

House Rules

SELLWOOD HARBOR CONDOMINIUMS



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Introduction

SCOPE OF HOUSE RULES

TO ALL OWNERS AND RESIDENTS OF SELLWOOD HARBOR CONDOMINIUMS:

These rules have been formulated for Sellwood Harbor in accordance with the Condominium's governing documents. You are responsible to review them carefully as they apply to not only owners and tenants but also any of their guests. These rules, while lengthy, are necessary for the preservation of a pleasant living environment, as well as the protection of your investment and control of maintenance costs.

The Board of Directors and BPM Management (our management company) have the responsibility of enforcing these rules and we hope you will cooperate with them.

Living in close proximity with others requires consideration and a sense of responsibility for your actions. We have a lovely community, and it will remain that way with your help and cooperation.

These Rules supersede any implied or oral understanding. Dated February 11, 2020.

General Information

HANDLING AN EMERGENCY

1. Emergency Services (24 hours) – Police, Fire and Medical call 911
2. For a gas leak call NW Natural Gas immediately at 1-800-882-3377
3. Emergency Power Outage Response (24 hours) – call PGE at 503-464-7777. When the power does come back on and the elevators or gates are not working, the following steps should be taken:
 - a. Notify BPM at 503-334-2198 Monday – Friday 8am-5pm or after-hours at 503-850-2887
 - b. Determine which elevators are not working. Make sure no one is stranded inside the elevator. If someone is in an elevator, instruct them to use the emergency phone in the elevator.
 - c. If the south gate opens due to an emergency, it can be reset. The procedure is:
 - 1) Go to the gate house and inside there is a lockbox
 - 2) Hit the center black button to clear it first then use the code that is posted on the Sellwood website's main page or by contacting BPM. Be careful to push the buttons one at a time as the box is sensitive.
 - 3) After you input the code pull the top center black button down and pull out towards you.
 - 4) Key is inside
 - 5) At the gate there is a box to the right facing the gate from the inside. There you will see two silver arms with a lock through them.
 - 6) After you remove the lock with the key push the one lever that looks like a step pedal down.
 - 7) Then take the gate and carefully roll open
 - 8) Please make sure to replace the lock and key
4. Insurance Claims – Contact BPM and your insurance company immediately.

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PROPERTY MANAGEMENT COMPANY

BPM HOA Management
Susan West, Manager
1800 SW 1st Ave., #One
Portland, OR 97201
susan@bpmmgmt.com

Phone: 503-334-2198

Fax:503-764-9032

Eric Gordon, Director of Maintenance
eric@bpmmgmt.com

Phone: 503-334-2198

On-site Maintenance – SW Harbor
swhmaintenance@bpmmgmt.com

Phone: 503-334-2198

House Rules

RENTALS

Consistent with mortgage lending practices, no more than 25% (9) units will be rented or leased at any given time. Owners will be responsible for the action of their tenants. This means that fines imposed for rules violations accrue against the owner, not the tenant. Tenants are required to abide by the Condominium Rules, Declaration and Bylaws. It is the owner's responsibility to keep their tenants informed of all rules.

Owners must explain that SHC is a condominium community; Owners must supply and explain the rules and regulations to their tenants, making sure they understand the obligations of complying. For further information see section 7.8 in the bylaws.

If an owner rents their property, that owner also rents the use of Sellwood Harbor recreational facilities with the unit. Therefore the owner releases the right to use those facilities.

Short term rentals (6 months or less) including but not limited to AirBnb or VRBO, are not allowed.

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RULES ENFORCEMENT FEES AND PROCEDURE FOR ASSESSMENT OF VIOLATION

It is the intent of the Board of Directors to maintain an attractive community and orderly use of the common and limited common areas as outlined in the Declaration of Unit Ownership and Bylaws of the Association of Unit Owners of SHC.

Therefore, the following procedures shall be used in addressing violations of the specific rules and restrictions as outlined in the Declarations and Bylaws of the Sellwood Harbor Condominium Homeowner's Association.

First and foremost we encourage you to be neighborly and try to communicate to one another before reporting a complaint to the management company. If this cannot be achieved then please follow the steps below:

1. Violations of the rules should be reported to BPM in writing or by email and BPM will confirm the violation and act within 48 business hours.
2. BPM will report rules violations to the Board in a timely manner. The Board will afford the resident in violation of a rule/rules the opportunity for a fair hearing if required.
3. Following determination of rules violation, the individual in violation and the unit owner, if different than the resident, shall be notified in writing by BPM of the specific violation, correction required, length of time to be corrected and the consequences of non-compliance.
4. If the requested corrections have not been made within the time frame given and the violator has made no attempt at reconciliation, BPM or the responsible Board of Directors designee may request further action.
5. The fine shall be in the amount of \$50-500 at the Board's discretion depending on the severity of the violation. An additional \$50 will accrue each day the violation continues. If the secured fine reaches the sum of \$600, a lien shall be filed against the unit in question. Accrual shall begin after the compliance period has expired and will continue until such time as the violation is corrected.
6. Fines are due and payable immediately by the unit owners and are not to be considered in lieu of compliance or compensation for any damage that may be incurred as a result of the specific violation. Charges for legal, filing, and processing fees and compensation for any incurred damage is also the responsibility of the unit owner and payable immediately.

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CONTACT INFORMATION

Owners are responsible to ensure all owner/tenant information on file with BPM is kept current; when changes occur, please contact BPM right away.

WATER HEATERS

If your conventional standard water heater is more than 10 years old it must be replaced at the owner's expense. If your tankless water heater is more than 20 years old it must be replaced at the owner's expense. Exceptions may be granted by the BOD.

WINTERIZING – EXTENDED VACATIONS AND UNOCCUPIED UNITS

In an attempt to mitigate freeze damage, owners are required to maintain heat to their units at all times during the winter. A minimum of 56 degrees must be maintained. Owners will also be responsible for turning off, draining and insulating their exterior hose bibs. Owners will also be responsible for turning off washing machines, dishwashers and separate ice machines if they are going to be absent for more than 30 days.

STORAGE

1. Decks and balconies and other areas visible to the outside must be kept neat and free from clutter: laundry, broken furniture, dead plants, empty boxes or other unsightly objects.
2. The Association assumes no liability for any loss or damage to articles stored in any common or other storage areas.
3. The Fire Marshal has informed the Association that nothing is to be stored in the fire stairwells. Any items found in the stairwells will be removed immediately in order to avoid fines.
4. Closets near the elevators on the first floor of buildings A, B and C contain electrical panels and must not be used for any storage per fire codes.

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GARBAGE DISPOSAL

In an attempt to better utilize the space in the garbage areas and to avoid additional expense for more pick-ups and maintenance, please do the following:

1. No garbage, trash or other waste shall be deposited or maintained on any part of the property except in areas or containers designed for such items.
2. Please place garbage in plastic bags and secure.
3. Break down boxes and place in garbage bin area.
4. Do not leave tires, furniture or other such items in the garbage bin areas. It is the responsibility of the individual owner to haul away these types of articles.
5. Animal litter must be placed in a plastic bag and tightly secured before depositing into the garbage bins.
6. Recycle according to current standards.

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GENERAL USE AND MAINTENANCE

1. The term “Common Area” denotes those areas outside units that are jointly owned by all homeowners. Maintenance of Limited Common Areas assigned to each individual owner, i.e., storage areas and patios, is the responsibility of that owner. Owners should keep these areas clean and free of clutter.
3. Elevator lobbies on floor 2 and 3 may be decorated by the owners in a manner that is agreeable to the owners of that floor. The décor of other common areas, such as the garage lobbies, may be chosen by a committee of residents who use the particular area.
4. A unit owner needs to seek the permission of the Board of Directors before changing the appearance of common elements.

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PETS

1. All pets, including those of guests, must be kept on a leash while outside a unit. Pets will not be tethered or attached to anything on the property at any time. A unit owner, or their tenant, may be required to remove a pet after receipt of two notices in writing from the Board of Directors of violations of any rule, regulation or restriction governing pets within the community. No pet breeding is permitted on the premises.
2. Owners are expected to control any domestic pet that makes frequent continuous sounds which unreasonably disturbs other owners. If necessary, owners should remove any such pet from the Sellwood Harbor community.
3. The only designated pet relief area is the gravel section at the NW portion of the property under the bridge. The plantings, grass and bark throughout the property are not to be used.
4. Any damage caused by a pet any part of the common or limited common elements shall be the full responsibility of the owner. If the pet damages the landscaping, the cost to replace or repair will be incurred by the unit owner as determined by the Board of Directors.
5. All pets should be licensed and vaccinated as required by Local Law.
6. All pet waste (sand, litter, paper, etc.) shall be secured and disposed of into garbage.
7. Financial and all other responsibility for any personal injury or personal property damage caused to any unit owner, occupant, guest or employee of the building or to any member of the public shall be solely that of the pet owner.
8. Pets are not allowed at the pool.

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BALCONIES AND DECKS

1. Guide for care of Gaco-covered walkways in Building A, B and C (between elevators and unit entrances):

Do not pressure wash the Gaco coated surfaces. Resurfacing of walkways with elastomeric Gaco occurred in 2004. Maintaining the integrity of that surface is vital not only for aesthetic reasons but also for the protection and waterproofing of the underlying wooden structures. Owners are responsible for cleaning the area in front of their unit. The following steps are recommended: wet surface with water before applying Simple Green. Allow Simple Green to stand for several minutes after scrubbing with broom or brush. Then rinse thoroughly with water.

Sharp or heavy items may damage the membrane as will any item that is in direct contact with the Gaco surface without allowing for any air circulation. It is recommended that planters be elevated. Fertilizer spills should be removed immediately. Door mats made of sisal or any material which allows some air circulation are preferable over flat rubber mats.

2. Only furniture and potted plants appropriate to balconies or decks, hallways and lobbies may be used. The Board of Directors shall regulate storage of other items on balconies or patios.
3. The watering of plants, sweeping and mopping of balconies or decks and adjacent areas shall be accomplished in a manner which will not create a nuisance to persons residing in lower or adjacent units or to persons on the grounds of the premises. Articles shall not be thrown off the balconies or patios. Containers shall be placed under all pots to avoid water dripping to the patios and balconies below.
4. The Board of Directors may regulate the nature of items which may be visible to the common elements or outside the condominium.
5. It is prohibited to hang or shake dust rags, mops and similar items from the windows or decks or terraces, or to clean such items by beating them on an exterior part of the buildings.
6. The following deck loading limitations for decorative planters or similar objects has been determined. These allowances are based on the design parameters of the decks as well as an allowance for persons or other live loads which may possibly be applied to the structure.
 - A. 150 lb. planters – 2'-0" minimum distance between planters.
 - B. 150 lb. – 500 lb. planters – 2'0" clear space minimum in each direction around planter and/or 4'0" minimum distance center-to-center of planters.
 - C. 500 lb. – 800 lb. planters – 4'0" clear space in each direction around planter and/or 6'0" minimum distance center to center of planters.

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FIREPLACES

Wood fireplaces are not allowed.

BARBECUES, OPEN FIRES AND PATIO HEATERS

This section is a requirement of the Association's Insurance Carrier

Gas and electric barbeques are allowed. They must be pulled away from the siding when in use. It is prohibited to have open fires, including charcoal barbecues in the units or on the decks and terraces.

Portable or installed patio heaters are prohibited.

DRIVING SPEEDS

Vehicular traffic on or in the driveways shall be limited to five (5) MPH. The limit applies to all vehicles.

INSURANCE

The Association's insurance policy does not cover the contents of your unit or personal liability. You should have a Condominium Unit Owner's insurance policy (HO6 Policy). If you do not have this insurance, we strongly urge you to contact your insurance immediately. See page 25 or to Sellwood Harbor Condominiums website for Owners Insurance letter.

Owners must require their tenants to carry a renter's policy for at least \$300,000 to protect the HOA policy in the event of damage.

1. Nothing shall be done or kept in any unit or in the common elements which will increase the rate of insurance on the building or contents thereof beyond that customarily applicable for residential use, without the prior written consent of the Association. No unit shall permit anything to be done or kept in his unit or common elements which will result in the cancellation of insurance on any building, or the contents thereof, or which would be in violation of any law or regulation of any governmental authority. No waste shall be left in the common elements.
2. The Board shall not be held responsible for personal property nor deliveries left in common areas and facilities or any place on the premises; nor for any article left with an employee.

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LANDSCAPING

Owners and Tenants must secure Board approval before planting or placing anything in the common areas outside their unit.

RECREATIONAL FACILITIES

The common recreational facilities are provided for the use of the owners, guests and tenants. The Board shall post rules and regulations, setting out the hours the various facilities will be available and the conditions of use. Each unit owner, tenant or guest shall comply with such rules and regulations.

Please be courteous to other owners and their guests, recognizing the space is shared.

Owners may not reserve the pool for private parties. The clubhouse and adjacent patio may be reserved for parties up to 4 hours in duration. Set up and clean up are owners responsibility.

SWIMMING POOL

1. Owners shall be present when guests are using the swimming pool.
2. There is no lifeguard on duty. Use pool at your own risk.
3. Anyone under the age of 14 must be accompanied by an adult.
4. Pool hours are from 6 AM to 10 PM daily.
5. Entrance gates are to remain closed at all times.

The following are prohibited:

- Glass or breakable containers
- Diving
- Running
- Smoking, e-cigarettes, vaping or recreational drug use
- Animals in the pool area or tethered to the pool fencing
- Excessive noise
- Inappropriate behavior
- Music, other than personal headphones

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TENNIS COURTS

1. Owners must be on the Sellwood Harbor premises when their guests are using the tennis courts.
2. A sign-in book is provided and all users must sign in
3. Anyone under the age of 14 must be accompanied by an adult
4. Shoes must have non-marking soles
5. Lights are to be turned off and the door securely closed/locked on departure

FITNESS CENTER

1. Owners must be on the Sellwood Harbor premises when their guests are using the fitness center.
2. Wipe equipment after each use
3. Turn heat, lights and fans off and secure/lock door upon departure

MISCELLANEOUS

1. No smoking of any kind; including marijuana, e-cigarettes or vaping shall be permitted in the common areas.
2. No unit owner shall conduct or permit excessive noise or any musical instrument, operation of radio or television in a manner that disturbs the owner or occupants of any other unit.
3. Units shall be used for residential purposes.
4. Window coverings shall be of neutral color from the exterior to create an aesthetic and harmonious outer appearance of the community.
5. No unit owner may install awnings, air-conditioners, ductless systems or other projections to their unit without first obtaining the written consent of the Board, and an easement for installation of the unit in the common element.
6. BPM is not permitted to take care of private business of owners at any time. BPM is available to recommend vendors from a preferred list of vendors.
7. Except with the consent of the Board, no exterior lighting or noise making device shall be

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installed or maintained on any unit.

8. No radio dishes or antennas shall be erected or maintained by an individual owner outside the physical confines of a unit unless authorized by the Board.
9. Maintenance personnel, the Board and BPM shall not be asked to do work within a unit, except in an emergency, which endangers other units, the safety of residents and guests or common or limited common elements and facilities.
10. Maintenance and repair of vents, including stove, dryer, bathroom fan, etc., is the responsibility of individual unit owners.
11. Owners are responsible for their own alarms.

PARKING

1. The parking spaces designated as general common elements in the Declaration are intended for use of vehicles of the owners and their guests.
2. There will be no parking in areas marked "No Parking" or "Fire Lane". The Fire Marshal will assess significant fines for violation of these parking rules. If the Fire Marshal fines for a specific car, the fine will be passed on to the owner. Cars may be towed for violations at the owner's expense. The only persons authorized to call for a tow truck in these cases will be the Board Chair or his/her designee.
3. All vehicles must be operable and currently licensed at all times. No disabled vehicles may be parked in the parking lot beyond a seven (7) day period.
4. In the lower parking area, each unit is assigned two (2) specific spaces. Parking areas marked as Visitor Parking may be used for short term parking by a guest only.
5. There shall be no repairing or overhauling of vehicles in the garage area.
6. Parking behind cars in the parking garage is prohibited.
7. Car washing is prohibited in the community except in the designated area which is located in the lower garage between buildings A & B.

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RECREATIONAL VEHICLES

Trailers, motor homes, campers, boat trailers or like recreational vehicles shall not be used for residential purposes, nor stored in the common elements, or on any roadways. Such vehicles may be parked in the north or south end parking lots for up to seven (7) days.

HOMEOWNER DUES

1. Homeowner dues payments are due and payable on the FIRST of each month and will be considered delinquent if not received by the tenth (10th) of the month. A late fee charge of fifty dollars (\$50) will be levied against the unit owner for accounts past due as of the eleventh (11th) of each month. This late fee charge will be treated in the same manner as a special assessment and/or maintenance fee charge and will be collectible through procedures established by the Board.
2. Owners will be given written notice of past due accounts. If accounts remain unpaid for a period of ninety (90) days, a notice of Lien will be given. If the account is not brought current within ten (10) days, a Lien will be filed against the unit owner for non-payment of maintenance fees, late fees, special assessments and/or fines. Owners will be responsible for costs incurred in connection with filing liens, judgments and/or foreclosures, including but not limited to, filing fees, recording costs, lien preparation, interest, attorneys and court costs. These costs will be treated as special assessments against the unit and must be paid prior to a Lien being removed.

LISTINGS, SHOWINGS AND ESTATE SALES

Owner must notify BPM of realtor tour 72 hours in advance. Further showings must be by appointment only. There shall be public open houses allowed under the following conditions:

1. Only one open house is allowed each month
2. Homeowner reports name of listing agent and his/her contact information to BPM
3. Agent obtains fob from BPM against a deposit of \$100 (or owner loans fob)
4. Agent requests permission from BPM for an open house at least 72 hours in advance of date
5. One sign may be displayed at each of the two entrances, one at front entrance to unit, and, if needed, one directional sign.
6. Two agents must work the open house:
 - a. A person at the gate to screen, allow access and to give directions
 - b. A clipboard will be available for visitors willing to give contact information to the agent
 - c. The listing agent at the unit for sale

No sign of any kind shall be displayed to public view on or from any unit or the common elements without prior written approval of the Board, except that:

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- One sign may be displayed at each of the entrances.
- Additional directional signs may be displayed during the realtor tour only.
- For rent signs cannot be displayed at any time.
- Estate sales and garage sales are not permitted.

ADDITIONS OR CHANGES TO UNIT

Board approval is required of all major changes or additions to units or limited common elements assigned to the unit and must submit plans to the Architectural Review Committee (ARC) via Management Company. Major remodels that exceed \$50,000 in cost shall also require a named general contractor, licensed and bonded, submitted with ARC. Requests should be made at least 45 days before the anticipated project start date. The ARC will work with the Association's building consultant as needed. The costs of the consultant are the responsibility of the requesting homeowner. A project cannot begin until the ARC review is completed and approved.

Additions or changes to a unit that require ARC approval include but are not limited to:

1. Penetration of the building exterior or alterations that change the exterior appearance such as antennas, satellite dishes, awnings/sunscreenes, and watering systems.
2. Any change that may impact sound transmission*, affect common service elements, or alter the structural integrity of the building.
3. HVAC, plumbing, electrical, gas.
4. Any change requiring building/construction permits.

****SOUND PROOFING***

1. It is imperative that any structural changes to units affecting walls, floors and ceilings take into consideration soundproofing.
2. Units located on the second and third floor of Buildings A, B and C are required to provide sound proofing when installing new flooring materials which meet the minimum standards adopted by the Board.
3. All units are required to provide soundproofing in walls that adjoin other units.
4. It is the intent of this rule that sound transmission between units be improved in every possible situation when units are being refurbished. This is especially important if you are adding tile,

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marble or wood flooring materials.

Work such as decorating, interior painting, papering or minor repairs do not require ARC approval.

Once application is approved the homeowner is responsible for the following:

CONTRACTOR SCHEDULING

1. Owners must inform BPM of their contractor's schedule.
2. Working hours shall be between 8 AM and 5PM, Monday through Friday.
3. The owner is responsible for coordinating and/or providing access to all contractors performing work on their behalf with BPM.
4. Smoking and vaping is not allowed on property in the common area

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LICENSES, BONDING AND INSURANCE

The owner is responsible for providing to the Association certification that all contractors are currently licensed, bonded and insured in order to meet the standards set forth by the State of Oregon. Owner and contractor shall be responsible for ensuring all contractors and/or employees observe OSHA requirements.

CONTRACTOR PARKING

1. Owner must obtain vendor parking permits through BPM and permit shall be displayed on dashboard of vehicle at all times while on site working.
2. All vendors and contractors must park in the area designated on site in the north and south parking lots.

DEBRIS REMOVAL

1. BPM shall designate the area for drop box placement.
2. Contractors are responsible for providing their own drop box, if necessary, and for removing all construction materials from the project. The contractor must not use the garbage areas provided by the Association at any time.

UTILITIES

1. Contractors may only use the power source located within the unit on which they are working. They are not to utilize any of the power sources of the common elements.
2. Owners are responsible for providing contractors access to restrooms.

CLEAN UP

1. Contractors are responsible for monitoring their crews and any of their subcontractors on a daily basis to ensure common elements are kept clean and free of any construction debris.
2. Carpets in the common area are to be protected during construction activities.

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STORAGE OF TOOLS AND MATERIALS

1. Contractor is responsible for storage of all materials. The Association is not responsible for providing such storage areas or for any loss due to theft, fire or other casualty.
2. Power tools, saws, work benches, etc. may only be placed on an adjacent patio or balcony. If equipment is placed on the balcony, owner is responsible for observing prudent load limits so as not to damage the structure of the building.

OVERSIGHT/ENFORCEMENT

Contractors responsible for causing nuisance or damage to Sellwood property will not be allowed to continue work at the property. Homeowner will be required to re-submit a proposal for a new contractor to the ARC.

Complaints from neighbors are to be brought to the attention of management and homeowner and contractor must seek a remedy immediately.

The cost for additional work or review required by the Association's building consultant, management or ARC as a result of your project will be passed on to you. You will first be notified of the issues requiring additional work or oversight. You will be advised of any costs associated with outside review/inspection/supervision/counsel if needed for your project.