

NOTICE:

“If this document contains any restriction based on race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, genetic information, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry, that restriction violates state and federal fair housing laws and is void and may be removed pursuant to Section 12956.2 of the Government Code. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.”

California Government Code 12956.1

Updated 2012



4090 FALCON STREET HOA - GOOD NEIGHBOR RULES (Revised May/1/12)

4090 Falcon

In order to maintain our property and provide a peaceful atmosphere for all who reside at 4090 Falcon Street, we respectfully submit the following "Good Neighbor Rules" by which we all must abide. The Covenants, Conditions and Restrictions (CC+R's) that each condo owner received provide additional information. **All homeowners and tenants are required to sign below verifying that they understand and agree to the rules and regulations of the 4090 Falcon Street Homeowners Association.**

COMMON AREA

In order to keep all residents of 4090 Falcon Street safe and secure, please make sure the gate is closed properly upon entering or exiting the property. There have been instances of non-residents entering the front gate because it was not secured.

NOISE

Residents and guests shall not make any disturbing noises in their condominium or elsewhere on the premises, including balconies and patios. Please keep all noise such as music, television, outdoor conversations, parties and pet noise to a moderate level at all times. Everyone has a different schedule so to ensure restful sleep for all neighbors, all residents shall respect daily quiet hours from 10:00 pm to 7:00 am.

TRASH AND RECYCLING

All trash/recycling should be placed in the dumpster/recycling bins and never left outside a residence, in the common area, on top of the dumpster, or outside the dumpster gates. Please keep the dumpster and surrounding area neat and clean at all times. Use both recycling bins and place trash in the far end first to avoid overfilling the recycling bins and dumpster. Break down large boxes before disposing of them. Christmas trees may not be disposed of in the dumpster, because Waste Management will not remove them. Please make sure that the gate is closed after use.

PARKING

Every unit at 4090 Falcon has been assigned one parking space. Residents with more than one vehicle **must park their second vehicle on the street**. The parking area is tight, so please do not park crossing the divider lines.

Our guest parking area is part of an Encroachment Agreement with the City of San Diego. As a result, violating the following rules may result in forfeiting the land back to the City. A maximum of one (1) vehicle may park under the tan colored area along Falcon Street. Guests must park parallel to Falcon Street; do not park perpendicular to Falcon Street.

BALCONIES AND DECKS

Balconies and decks shall maintain a neat and clean appearance. No storage of any kind is allowed on balconies and decks. Any attachments or structures on balconies or decks must be pre-approved by the Architecture Committee. Gas BBQs may be used on decks and patios as long as the smoke does not disturb other residents. No charcoal BBQs are allowed due to strong smoke and odors given off by these types of grills. To avoid fire hazards, the upper balconies must use small, low-to-the-ground BBQs because of the low roof line. No bikes may be stored on balconies or decks. No festive lighting shall be attached or hung on the railing without approval from the Architecture Committee. No rugs, towels, clothes, etc. may be hung over balcony or deck railing. In order to keep our property clean and safe from fire hazards, no smoking will be permitted on balconies, decks, or in the common areas.

PETS

Owners, tenants or guests who have pets must clean any mess made by their pet in the common areas. Be sure that your pet(s) do not disturb your neighbors when you are away from your home.

PEST CONTROL

Lloyd's Pest Control has been contracted by the HOA to spray for bugs once a month, which should greatly diminish the presence of unwanted pests. If you have any problems or would like to request the inside of your condo to be sprayed, please contact the Property Manager.



4090 Falcon

4090 FALCON STREET HOA - GOOD NEIGHBOR RULES (Revised May/1/12)

I have received an updated copy of the 4090 Falcon Street Good Neighbor Rules. I understand and agree to the rules and regulations above. I understand that violation of these rules will result in a fine per the Violation Procedures and Fine Schedule pursuant to California Civil Code Section 1354:

Name: _____ Unit: _____

Signature: _____ Date: _____



4090 Falcon

Forty Ninety Falcon Street
Homeowners Association
2670 Fifth Avenue
San Diego, CA 92103

Good Neighbor Rules:

In order to maintain our lovely property, and provide a peaceful atmosphere for all who reside at 4090 Falcon Street, we respectfully submit the following "Good Neighbor Rules" by which we all must abide. The Covenants, Conditions and Restrictions (CCRS) that each condo owner received provide more detail to these items. Be sure you are aware of and follow all of rules and regulations of the 4090 Falcon Street Homeowners Association.

NOISE

We all work different schedules so it is critical that we keep noise such as music, televisions, outdoor conversations, parties and pet noise to a moderate level so as not to offend others.

TRASH / GARBAGE

The dumpster is emptied twice a week. All trash should be taken out to the dumpster and never left outside a residence or common area. Please keep the dumpster and surrounding area neat and clean at all times. If you have garbage that may leak, please double bag it to prevent it from leaking in common areas or in the dumpster.

PARKING

Every unit at 4090 Falcon has been assigned a parking space. We have two guest parking spaces to the east of our parking area under the trees that should be used for short term guest visits only. Residents with more than one vehicle must park their second vehicle on the street. The assigned parking area is very tight, so please ensure that you do not park crossing the divider lines.

The parking assignments are as follows:

UNIT	Parking Space #
A-1	3
B-1	2
C-1	1
D-1	10
E-1	8
A-2	4
B-2	5
C-2	6
D-2	7
E-2	9

BALCONIES AND DECKS

Balconies and Decks have specific rules in the CCRS. Maintaining neat and clean balconies and decks helps to keep a lovely appearance. No storage of any kind is allowed on balconies or decks. Any attachments or structures on balconies or decks must be pre-approved by the Architecture Committee. Small BBQs may be used on decks and patios as long as the smoke does not disturb other tenants. To avoid fire hazards, the upper balconies must use small low-to-the ground BBQs because the roof line is very low. No bikes may be stored on balconies or decks. No festive lighting should be attached or hung on the railings. The HOA as a whole may decide, with approval from the Architecture Committee, to display festive lighting on the front of the building.

PETS

Owners, tenants or guests who have pets must keep them on a leash at all times in the common areas. Pick up any mess made by your pet. Be sure that your pets do not disturb your neighbors when you are at work or at other times that you are away from home.

PEST CONTROL

Lloyds' Pest Control has been contracted by the HOA to spray for bugs once a month which should greatly diminish the presence of unwanted pests.

11.31. CAPITALIZATION REQUIREMENT

As additional contingency to meet the initial expenses of the Association, including those operating expenses and reserve requirements unforeseen or not fully contemplated in the Budget reviewed and accepted by the DRE, upon acquisition of record title to a Condominium from Declarant, such Purchaser shall contribute to the capital of the Association an amount equal to one-sixth (1/6) the amount of the Regular Assessment for the Condominium as determined by the Board. This amount shall be deposited by the Purchaser into the purchase and sale escrow and disbursed therefrom to the Association. Escrow shall remit these funds to the Association. The capitalization funds set forth herein are not to be considered paid in lieu of Regular Assessments or any other Assessment levied by the Association.

11.32. USE OF RESERVE FUNDS.

Any reserve fund accounts maintained by the Association (including any capital accounts maintained pursuant to the above Section entitled "**Financial Accounts**") shall be used for the purposes and in the manner described in California Civil Code Section 1365.5, as it may from time to time be amended.

12. USE RESTRICTIONS

12.1. USE OF CONDOMINIUMS.

No Condominium shall be occupied and used except for residential purposes by the Owners and their Invitees, and no trade or business shall be conducted therein, except that Units may be used as a combined residence and executive or professional office by the Owner thereof, so long as such use (a) does not interfere with the quiet enjoyment by other Owners, (b) does not include unreasonable visitations by clients, (c) is in compliance with the Zoning Codes of the City, and (d) is otherwise authorized by such California statutory or common law that may take precedence over City requirements and/or this Declaration. No health care facilities operating as a business or charity and serving the sick, elderly, disabled, handicapped or retarded shall be permitted in the Project. The foregoing notwithstanding, Declarant may use any of the Units owned or leased by Declarant as model homes and sales offices during that time period described in the Section 6.3, entitled "**MARKETING RIGHTS.**"

12.2. LEASE OF DWELLING.

12.2.1. REQUIREMENTS OF ALL LEASES.

Any Owner who wishes to lease his or her Condominium must meet each and every one of the following requirements, and the lease will be subject to these requirements whether they are included within a lease or not:

- (a) All leases must be in writing;
- (b) Unless the Owner remains in occupancy, the lease must be for the entire Condominium, and not merely parts thereof, and shall include the Unit and its