

## **II. Procedures**

### **General**

The Cliveden Homeowners Association is a legally incorporated homeowners association responsible for representing the interests of all homeowners in the Cliveden Development. The Cliveden Development consists of two sections: Cliveden Estates and Eagleview at Cliveden. It is located in the area bounded by Eagle Road, Washington's Crossing Road and Durham Road in Newtown Township. The Association consists of 139 homes. Eighty-four (84) of these homes are in the Cliveden Estates section with residents on Cliveden Drive, Woodbine Court, and Brookdale Place. The remaining fifty-five (55) homes are in the Eagleview at Cliveden section with residents on Crittenden Drive and Duval Court. For your information maps of the two sections of the Cliveden Homeowners Association development are provided in the front of this manual.

### **Legal Guidelines**

The Cliveden Homeowners Association is a legal entity vested by the state of Pennsylvania with certain powers and responsibilities. The Association was incorporated with the Commonwealth of Pennsylvania on September 11, 1980. The Cliveden Homeowners Association operates under a Declaration of Covenants, Conditions, and Restrictions and a standard set of Homeowners Association BY-LAWS. These documents provide the legal guidelines for the operation of the Association and grant certain powers and authority to the Board of Directors to effectively manage the Homeowners Association. Each homeowner should have received a copy of these documents when you purchased your home. Copies of these documents are available from the Secretary of the Board of Directors. A careful reading of these documents will give each homeowner a clear understanding of their rights, responsibilities and privileges as a member of the Cliveden Homeowners Association.

### **Management**

The Association is a self-managed organization responsible for the maintenance and upkeep of the common areas of the entire development. The Association is managed by a duly elected five member Board of Directors. Names, addresses and phone numbers of the current Board of Directors are periodically published in the Homeowners Association Newsletter. Each elected Board member serves a two-year term. The Board of Directors meets monthly on the third Wednesday of each month. The location of the meeting rotates at each Director's house. All meetings are open to all homeowners. Any homeowner desiring to attend a Board of Directors monthly meeting should contact any Board member in advance of the meeting to ensure sufficient space is available. Please feel free to communicate with any Board member on any issue you feel impacts the Homeowners Association.

## **Elections**

Elections are held annually in September for either two or three Board positions. Prior to each election a notice will go out to all homeowners requesting volunteers to run for the open Board of Director positions. Interested homeowners will complete a Candidate Sheet, which provides some general information about the candidate. Once all candidates have been identified, Candidate Sheets will be sent to all homeowners along with an official ballot for the election. Ballots will be mailed to every homeowner during the month of August. Completed ballots can be returned by mail or brought to the Annual Homeowners meeting in September, where the votes will be counted and the results announced. The candidates with the highest number of votes will be elected to fill the vacant positions on the Board of Directors.

## **Dues**

To ensure the proper upkeep and maintenance of the common areas, the Homeowners Association collects dues to offset the cost of maintaining the community. Based on the anticipated expenses for the operation of the Association a monthly fee is computed for each homeowner. The annual budget, proposed by the Board of Directors, is developed in October of each year and provided to all homeowners in November for their input. After reviewing homeowner input, the Board of Directors approves the budget in December and a notice of annual dues is mailed to all homeowners. Dues are collected three times each year --- January, May and September. The Association does offer a one-month discount if the entire annual dues are paid in January of the year due. If dues are not paid by the due date, a \$15.00 late fee is assessed. Any homeowner who becomes seriously delinquent in the payment of Association dues will be served a civil complaint from the Bucks County Municipal Court.

Financial Statements for each operating year of the Association are prepared during the first quarter of the year following the year of operation. These statements are published in the Association Newsletter which is sent to all homeowners. The statements, an Income Statement and a Balance Sheet, provide the overall financial status of your Homeowners Association.

## **Fines**

In addition to the late fees assessed for the non-payment of dues, the Board of Directors has the legal authority to levy fines for the violation of any of the Association rules or policies. Fines are at the discretion of the Board of Directors and are related to the particular offense. Any homeowner who is in violation of any Association rule or policy will be notified in writing by the Board of Directors of the specific rule or policy violated and the remedy necessary to correct the violation. Any homeowner in violation of any rule or policy will have ample opportunity to address the Board of Directors before any fine is levied.

Once the fine is determined appropriate, the homeowner must pay the fine within thirty days from the date of notification that the fine is due. Failure to pay fines or failure to pay dues will result in a Civil Complaint being filed against the homeowner with the Bucks County Municipal Court. In addition to the fines and/or dues the homeowner will be liable for all court costs incurred by the Association.

## Home Sales

Under the Real Estate laws of Pennsylvania every home sold in our development must have a Re-Sale Certificate (PA FORM 5407) included with the settlement papers. This Re-Sale Certificate is provided by the Homeowners Association and provides a certification that all monies owed by the seller to the Homeowners Association have been paid in full. The sale of your home can not be completed without this Re-Sale Certificate. Any monies in arrears will be collected from the seller at settlement. Monies in arrears will include any unpaid dues, late fees, fines, special assessments, etc. If you are selling your home, please have your real estate agent contact the President of the Cliveden Homeowners Association to obtain this Re-Sale Certificate.

## Newsletter

In an effort to keep all homeowners informed about the operation of the Homeowners Association, the Board of Directors periodically (usually every other month) publishes a Newsletter called *The Cliveden Chat*. A variety of information is included in each issue with the goal of keeping you informed as to what your Board of Directors is doing to maintain the community. Questions regarding the articles in each issue and/or input to any issue should be directed to the Secretary of the Homeowners Association.

### **III. Architectural Policy**

#### **Forward**

The Cliveden Homeowners Association Declaration of Covenants, Conditions and Restrictions and the Cliveden Homeowners Association BY-LAWS provide the Board of Directors the authority to adopt rules and regulations regarding the architectural make-up of the community. The primary purpose of an Architectural Policy is to preserve the integrity of the development, maintain or increase property values and enhance the quality of life in the development. The Board of Directors established an Architectural Policy Committee for the purpose of administering the Architectural Policy. As a resident of the Cliveden Development and as a member of the Cliveden Homeowners Association you are required to obtain approval from the Architectural Policy Committee (APC) for all exterior changes, additions, and alterations to your property.

#### **General Guidelines**

It is difficult to list in these guidelines every possible change or alteration to your property that requires approval from the Architectural Policy Committee. In general terms, any addition to an existing building and/or grounds or any exterior alteration, modification or change to an existing building must have the approval of the Architectural Policy Committee (APC) before any work is undertaken. This includes patching or replacing the roof; patching or replacing siding; or any new exterior attached or detached structure. Examples of such changes/alterations would include: a deck, greenhouse, shed, fireplace, fences, retaining walls, etc. If in doubt, please request APC approval using the enclosed Architectural Policy Request Form. Taking the time up front to submit your request will avoid a potential problem after the fact.

Listed below are specific architectural policies for various projects, changes or alterations that you may be planning. Please take the time to familiarize yourself with these policies to avoid any confusion. Should you have any questions please contact the Chairman of the Architectural Policy Committee who is a member of the Board of Directors of the Homeowners Association.

If you make an architectural change, addition, or alteration without the approval of the APC or the Board of Directors, you will be responsible to reverse the change at your own expense. Failure to do so may result in the Board of Directors taking the necessary action to reverse the change and billing all costs to the homeowner. Additionally, any violation of the below policies will be subject to financial penalties as deemed appropriate by the Board of Directors.

## Processing Requests

All requests to the Architectural Policy Committee must be submitted in writing using the enclosed Architectural Policy Request Form. Additional forms may be obtained from the APC Chairman.

The description of the project should include all information necessary for the APC to take action. Necessary data should include, but not be limited to, the height, width, length, size, shape, color, materials, and location of the proposed improvement. Photographs and sketches of similar completed projects would aid in the APC's consideration. If the alteration affects the existing drainage pattern, the proposed drainage pattern must be included.

Keep in mind the homeowner is responsible for obtaining the necessary Township permits for the proposed improvement project. APC approval of the project does not wave this responsibility.

Architectural Policy Request Forms should be submitted to the Architectural Policy Committee Chairman. Upon receipt of Request Forms, the APC will date stamp the form, review the form for completion and notify the homeowner of receipt of the request. Additional information may be requested from the homeowner at this time. Should the APC Chairman or a member of the Board of Directors fail to respond to the homeowner's request within forty-five (45) days from the date stamped, then the request is considered to have been approved.

After review of the request by the APC, a recommendation is made to the Board of Directors who will make the final determination on the request. Once that determination is made the homeowner will be notified of approval/disapproval in writing.

## Appeal Process

If the proposed project is disapproved by the Board of Directors, the homeowner has the right to appeal the findings of the Board. This appeal may be in writing or in person to the Board. The homeowner is encouraged to provide any additional information that may help to clarify the request. Upon hearing the appeal of the homeowner the Board of Directors will make its final determination. The homeowner will be notified of this final decision in writing within ten (10) days of the appeal hearing. Should any homeowner feel that any of the policies approved by the Board of Directors are inappropriate, unjust or unfair, that homeowner has the right to petition **all of the homeowners in the Association** for a change to the policy. If two-thirds of the homeowners in the Cliveden Homeowners Association agree to the change in policy, the Board of Directors will make the change and apply it to the entire development.