

**Rules & Regulations  
for  
Aptos Knoll Mobilehome  
Owners Association, Inc. (AKMOA)**

**Amended October 11, 2011**

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## Introduction

APTOS KNOLL MOBILEHOME OWNERS ASSOCIATION, INC. (hereinafter referred to as park or AKMOA) has adopted these Rules and Regulations to promote each resident's peaceful enjoyment of the AKMOA lifestyle, and to clarify our responsibilities as members of our community. We have an outstanding environment and lifestyle at Aptos Knoll. By adhering to these rules in a spirit of tolerance and respect, we will maintain and enhance our enjoyment of life in the park.

## Word Usage

1. His/Her – Any reference to his or her is intended to include the other, and is not limited to any particular gender.
2. Association, Park, Community – Any reference to Association, Park or Community refers to Aptos Knoll Mobilehome Owners Association, Inc. (AKMOA).
3. Management – Any reference to Management or Manager refers to the managers employed by AKMOA, the Business Manager and the Park Manager.
4. Resident, Resident Member, Resident Renter – Resident refers to all persons who reside in the Park. Resident Member refers to AKMOA shareholders who reside in the park. Resident Renters are persons who are not AKMOA shareholders, and reside in the park subject to a Rental Agreement with AKMOA.
5. Home, Mobilehome – Any reference to Home or Mobilehome refers to each home in the park.
6. Lot, Site, and Home Site – Any reference to Lot, Site or Home Site refers to the area upon which the home rests, which area is described by a specific site number. A Home Site is further defined as the area where the home sits and between the common grounds, neighbors' fences and the street.
7. Corporation – References to Corporation refer to Aptos Knoll Mobilehome Owners Association, Inc. (AKMOA).
8. Written Approval – References herein to approval, consent or permission of manager shall be taken to mean written approval prior to taking action.
9. Headings – The section titles in this document are for organization and future reference. Use them and the Contents to find answers to particular questions. However, please read the complete document to fully understand all of the rules and regulations.

## Forms

Samples of the forms mentioned in this document are included at the end for reference. When you need to use one of the forms, please get the latest version from the office.

## Occupancy and Rental Agreements

The following rules are an integral part of the park's Occupancy and Rental Agreements.

1. **Shareholders** - All Resident Members (Shareholders) are required to sign a written Occupancy Agreement before occupying residence. All charges, such as monthly payments and property taxes, are due and payable on the first day of each month. A late charge specified in the agreement shall be added to all payments not made by the tenth (10<sup>th</sup>) day of each month.
2. **Renters** - Only those residents who remained as "renters" when Aptos Knoll was converted to AKMOA ownership may continue as renters. AKMOA residents who have become shareholders in AKMOA may not revert to renter status. All Resident Renters are required to sign a written Rental Agreement. A Resident Renter is entitled to a Rental Agreement for a term of 12 months, or a longer period if mutually agreed upon by Renter and AKMOA, or a lesser period if requested by the Renter. All rents are due and payable in advance on the first day of each month. A late charge specified in the Rental Agreement will be added to all rental payments not paid by the fifth (5th) day of each month.
3. **Occupancy Approval** - All new residents who purchased their homes after February 4, 2005 must become members. To purchase a home in AKMOA (or to inherit a home in AKMOA), the purchaser or inheritor must seek and be granted approval by AKMOA. A selling resident or his agent shall give notice of the sale to the manager at the time the home is listed or otherwise offered for sale. A prospective resident may not take possession of a residence until and unless the Board has accepted that person as a resident member, they have purchased a share in AKMOA, and an occupancy agreement has been signed.

### Caregivers

1. A resident requiring a caregiver must have a physician's written treatment plan, which must be renewed every six (6) months. The exception is that, for a long-term illness, a statement to that effect from the physician may be presented to the manager.
2. Residents requiring any type of caregiver (overnight or part-time) must fill out AKMOA's Caregiver Information form (available at the office) and submit it to the manager.
3. Any live-in caregiver or aide must sign an agreement with AKMOA that he/she will vacate the premises within thirty (30) days after the member who required the care vacates the premises for any reason.

### Adult Community

Aptos Knoll is a senior community limited to two (2) persons per home. One resident in each home must be at least 55 years of age. The second resident must be at least 45 years of age. These requirements are enforced at time of purchase. Please notify the manager when a second resident moves into your home (see Occupancy Approval above). The approval process is required.

### Park Census

Management may, when deemed appropriate, conduct a census of all residents of the park. Such census shall be limited to a determination of:

1. Names and ages of all persons in residence
2. Commencement date of the residency of each person.

### Proof of Age

Management may require that any resident provide proof of age in one of the following ways:

1. Current, valid California driver's license
2. Current, valid California identification card
3. Birth certificate
4. Other original document with similar reliability

## Architectural, Maintenance and Landscaping Standards

The following standards have been developed to protect and enhance your investment in the park. Due to our obligation to all of the residents of the park, these rules will be enforced.

### Mobilehome Replacement Standards

Home replacement information is included in the Architectural Site Review Committee document *Agreement and Checklist for Requirements for Removing an Existing Home and Replacing with a New Home*. The rules include:

1. All homes to be brought into the park require the prior consent of AKMOA as to size, architecture and exterior color scheme.
2. Only new homes that comply with all local, state and federal standards will be accepted.
3. Two-story homes are not permitted.

### Home Placement

Placement of a home on the site is subject to the rules and recommendations of the Architectural Site Review Committee and approval of the Board.

### Antennas

Installation of all antennas (including dish) must be pre-approved by the park manager as to size, type and location.

### Patios, Fences, Decks and Other Architectural Changes

Board and management approval is required BEFORE making any architectural changes. This includes:

- Patios
- Fences
- Decks
- Skirting
- Exterior Painting
- Sheds or Other Outbuildings

Plans and designs for the proposed construction must be submitted to the Board for approval and must comply with all county and state building requirements. Note that site coverage is state-regulated at a maximum of 75%. Even though a proposed project may conform to all local and state codes, it is still subject to Board approval. All additions must be completed in a time period agreed to by the manager.

### Landscaping

Permission from AKMOA is required before making major changes to the landscaping on your home site. Advice of the Landscape Committee is available to help you select plants that are attractive, drought-tolerant and non-invasive.

1. Trees and shrubs planted on your home site are your responsibility to maintain. Bushes should be kept within reasonable height and width limits.
2. All trees and shrubs must be pruned to clear the roof, and gutters must be kept clean. You are required to maintain all landscaping and trees in a neat and attractive manner to ensure that they do not impose a hazard or nuisance to the park or endanger the park or neighbor's property.
3. You must obtain approval from AKMOA before planting a tree, or removing any existing tree from your home site.
4. The Landscape Committee will identify certain trees, known in AKMOA as Heritage Trees. Any tree over twenty (20) feet tall and/or canopied twenty feet wide and more than three feet from a home (not including sheds, outbuildings or patios) is the property of AKMOA. Removal or radical pruning can only be done with consent of the Board at the recommendation of the Landscape Committee. Please take any landscape problem or question regarding your home site or anywhere in the park to the Park Manager.
5. Any tree or shrub whose root system poses a threat to park roads, common area, sidewalks or any other infrastructure must be removed under the direction of AKMOA.

### Procedure for Seeking Approval for Architectural or Landscape Changes

You must follow the procedure below when seeking park approval for any proposed architectural or landscape changes on your home site.

1. Before starting any work on your home or home site, you must contact the manager to inform AKMOA of the proposed changes.

2. You must provide to the park manager a sufficient written description and plans for the proposed change. Include in the plans the material, style, location, etc., for all exterior alterations, improvements and accessories. Indicate type and placement of trees and shrubs.
3. The manager will forward the plans to the Architectural or Landscape Committee, as appropriate. The committee will review the plans, and consult with the applicant to clarify or modify the plans as appropriate.
4. The Committee will make a recommendation to the Board regarding approval of the plans.
5. In open session, the Board will approve the plans (allow the project to begin) or reject the plans. This decision will be given in writing to the applicant.

It is the goal of the Board, Architectural and Landscape Committees, and manager to make this process move quickly. The intention is to provide approval or rejection of the project at the next board meeting.

### Mobilehome Maintenance

Residents shall:

1. Maintain the exterior of your home in a clean and neat condition.
2. Keep all electrical, water, sewer and gas connections in good and leak proof condition at all times, and in compliance with all state and county laws and regulations.
3. Report any AKMOA facility that is out of order to management.

### Lot Maintenance

Residents shall:

1. Maintain your home site in a clean and neat condition. This includes the front, sides and back. If you neglect your home site, after reasonable written notice, the Board reserves the right, but is not obligated to, take over its care and bill you for this service. Keep all trash, debris, boxes, barrels, brooms, ladders, etc., out of sight. Position your waste containers to be as inconspicuous as possible.
2. Keep your driveways clean at all times. If you cause oil drippings and damage to the pavement, repair and clean the damage immediately at your own cost. Fix any car dripping gasoline or oil to avoid damage to the paving. AKMOA does not allow:
  - Repair or minor service to cars in driveways, carports or streets.
  - Parking of unsightly vehicles on home spaces.
  - Long-term parking of travel trailers, RVs, camper shells or boats.

### Failure to Maintain Home Site

Management may come onto your home site for the purpose of inspecting it (California Code 799.2.5.a (and b) and to do any work in connection with maintenance and repair of said

premises. Resident shall pay the cost of such maintenance or repairs occasioned by neglect or misuse of such property. Emergency entrance into the home itself shall be only by members of the Board and the park manager and then only with at least two of them present.

### Garbage

Garbage and recycling waste is collected weekly. The cost of collection is included in your monthly fees. Place your garbage and recycling containers wheels to curb (a foot apart) in the designated spot on the designated pickup day, and replace promptly after pickup. Large green containers are available at several stations and homes in the park and can take yard trimmings and green waste. All waste and trash items must be disposed of as stated in the information from the waste company.

### Lot Usage

1. No towels, rugs, wearing apparel, or laundry of any description may be hung outside the home at any time.
2. One storage cabinet is allowed; a second requires prior Board approval and evidence of any required permits, all at the expense of the resident.
3. Storage under homes is not allowed.
4. No indoor appliances (such as refrigerators or laundry appliances) are allowed outside of the home.
5. No open fires are allowed anywhere in the park.
6. Clean and attractive patios and/or carports are required.
7. Yard sales are NOT allowed in the park. The only exception is that a one-day sale to the public is allowed when a resident is moving out.

### Business Usage

The home and its premises shall be used only for a private residence, and no business or commercial activity of any nature, excepting professional, administrative or other operations within the home having no external evidence and creating no additional traffic. Vehicles using advertising for business purposes may have phone numbers but no addresses pertaining to park locations (street names, etc.). Park facilities cannot be used for business purposes except with permission from the Board.

## Recreational and Community Facilities

AKMOA's recreational and community facilities are provided for your enjoyment, and we trust that you will assist us in their proper use and care.

1. All our recreational and community facilities are provided for the exclusive use of the park residents and their accompanied guests.



2. All recreational and community facilities are to be used at your own risk.
3. The Board reserves the right to restrict the use of the clubhouse or any other park facility as to hours, purposes and conduct.
4. The pool and spa are available to residents at a minimum from May 1 through October 31. The pool and spa are generally closed from November 1 through April 30.
5. The clubhouse is open from 8 AM to 8 PM during the winter, and from 8 AM to 10 PM during the summer while the pools are open.

### Swimming Pool and Spa

1. These pools are for the exclusive use of park residents and their guests. A resident must accompany all guests.
2. Do not stay in the spa for longer than is healthy at any one time.
3. Observe all posted pool regulations. (Most of our rules are local ordinances, and are a requirement under our permit to operate a pool and spa.)
4. Infants and toddlers are permitted in the pool (but not the spa) if accompanied by an adult and only if wearing swim diapers.
5. Please shower before entering the pool or spa if you use suntan oils, lotions or other ointments.
6. Please secure long hair.
7. Glassware of any kind is not permitted in the pool or spa area.
8. Running on the pool deck is dangerous and is not allowed.

### Use of Clubhouse and Pools for Events

1. Park residents may schedule events that use our clubhouse, pool and spa. However, these facilities are not available for rent to outside parties. The resident who schedules an event for a group must be an active member of that group and be in attendance.
2. To schedule an event, you must complete the Aptos Knoll Clubhouse Use Agreement and, if alcohol will be served, the Alcohol Beverage Agreement. These agreements must be approved by management, and may be subject to Board approval. A refundable cleaning deposit is required.
3. Scheduled events may not conflict with park activities. All approved events are posted on the calendar in the clubhouse.
4. Residents who schedule events are responsible to leave the facilities clean and orderly, and are likewise responsible for repair or replacement of any damage resulting from the event.
5. Residents who schedule events are responsible for their guests' observance of all posted and written rules related to all park facilities.

6. No one in wet bathing suits is allowed in the clubhouse.
7. Phone calls for residents cannot be accepted on the office phone. There is a phone outside the office that you may use for local calls and emergencies only.

### Special Rules Incorporated by Reference

Other rules of conduct concerning the use of the park's facilities are posted throughout the park and by this reference are incorporated as though set forth in full. All residents and guests must read and follow the posted rules.

## Guests

### Responsibility for Conduct

Residents are responsible for the conduct and actions of their guests. It is the duty of the resident to make guests aware of the AKMOA Rules and Regulations. Please note that:

1. Skateboarding is not permitted anywhere in the park.
2. Driving speed may not exceed 10 MPH.
3. Playing in the park streets is not permitted.
4. Bicycle riding on the walkways is not permitted.
5. Playing music or amplifying sound should be modulated so as not to disturb other residents.

### Board Approval

Guests or visitors may not live in the park for more than forty (40) days in a calendar year unless approved by the Board.

### House Sitters

Residents will notify management when planning to be away for an extended time. Any resident who wishes another person to house sit will notify management in writing, and obtain written approval. House sitter must conform to all rules and regulations as though they were a resident.

## Vehicles

### General Rules

1. All residents' vehicles must be properly registered and insured.
2. No vehicle repair is permitted in the park.
3. Washing vehicles at the home site is permitted but we recommend that you:
  - Use a pail and sponge and carefully conserve water.
  - Use biodegradable solutions, since our street drain sewers go directly to the ocean.
  - Pour contents of buckets in your sink or toilet.

- If possible, use commercial car washes instead of our park because of water usage and harm to the environment.
- Do not wash cars of your guests as this increases water usage.

### Safety

Due to frequent and often heavy pedestrian traffic, it is important that you use extra caution while driving in the park. We urge you to drive slowly and carefully at all times. The park speed limit is 10 mph. Come to a full stop at all stop signs.

### Parking Limitations

1. Each home has been allotted space for two vehicles and ONLY TWO VEHICLES PER HOME SITE ARE PERMITTED IN THE PARK. In the past, some residents have reduced vehicle space on their home site. That will no longer be allowed. If it is possible, convert your carport to accommodate two cars. If it is not possible to fit two cars in your carport, you can only have one car in the park.
2. Because our streets are fire lanes, there can be NO overnight parking on the streets, as this could impede an emergency vehicle.
3. Guest parking is provided at designated areas in the park. Residents may not regularly park in guest parking areas.
4. Streets must be kept free of vehicles on garbage pickup days to allow waste and recycling trucks access to the whole street.

### **Peace and Enjoyment**

Please respect your neighbors' privacy by not trespassing on their home sites. Loud noises are not allowed outside your home between 10 PM and 9 AM. This includes but is not limited to construction, yard care, loud vehicles, work projects, parties, etc. Park disturbances such as yelling, screaming, fighting, intoxication and misconduct are not permitted at any time.

### **AKMOA Responsibility**

1. AKMOA is not responsible for loss due to fire, theft or injury to any resident, guest, or licensee, or property.
2. All public laws and ordinances must be obeyed. Residents or guests shall commit no acts that would constitute a violation or place AKMOA in violation of any law or ordinance.
3. In the event that a citation is issued by any governmental agency in connection with a resident's home, that resident must initiate corrective action within seven (7) days of receipt of notice of such citation. Failure to make such corrections will result in termination of resident's tenancy as provided by law.

## Pets

1. If you have pets, you must fill out a Pet Information form.
2. Two small indoor pets are allowed per household. In the case of dogs, the weight of each shall not exceed 25 pounds.
3. All dogs and cats must be immunized.
4. Dogs and cats over the age of 6 months must be spayed/neutered.
5. Dogs over the age of 4 months must be licensed.
6. Dogs and cats are not allowed in any garden areas, and must be controlled and on a leash when outdoors.
7. Dogs and cats (with the exception of service dogs) are not allowed in the clubhouse.
8. Clean up all messes, including defecation, digging, etc., made by your pets. When walking your pet(s), carry waste disposal products with you (plastic bags, scooper, etc.).
9. Incessant barking, growling, meowing and other behavior causing a nuisance or disturbance to the neighbors are not allowed.
10. Feed pets indoors. Please do not feed or leave your pet's food outside. Food or birdseed on the ground attracts rodents and other feral animals. It is harmful for wild animals and dangerous for you and your neighbors. Outside birdfeeders are allowed but should be hung so no seed or droppings fall on the walkways.

## Rule Violations and Enforcement

In accordance with AKMOA's governing documents regarding due process, the procedure for enforcing our rules and regulations is as follows:

1. If there is a problem between you and your neighbor, please try and talk it out. If that does not solve the problem, please fill out the communication form that is available in the clubhouse and put it in the Suggestion Box.
2. The manager may issue a courtesy notice (door hanger form) to the resident who is in violation and/or discuss the problem. The notice will be mailed to any resident who does not live in the park.
3. If the problem persists, the manager and resident agree (in writing) on a process and timeline for correction.
4. If the problem persists, you are invited to a hearing with the Board in Executive Session.
  - You are given 15 days written notice of the hearing. Notice includes the nature of the damage or violation, and the time, date and place for the meeting. Notice may be delivered personally (to your mailbox) or by mail. If the notice is given by mail, it will be sent by first class or registered mail to your latest address in AKMOA's records.

- At the meeting, you may be heard orally or in writing, and you may present witnesses on your behalf and cross-examine any witness who testifies against you.
- After the hearing, the Board determines whether a violation continues to occur. If so, the Board may impose a fine, which shall become due not less than five days after the date of the hearing. The Board may also take other action as may be appropriate.

### Schedule of Fines

1. The first fine is \$75 per violation and is due and payable within five days.
2. If the problem persists, the second fine is \$100, due and payable within three days.
3. If the problem still persists, subsequent fines of \$100 may be imposed.
4. Under extraordinary circumstances, fines greater than the scheduled amounts may be set by the Board to reflect the seriousness of the violation.

### Other Enforcements

1. The Board also has the right to temporarily suspend your voting rights (see AKMOA Bylaws, Section 2.9). In extreme circumstances, the Board can terminate your membership and repossess the space (see AKMOA Bylaws, Sections 2.11, 2.12 and 2.13).
2. Failure to pay the fines will result in the filing of a lien against your property.
3. In addition to the foregoing fines, you may be charged the actual cost of any expense AKMOA incurs in remedying your violation.
4. In an emergency, the manager may contact the police (via 911) when criminal activity in the park is suspected.

## Receipt and Acknowledgement of Park Rules

The undersigned resident(s) hereby acknowledges receipt of the Aptos Knoll Mobilehome Owners Association (AKMOA) Rules and Regulations. Further, resident(s) acknowledges having read these Rules and Regulations and agrees to be bound by all of the terms and conditions herein contained.

Executed at Aptos, California on:

Date \_\_\_\_\_, 20\_\_\_\_\_

By \_\_\_\_\_  
Officer of the Board of Aptos Knoll Mobilehome Owners Association, Inc.

Resident \_\_\_\_\_

Address \_\_\_\_\_

Resident \_\_\_\_\_