident is being subjected to harassment to the extent that it, under the Final Rule, amounts to illegal housing discrimination. (24 CFR 100.600.)

**Governing Documents:** The Member shall not permit or suffer anything to be done or kept in or about the dwelling unit or other premises of the Corporation which will increase the rate of insurance on any building or other property of the Corporation or on the contents thereof or which will obstruct or interfere with the rights of other members of the Corporation or annoy them by unreasonable noises or otherwise nor will it commit or permit any nuisance in or about the dwelling unit or other premises of the Corporation or commit or suffer any immoral or illegal act to be committed thereon. The Member shall comply with all of the requirements of governmental authorities with respect to the dwelling unit and all other premises of the Corporation. If by reason of the occupancy or use of the dwelling unit or any other building of the Corporation by the Member the rate of insurance on any building or other property of the Corporation shall be increased, the Member shall become personally liable for the additional insurance premiums. (Occupancy Agreement, Article 5, Use of Premises.)

#### **IV. Enforcement**

United is authorized to take disciplinary action against a Member(s) whose dwelling may be found in violation of the Governing Documents. When a complaint is lodged regarding the occurrence of a violation, the Board of Directors has a fiduciary duty to investigate and impose, if appropriate, discipline as set forth in the Governing Documents.

The Board has the authority to impose monetary fines, suspend Member(s) privileges, and/or bring forth legal action. The Member(s) are entirely responsible for ensuring that the Governing Documents are followed by anyone they allow into the Community. This includes any Co-occupant, Lessee, Guest, Care Provider, Vendor, invitee or contractor. (Amended and Restated Bylaws, Article IV, Dispute Resolution, Discipline and Termination of Membership.)

A complaint may be registered by calling the Security Department at 949-580-1400 or the Compliance Division by calling 949-268-CALL or email to [compliance@vmsinc.org](mailto:compliance@vmsinc.org).

Investigating Harassment: to determine if harassment is taking place, Staff evaluates the nature of the unwelcome conduct, the context in which the incidents occur, the severity, scope, frequency, duration, and location of the conduct, and the relationships of the people involved. Staff will inform the reporting parties to call the Orange County Sheriff's Department if and when the behavior occurs and the persons subjected to this type of harassment and threats of violence can seek a restraining order.

The Board will address if the harassment is of the type that will require United to intervene versus deem the matter a neighbor to neighbor dispute that must be resolved between the two residents.

Any reports of harassment will be evaluated by Staff and Legal Counsel to ensure that the Board complies with the Final Rule.



## **Nuisance Policy**

### **I. Purpose**

The purpose of this policy is to set forth guidelines for nuisance complaints received by United Laguna Woods Mutual (United).

### **II. Definitions**

- a. Community – Laguna Woods Village.
- b. Golden Rain Foundation (GRF) – the Golden Rain Foundation of Laguna Hills, a California nonprofit mutual benefit corporation.
- c. Governing Documents – all of the following, collectively, the Articles of Incorporation; the Bylaws; Occupancy Agreements; the Rules and Regulations; and any Resolutions or Policies of the Board; all the same may be lawfully amended or modified from time to time.
- d. Member – Shareholder(s) entitled to Membership in the Corporation and approved by the Board of Directors. Also known as Shareholder(s).
- e. Nuisance – see details under Conditions.
- f. Resident is defined as any person who has been approved by the Board of Directors for occupancy.
- g. Staff - Employees of Village Management Services, Inc. authorized to act on behalf of United.
- h. United Laguna Woods Mutual (United) - is a non-profit cooperative housing corporation which owns and manages all real property within the original 21 cooperative Mutual's. In a cooperative, Shareholders are members of a corporation which own all real property, including the dwelling units, carports, and laundry facilities within the Mutual's boundaries, and each Shareholder is entitled to occupy a specific dwelling unit under the terms of an Occupancy Agreement. Also known as Corporation. Also known as the Mutual.

### **III. Conditions**

**Nuisance in General:** Anything which is injurious to health, indecent or offensive to the senses, causes an unreasonable disturbance or annoyance, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, is a nuisance. (Civ. Code § 3479.)

**Public Nuisance:** A public nuisance is a condition or activity that interferes with the health or well-being of the entire community or a considerable number of persons in the neighborhood. (Civ. Code §§3479-3480.)

**Private Nuisance:** A private nuisance is a condition or activity that interferes with an individual's use or enjoyment of their property. (Civ. Code §§3479, 3481.)

**Governing Documents:** “The Member shall not permit or suffer anything to be done or kept in or about the dwelling unit or other premises of the Corporation which will increase the rate of insurance on any building or other property of the Corporation or on the contents thereof or which will obstruct or interfere with the rights of other members of the Corporation or annoy them by unreasonable noises or otherwise nor will it commit or permit any nuisance in or about the dwelling unit or other premises of the Corporation or commit or suffer any immoral or illegal act to be committed thereon.” (Occupancy Agreement, Article 5, Use of Premises)

Below are examples of activities that fall into a nuisance category:

1. **Noise:** Things that interfere with quiet enjoyment such as improperly installed hardwood floors, neighbors playing their music or TV too loud, loud conversation, barking dogs, etc.
2. **Odors:** This includes second-hand smoke (cigarettes, cigars and marijuana), strong cooking odors, smoke from a BBQ grill entering other units, etc.
3. **Visual:** Draping articles over balcony rails, storing inoperable vehicles in parking spaces, etc.
4. **Health/Safety:** Hoarders who allow unsanitary conditions to exist that attract insects and rodents, or residents who wash dog feces and urine off their balcony onto the property below them.
5. **Violation of Laws:** A violation of federal or state laws or local ordinances. An example would be public nudity or a resident engaged in drug dealing or prostitution.

#### IV. Enforcement

United is authorized to take disciplinary action against a Member(s) whose dwelling may be found in violation of the Governing Documents. When a complaint is lodged regarding the occurrence of a violation, the Board of Directors has a fiduciary duty to investigate and impose, if appropriate, discipline as set forth in the Governing Documents.

The Board has the authority to impose monetary fines, suspend Member(s) privileges, and/or bring forth legal action. The Member(s) are entirely responsible for ensuring that the Governing Documents are followed by anyone they allow into the Community. This includes any Co-occupant, Lessee, Guest, Care Provider, Vendor, invitee or contractor.

A complaint may be registered by calling the Security Department at 949-580-1400 or the Compliance Division by calling 949-268-CALL or email to [compliance@vmsinc.org](mailto:compliance@vmsinc.org).

**Investigating Nuisance:** To determine if nuisance is taking place, Staff evaluates the behavior and determines if the behavior or noise transferring to other units is

deemed reasonable or unreasonable to an average reasonable person. Staff will inform the reporting parties to call the Security Department for documentation.

For hard surface flooring complaints: Staff will perform informal sound tests that include two Staff members in the downstairs unit at the same time that two Staff members are in the upstairs unit, with an attempt to replicate the alleged noise.

For odor complaints: Staff will perform an informal odor test that includes two Staff members in the suspects' unit at the same time that two Staff members are in the reporting parties unit, with an attempt to replicate the alleged odors. Staff also seeks assistance from the Maintenance Department to determine if the building structure is a factor that can be remedied.

For neighbor-to-neighbor disputes: Staff will offer informal mediation performed by the Compliance and Social Services Division. Staff will also recommend professional mediation services offered by the County of Orange.



## Clutter Policy

### I. Purpose

The purpose of this policy is to set forth guidelines by United Laguna Woods Mutual (United) for the safety and prevention of damage from items placed by the residents in “Exclusive Use Common Area” and “Common Area.”

Please note that this list is **not** exhaustive and **any** item that is placed within the Mutual property, including but not limited to, the balcony, breezeway, carport, patio, interior and common area is subject to the aforementioned rules and regulations of the Mutual.

### II. Definitions

- a. Exclusive Use Common Area – a portion of the common area designated by the declaration for the exclusive use of one or more, but fewer than all, of the owners of the separate interests and which is or will be appurtenant to the separate interest or interests. Unless the declaration otherwise provides, any shutters, awnings, window boxes, doorsteps, stoops, porches, balconies, patios, exterior doors, doorframes, and hardware incident thereto, screens and windows or other fixtures designed to serve a single separate interest, but located outside the boundaries of the separate interest, are exclusive use common area allocated exclusively to that separate interest (i.e. patios, balconies, carport and interior of a Unit). (Civil Code §4145)
- b. Clutter - to fill or litter with things in a disorderly manner; a collection of things lying about in an untidy mass. (cluttered. (n.d.) *Burton's Legal Thesaurus*, 4E. (2007)) In addition, anything positioned within the Mutual property in a manner which is obstructing the free use of the area, creating a health and safety risk to the community, and/or consequently causing property damage within the Mutual. See further details under Conditions.
- c. Common Area - the entire common interest development except the separate interests therein (i.e. walkways, breezeways, and open space). (Civil Code §4095)
- d. Community – Laguna Woods Village.
- e. Golden Rain Foundation (GRF) – the Golden Rain Foundation of Laguna Hills, a California nonprofit mutual benefit corporation.
- f. Governing Documents – all of the following, collectively, the Articles of Incorporation; the Bylaws; Occupancy Agreements; the Rules and Regulations; and any Resolutions or Policies of the Board; all the same may be lawfully amended or modified from time to time.
- g. Interior Clutter – any items that are hazardous or may be of fire or safety danger, and/or potential damage to the inside of the Unit or surrounding Units.

- h. Member – Shareholder(s) entitled to Membership in the Corporation and approved by the Board of Directors. Also known as Shareholder(s).
- i. Resident is defined as any person who has been approved by the Board of Directors for occupancy.
- j. Staff - Employees of Village Management Services, Inc. authorized to act on behalf of United.
- k. United Laguna Woods Mutual (United) - is a non-profit cooperative housing corporation which owns and manages all real property within the original 21 cooperative Mutual's. In a cooperative, Shareholders are members of a corporation which own all real property, including the dwelling units, carports, and laundry facilities within the Mutual's boundaries, and each Shareholder is entitled to occupy a specific dwelling unit under the terms of an Occupancy Agreement. Also known as Corporation. Also known as the Mutual.

### **III. Conditions Clutter**

Common areas are for the use and enjoyment of all residents and it is essential that all residents be aware of the need for the safety and prevention of damage to the buildings by items placed by the residents in or on the common areas of the Mutual's multi-story buildings and where applicable to other residential buildings.

The following rules for residents address the safety and prevention of damage issues. Residents should take whatever corrective action is necessary to manage those items they have placed outside their unit. Residents who disregard these guidelines will be given a citation to correct the problem, possibly followed with disciplinary action.

- 1. All plants must be suitably potted with adequately sized saucers to collect excess water and elevated by substantial caster or sturdy platforms. Care must be used to control the amount of water given to these plants so as not to run over the saucer and collect on the floor surface or fall to a lower level of the building on people, windows, or other objects belonging to neighbors.
- 2. Items, including plants, statues, furniture, etc., may be placed adjacent to a Unit's front door on the floor and shall be limited. Adequate clearance is required to allow for easy walkway access along the area (at least in number and size to allow for a 48-inch clearance as required by law.)
- 3. All plants shall be maintained by the resident in a healthy, well cared for condition, properly watered and pruned. Non-plant items shall be maintained clean and in good repair.
- 4. Potted plants are not to be placed on railings in common areas. Hanging plants or hanging objects are prohibited in breezeway and walkways.

5. Items that constitute a nuisance to one's neighbors should not be placed in common areas. Examples are intrusive wind chimes, food and water, which will attract birds, insects, and other animals. (City of Laguna Woods Municipal Code Section 5.20.070) Residents are encouraged to resolve amicably differences or disputes involving such items.
6. A resident's balcony and patio area adjoining a unit is Exclusive Use Common Area. This area needs the same care & protection as the walkways and breezeways to prevent dry rot, decay and mold of surfaces. Therefore only a limited number of potted plants on the balconies of multistory buildings are allowed. No more than 15% of the total floor area of a balcony may be used for potted plants.
7. Landscape crews will not care for a resident's personal items placed in common areas unless arranged through the Customer Service Department as a chargeable service.

Any building, by majority decision, may establish additional rules for its own use, providing the rules are not in conflict with the above guidelines. United shall resolve any disputes or misunderstandings relating to Exclusive Use Common Areas and Common Areas.

**Governing Documents:** "The Member shall not permit or suffer anything to be done or kept in or about the dwelling unit or other premises of the Corporation which will increase the rate of insurance on any building or other property of the Corporation or on the contents thereof or which will obstruct or interfere with the rights of other members of the Corporation or annoy them by unreasonable noises or otherwise nor will it commit or permit any nuisance in or about the dwelling unit or other premises of the Corporation or commit or suffer any immoral or illegal act to be committed thereon." (Occupancy Agreement, Article 5, Use of Premises)

#### IV. Enforcement

United is authorized to take disciplinary action against a Member(s) whose dwelling may be found in violation of the Governing Documents. When a complaint is lodged regarding the occurrence of a violation, the Board of Directors has a fiduciary duty to investigate and impose, if appropriate, discipline as set forth in the Governing Documents.

The Board has the authority to impose monetary fines, suspend Member(s) privileges, and/or bring forth legal action. The Member(s) are entirely responsible for ensuring that the Governing Documents are followed by anyone they allow into the Community. This includes any Co-occupant, Lessee, Guest, Care Provider, Vendor, invitee or contractor.

A complaint may be registered by calling the Security Department at 949-580-1400 or the Compliance Division by calling 949-268-CALL or email to [compliance@vmsinc.org](mailto:compliance@vmsinc.org).



Investigating clutter: a Security Inspector patrols the Community and should Staff identify objective evidence of clutter a Notice of Clutter Violation is issued. The Compliance Division will send a follow up notice advising the Member of the rules and requesting compliance.

For interior clutter: Staff will schedule an interior inspection to obtain photographs and determine the severity of the clutter, potential hazard, and damage to the property. Staff works closely with the Social Services Division and outside agencies on interior clutter violations.



## **STANDARD 15: FLOOR COVERINGS: EXTERIOR [BALCONIES AND PATIOS]**

MAY 1996

REVISED APRIL 2005, RESOLUTION 01-05-64

GENERAL REQUIREMENTS REVISED JUNE 2011, RESOLUTION 01-11-104

GENERAL REQUIREMENTS REVISED JANUARY 2016, RESOLUTION 01-16-08

GENERAL REQUIREMENTS REVISED JUNE 2018, RESOLUTION 01-18-57

REVISED SEPTEMBER 26, 2018, RESOLUTION 01-18-105

### **1.0 GENERAL REQUIREMENTS**

**SEE STANDARD SECTION 1: GENERAL REQUIREMENTS**

### **2.0 APPLICATIONS**

- 2.1** Screws, nails, or any type of penetrating attachments are prohibited. Only glues or adhesive strips may be used to attach carpets to concrete surfaces. Mortar, cement, etc., may be used for tile.
- 2.2** Floor coverings shall not be installed on any walkway or breezeway.
- 2.3** The color, style, fashion, or design of any floor covering shall be optional.
- 2.4** Glazed tile, due to its slippery surface, is prohibited for use as a floor covering.
- 2.5** Floor coverings are installed by the Members at their own risk. Any damage caused by any building activity, including building maintenance, shall be the resident's responsibility.
- 2.6** Painting or staining of concrete is prohibited, including patios.
- 2.7** The placement of indoor/outdoor carpeting is prohibited on any surface which is supported by wood (such as balconies, patios, decks, entryways, elevated and regular breezeways).
- 2.8** Concrete stain and epoxy coatings are permitted on concrete slabs in patios, atriums, and courtyards only. These coatings are prohibited on Common Area walkways.



### **3.0 MAINTENANCE**

- 3.1** Members must maintain floor coverings in good condition at all times. Members shall repair or replace damaged or worn floor coverings
- 3.2** Members shall be responsible to remove and replace any floor covering for access to the subsurface for purposes of inspection, repairs or maintenance.
- 3.3** Members assume all responsibility for tile that cracks or become loose.
- 3.4** Members assume responsibility for any building damage occurred due to the installation of a floor covering.
- 3.5** On wood frame balconies, the floor covering must be removable to permit access for inspection and maintenance. If the floor covering restricts the Mutual from performing periodic or preventive maintenance activities, the Member shall be responsible for all damages caused by the lack of maintenance.
- 3.6** If the floor covering holds moisture, restricts water drainage, or causes moisture related damage, the Member shall be responsible for all costs related to the damage.



## **STANDARD 16: FENCES; WROUGHT IRON**

MARCH 1996

REVISED NOVEMBER 2003, RESOLUTION 01-03-170

GENERAL REQUIREMENTS REVISED JUNE 2011, RESOLUTION 01-11-104

GENERAL REQUIREMENTS REVISED JANUARY 2016, RESOLUTION 01-16-08

GENERAL REQUIREMENTS REVISED JUNE 2018, RESOLUTION 01-18-57

REVISED SEPTEMBER 26, 2018, RESOLUTION 01-18-106

### **1.0 GENERAL REQUIREMENTS**

**SEE STANDARD SECTION 1: GENERAL REQUIREMENTS**

### **2.0 PREPARATIONS**

- 2.1** In each case, an inspector will visit the site prior to work, for adjustments pertaining to this section.
- 2.2** Attachments to buildings shall be with galvanized or stainless steel lag bolts only, predrilled and sealant applied prior to installation.
- 2.3** No fencing will be allowed in areas where access for maintenance is required.
- 2.4** In no case will concrete cover over sprinklers, sprinkler lines, or other related items.
- 2.5** No fencing will be allowed that may encroach upon a view of a neighboring unit as determined by the Alterations Division.
- 2.6** All wrought iron shall be painted black or the existing body color of the building.
- 2.7** All fencing shall border patio slabs only. No fencing shall be installed in garden or grass areas or common area.
- 2.8** No fencing shall be installed that encloses common area.



### **3.0 APPLICATIONS**

- 3.1** No fence shall be over 5'-0" in height, inclusive of wall and fence; nor lower than 12" in height.
- 3.2** All posts shall be attached to slab, wall, or set in concrete. No posts shall have any contact with soil.
- 3.3** All posts and related pieces shall be of tube steel or square, rectangular, or flat stock. No round posts or components are permitted.
- 3.4** Wrought iron fencing may be installed as approved by the Alterations Division as part of a block wall. See specifications for block walls.
- 3.5** Openings for gates are permissible. Openings that create a new path onto common area are prohibited.
- 3.6** Existing fencing may be lowered as requested by the resident with the approval of the Alterations Division.

### **4.0 SPRINKLER REVISIONS**

- 4.1** Sprinklers will be revised only by VMS Landscape staff. The cost of such revisions shall be at the expense of the resident owner of that unit.
- 4.2** No sprinklers will be placed inside any patio area by VMS Landscape staff, and any sprinkler systems added shall not be connected to the Mutual-owned system.