

THE COURTYARDS OF SUNTREE, INC.

HOMEOWNERS GUIDE

Revised October 12, 2021

Updated May 15, 2022

Upon the recommendation of a committee appointed to review, revise and update a similar document distributed in 2001, the enclosed revised document, "THE HOMEOWNERS GUIDE", was approved unanimously for distribution to all homeowners by the Board of Directors on April 19, 2022

This new document contains a wealth of information carefully delineating and documenting the responsibilities that all of us associated with the Courtyards have for the maintenance and upkeep of both the Courtyards' common property and individual lots and units. Therefore, we urge you to read it carefully and to keep it handy for easy reference.

Since the revised document was published, additional allowances for modifications to windows and doors were added as duly voted by the Board on May 15, 2022. These newest revisions are highlighted for your convenience.

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THE COURTYARDS OF SUNTREE, INC
THE HOMEOWNER'S GUIDE
For
ENHANCING THE VALUE AND DESIRABILITY OF THE COURTYARDS

Responsibilities for Repair and Maintenance of Common Property, Individual Lots and Units

INTRODUCTION

The Courtyards of Suntree, Inc. was created as a sub-association of Suntree Master Association, and so was charged with providing common services to the owners and engaging in activities to the mutual benefit of all. By its very nature, The Courtyards is a community that depends on cooperation and compromise, consideration and consistency as we all protect the desirability and value of our individual properties and the common areas.

This guide has been prepared to provide The Courtyards homeowners with information that will help all of us understand the responsibilities we have for the maintenance and upkeep of our properties and help assure that all homeowners are treated in a fair and consistent manner. It is based on and interprets the provisions of our Articles of Incorporation, Declaration of Covenants and Restrictions, and By Laws from which relevant sections have been cited, and by various rules and procedures implemented by the Board of Directors of our Association.

The guide is not a substitute for any of our legal documents, which must and will always be enforced and take precedence. Nor does it address all situations or answer all questions a homeowner may have concerns the division of responsibilities between the Association and the homeowner for the maintenance and upkeep of our properties. It is hoped, however, that this guide answers most questions that homeowners may have and will assist as a guide in resolving problems that may arise.

Note: The interpretation and application of the policies and statements included in this guide are the responsibility of the Board of Directors and may be altered or clarified as changing conditions or the desires of homeowners influence the Board. If you have any questions or suggestions, please direct them in writing with signature, or by email, to any current Board member. Your participation in the governance of this association is essential to its success.

LANDSCAPING AND PLANTED AREAS

The Courtyards of Suntree Homeowners Association (called “the Association” in this document) is responsible for the maintenance and preservation of all common ground landscaped areas, the irrigation system and the replacement of all developer/builder landscaping.

Specifically, The Association is responsible for the following:

1. **Mowing, trimming, weeding, pruning and fertilization** of grass, trees and shrubs (developer/builder) on all property exterior to the courtyard walls. Individual homeowners may assume responsibility for landscaping maintenance *within their surveyed property* per the following:
 - Owner must place a red reflector on those individual plants they want to maintain themselves, or
 - Owner must place a blue reflector if they wish to maintain all the landscaping *within their surveyed property* on the front, back and side of property.
2. **Removal and replacement of overgrown, dead or dying shrubs or trees in the common areas.** This responsibility applies only to builder/developer, or Association-installed plantings, as deemed necessary by the Landscape Committee.
3. **Removal of overgrown, dead or dying shrubs within interior courtyards.** Normally, individual homeowners are responsible for maintaining landscaping within these areas. However, if the interior courtyards’ landscaping becomes unsightly, inhibits painting or maintenance, or threatens to disturb any roof, foundation, stucco wall or sidewalk, The Association will take corrective action *at homeowner expense* per The Association governing documents. No trees are to be planted inside a unit’s courtyard.

Obtaining Permission to modify Landscaping on Owner’s Property

Owner-added trees, trees, shrubs and flower beds: Homeowners who wish to alter the exterior landscaping of their *surveyed property* must obtain the Association approval.

1. Owners must fill out a **Landscape Request** form and submit it to **the Landscape Committee**. Forms are available at the pool pavilion or on the Association website.
2. Owners must review their property survey to ensure proposed modifications stay within property lines. The Landscape committee will review requests and return the decision to the owner.
3. **Landscaping plans and plants must be approved before work begins.** Both 811 Locate and our Irrigation company must be called to mark area.

BUILDING EXTERIORS

The Association is organized for the purpose of providing common services to lot owners, which include maintaining common grounds and areas, maintaining the pool, pool pavilion and tennis courts, the maintenance of the exterior walls of units and maintaining and replacing The Roof System. The Roof System Includes The tile roofs, garage roofs, and the gutters and downspouts exclusive of any homeowner additions or modifications. (Covenants, 3.1, 3.5, 8.3a, 8.3b; Articles of Incorporation 4.2.1, 4.3.4, 4.3.8, 4.3.9)

The Association's Responsibilities

Except for improvements (as defined below), maintenance and repair of the exteriors of all buildings are the responsibility of the Association. These services include the following:

1. Repair stucco cracks and repair any other areas where water incursion exists or is likely to occur on all exterior surfaces, including interior courtyards:
2. Paint all exterior surfaces per the Association painting schedule including all garage and exterior doors
3. Remove algae and mildew from all exterior stucco walls as needed.
4. Replace roof tiles, flashing and felt underlayment. **NOTE: Owners are prohibited on the roof for any reason per our governing documents. Unauthorized persons on the roofs voids our roof warranties and creates liability issues for the Association**
5. Repair and replace skylights, except for skylights upgraded by the Owner. If an owner hires a contractor to repair or install a skylight, the owner is responsible for all damage caused by the contractor. Only qualified contractors who are licensed, bonded and insured are allowed on the Association roof systems.
6. Repair and replace roof and skylight leaks, unless leaks are the result of an owner's action
7. Repair damage to roof sheathing resulting from rainwater leaks. Damage must be reported promptly to avoid further damage to the roof and interior of the unit. Absentee Owners must arrange for their unit's interior inspection during their absence and immediately following severe weather events such as hurricanes or tropical storms). If damage is **not** reported promptly, the owner is responsible for all costs due to the delay in reporting. (See Insurance Section Paragraph 4).
8. Maintain and repair the pool pavilion, swimming pool and tennis courts and multi-court unless damage was caused by an owner or his or her family, guests, tenants and visitors. (Covenants, 3.10) Conversely, property for which the owner is responsible that is damaged by the Association employees or agents is the Association's responsibility.
9. Repair and paint driveway "brick" trim as needed.
10. **Pressure washing of driveways are owners' responsibility - Board approved May 15, 2021**

Homeowners Responsibilities

Individual homeowners are responsible for the maintenance and repair of all exterior improvements to their units and the several other items listed below.

An “improvement” is defined as a construction feature or amenity not included in the original developer's standard offering at pre-construction, advertised prices. Examples include such items as screened-in front courtyards, enclosed rear porches, additional lighting, windows and doors.

The following is a list of external improvements for which the owner must obtain ARC approval *before* installing and for which the owner is responsible:

1. All exterior doors, including storm doors, screen doors and windows (see new window and front door standards below), including caulking of any penetration of exterior walls. Refer to Stucco Preservation Policy on our website.
2. Rear porch enclosures of any type
3. Rear porch door and frame
4. Rear concrete patio or pad
5. Skylight upgrades
6. Solar screens in windows or skylights
7. Additional exterior lighting and security systems
8. Antennas and Satellite dishes
9. Hurricane shutters and roller screens
10. Courtyard screen enclosures
11. Courtyard flooring of any type
12. Exterior overhead garage door controls
13. Security screens
14. Gates - **including painting**
15. Driveway paint (excluding red "brick" portion) approved by the ARC
16. Owner-installed downspout extensions
17. All owner-installed drainage systems, such as French drains.

Replacing Standard Windows

Duly approved at Board of Directors Meeting 10/15/21

3-Bedroom Unit

Replacing slider with wall and window:

- Window Size: 60(W) x36(H) inch Maximum - 48(W) x36(H) inch Minimum.
- Front bathroom window — only a single or double hung window with privacy glass, or a glass block window.
- All other unit windows may be replaced ONLY with double hung windows or slider windows.

2-Bedroom Unit

Removing the patio slider and replacing with wall and a window:

- Window Size: 60(W)x36(H)inch Maximum - 36(W)x30(H) inch Minimum
- All other full windows in the unit may be replaced ONLY with double hung windows or slider windows.

NOTE: Window vendors advise that windows installed as above have less chance of leaking and are less expensive.

Front Door with a Window Insert (2- and 3-bedroom units):

- Size of window insert: (including frame) -912 Square inches = 24x38 inch maximum. Window can be square, rectangular, oval or half-moon, but cannot exceed the maximum size.
- Side window (2-bedroom) must be clear or opaque (no color).
- Front doors with inserts must also have a storm door, which must be white or beige.

NOTE: Unit owner is responsible for obtaining all governmental construction permits. Any damage to unit due to modifications or changes is the responsibility of the homeowner.

Individual homeowners are also responsible for these items:

1. Replacing doors, screens, windows, sliders (except as covered by the Association casualty insurance) and window operating mechanisms. (Owner must obtain ARC approval *prior* to replacing windows and doors. Owner is responsible for water intrusion due to old leaks or poor window/door installation and maintenance.)
2. Repair and/or replacement of damaged unit plumbing, including water and sewer lines located within the boundaries of the lot (Covenants, 9.1, 9.2)
3. Maintenance, repair and replacement of the unit's air conditioning system.
4. **Pressure cleaning driveways – board approved 5/15/21.**
5. Repair any damage caused by owner or his family, guests, tenants, visitors and agents to owner's unit or to the common property
6. Repair or replace garage door and garage operating mechanisms.
7. Maintain and repair doors, screens, windows and floor of the front and rear patio or porch or courtyard.
8. Additional cost of repair or replacement due to delay in reporting damage on a timely basis (See Insurance Section)
9. Painting doors and gates off schedule Owners must use the Association standard paint color for doors and gates. Paint may be purchased from **Sherwin Williams** (paint colors are on the Association webpage and are posted at the pool pavilion).
10. Damage to owner's property or intrusion to neighbor's property, due to owner-installed borders or custom landscaping, which caused water retention or lack of drainage.

Absentee Owners

Owners who are away for extended periods from their units, or who have tenants in their units, must have the interior and exterior of their units inspected frequently, and provide a contact person name and/or phone number to the management company in case of an emergency. This is to mitigate damage to owner's unit or adjoining units in an emergency.

Please keep your mailing address updated with the management company.

Builder/Developer Implications

The Association assumes no responsibility or liability for faulty construction or any acts of commission or omission on the part of the builder/developer which may have affected the structural soundness, integrity or habitability of individual units. The Association will only provide repair or replacement of structure of units as documented in the governing documents or as specified in coverages within the Association liability insurance policy.

BUILDING INTERIORS

Individual owners are responsible for interior maintenance and repair of their units. The homeowner's responsibility includes but is not limited to all mechanical systems (including air conditioning, electrical and plumbing), appliances, built-in cabinets, lighting fixtures, wall, floor and window treatments and all doors and hardware (See Insurance Section, Paragraph 2).

INSURANCE COVERAGE

The CHA has the power and responsibility to ensure those portions of property that the Association has the duty to maintain, repair and replace, and to purchase adequate insurance for the protection of the Association and its members. (Articles of Incorporation, 4.3.4 and 4.3.7; Covenants, 3.1, 3.7 and 5.4; By-Laws, 7.3.6 and XIV).

The current casualty and liability insurance is on all Courtyards common property, which includes all fifty-seven building. The policy does not insure upgrades or owner installed improvements such as enclosed porches and patios. The Association also carries a General Liability, Umbrella Liability, Directors and Officers, Crime Policy and Worker's Compensation.

If a unit owner has damage to their property:

- It must be reported **promptly** to the Board and to Leland Management. This action is especially important in those situations where the failure to repair existing damage could lead to more extensive damage and the possibility of only partial reimbursement or of an increased insurance rate to the Association. The liability for additional insurance costs to the Association because of homeowner action or inaction is the sole responsibility of the homeowner who caused the action. (Covenants 3.7).
- Once the damage has been reported, if deemed necessary the damage will be reported to the Association's insurance agent to determine if the damage is covered by the Association's policies. Owners must report claim to their insurance company to determine if coverage is afforded.
- Homeowners are encouraged to obtain additional insurance through an individual homeowner type policy to protect their property and its contents from the risk of uninsured damage. Homeowners should review the Association's policy and coverages with their insurance agent when determining the amount and type of additional insurance needed. Individual homeowner may obtain a copy of the Association's policy from Leland Management.
- Absentee Owners must arrange for someone to inspect their unit frequently. If damage occurs and is not reported to the Association promptly, the coverage may lapse for the owner.

ARCHITECTURAL REVIEW

Improvements constructed on the common property and alterations of the exterior of any unit, or alteration or permanent modification of any lot requires the prior written approval of both the Association AND the Suntime Master Homeowner's Association (Covenants, 8.1 & 8.2). Doors, windows and landscaping only need written approval from the Association through an ARC request. The Association has an Architectural Review Committee (ARC) responsible for the review and approval of all modifications to buildings and properties, including landscaping, which affect the buildings' external appearance. (By-Laws, 10.1) The Suntime Master Homeowners Association

(SMHA) has a similar committee (MODARC & NEWARC) with the same responsibility for all Suntree, including The Courtyards. (SMHA By-Laws IX)

Please use the ARC or Landscape forms found on our web page or by the pool maintenance shed box. All information on exterior building improvements and/or changes must be approved by the ARC committee. The Landscaping Committee will review landscaping requests. The signed approval form will be sent to the owner, and to our management company to keep in the owners' files.

PEST CONTROL

Termite Control

The Association has a contract with Massey for subterranean and Formosan termites which covers all our individual units and common facilities. The contract requires Massey to repair damage to any of our buildings caused by subterranean/Formosan termites. The cost of this contract is included in the homeowner's monthly maintenance fee.

During the term of the contract, Massey will:

- Reinspect the homeowner's property at any time the homeowner requests it and perform any further treatment found necessary.
- Provide for repairs or replacement of subterranean termite damage to the structure and contents of the individual property if the contract is in force.
- If you think you have termite problem, submit a workorder form, Massey will contact you to make an appointment to inspect your property.
- Recommendations for Termite Control:
- The grade level of mulch, stones or soil must be below the level of the stucco cut, and all shrubs and plants must at least two feet away from walls.
- Gutter extensions should be installed to drain water away from foundation.
- Leaks of any nature inside or outside of your property must be corrected as soon as possible.
- Plantings of any kind must be two feet from the foundation.
- Inspect unit frequently for signs of termites. Look for mud tracks on the exterior perimeter and small pinholes in walls or moldings on the interior; fill out a workorder if you suspect termites. Massey will make an appointment to come inspect your unit.

Interior Pest Control

Interior pest control (roaches, ants and other insects, rats, mice) is the responsibility of the individual homeowner. Regular inspection and treatment by a qualified and licensed pest control company is highly recommended, especially since our units are connected.

Other Pest Control Information

- Fire ants and wasps abound on both private property and the common areas. For the property within your survey, **Amdro** is an effective product for destroying fire ants, if you wish to treat them yourself.
- Wasps build nests in protective areas, e.g., tracks on sliding doors, inside bushes and under eaves. Homeowners should inspect their property periodically for wasp nests and spray same with a product recommended for such use. This spraying should be done after sundown.
- Removal of other pests such as bats, mice, squirrels and insects (e.g., carpenter ants) is the homeowner's responsibility.

Important Note: Federal and Florida law prohibits removing or disturbing bats or harming their nests in any way from April through August. (See the Association website for further information on bats). While bats are useful for their insect consumption, their urine and droppings are toxic and are a health risk. Please notify your pest control company if bats are roosting in your unit. Do not sweep droppings from walls and patios, wash them away with the hose.

Additional Information

The Board encourages you to read The Courtyards governing documents. We encourage you to attend our board meetings. Board meeting dates and times are emailed, and signs are posted at each entrance prior to each meeting. Minutes are emailed and then posted on our web page with other helpful documents and information

There is a homeowner directory on the website www.thecourtyards.org. Please create a login on the website to get on the Association distribution list for information emails.

Please submit all requests, problems, comments or questions in writing with a signature or by email to the Association's management company, appropriate board member or committee chair.

Work order forms and ARC request forms are located by the Maintenance shed in the rear of the pool pavilion, and on the Association web page. Once completed please place in the maintenance slot for processing.

Owners: You are responsible for keeping guests and/or tenants informed of the rules and regulations.

IMPORTANT INFORMATION

The Courtyards Website: www.thecourtyards.org.

All governing documents, policies, insurance information, meeting information, meeting minutes and other important information is available. Register a login on the home page to get access to the Homeowners Only section which contains the Homeowners Directory.

Leland Management, Inc. (The Courtyards Property Manager)

1221 Admiralty Blvd.

Rockledge, Fl 32955

321-549-0951

www.lelandmanagement.com

The Suntree Masters Homeowner Association (SMHA)

Main Office

7550 Spyglass Hill Rd

Melbourne, FL 32940

321-242-8960

www.suntreeflorida.com

Locate call 811

Call this number before you or your vendor digs or drills into the ground on your property

City of Cocoa Water

321-433-8700

www.cocoafl.org

Florida Power and Light (FPL)

Melbourne Office

321-723-7795

www.fpl.com

Waste Management System (WMS)

(321) 723-4455

www.wms.com

Residents must call WMS for large item pickup, or, send email to [www.centralfloridaservice @wm.com](mailto:www.centralfloridaservice@wm.com)

Wildlife/Alligator Sightings

Florida Fish and Wildlife

321-254-8843

www.myfwc.com

or call the Non-emergency Sheriff's Dept Number 321-633-2123

Nuisance Alligator Trapper – Jeff Jones 321-54 -6284

Wildlife Trapper – James Dean 321-557-7000

Bat Removal

ERATicator

321-426-0895. Special discount for The Courtyards residents.

(Homeowners may use any licensed and insured bat removal vendor of their choice)