

Deer Creek Village Homeowners Association

Architectural Standards and Application Procedures

Rules and Regulations

Violation and Enforcement Procedures

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SECTION 1: Architectural Application Procedures and Standards

Architectural Application Procedures

What needs Approval?

As per our Declaration XIII – Architectural Control, virtually any change to the exterior appearance of your property (i.e., home improvements, additions, alterations, modifications, fencing, landscaping, etc.) requires approval from the Board of Directors or Board-appointed Architectural Control Committee. These procedures aim to ensure that any modifications or improvements made within the Deer Creek Village community adhere to the community's guidelines and maintain the desired aesthetic and standards. It's important for homeowners to follow these procedures to avoid any violations or issues.

- **Application Submission:**

- Fill out the DCV Architectural Improvement Application (*ACC Application*) completely, including the start and estimated completion dates.
- Submit one application per type of home improvement project. Multiple applications are allowed for different projects.
- Send the application (pdf) and required attachments to lthigpen@sentrymgt.com. Check the Owners Portal at the Management website for any application procedural updates as they may change.
- All Architectural Standards Documents, Online application uploading, and Online Architectural Improvement Form can be found at our community website at www.deercreekvillagehoa.org.
- Incomplete applications will be automatically denied until corrected.

- **Approval Timeline:**

- Allow thirty (30) days from the receipt of the application for a response or approval.
- Do not start any work, including ordering materials, prior to ACC approval.

- **Special Approvals:** (ACC applications outside of pre-approved colors or styles).

- Projects requiring special board approval will be presented at the regularly scheduled board meeting.
- Applications must be received by the Wednesday prior to the meeting to be added to the agenda. Meetings are the second Thursday of each month unless a change was noted at the prior meeting.
- Applications received after this date will be placed on the following month's agenda.
- Homeowners' presence at the board meeting is recommended but not mandatory.

- **Specific Projects and Documentation:**

- For projects like fences, screen rooms, patios, etc.:
 - Provide a detailed description of the project, including materials, dimensions, and finishes.
 - Include a plot plan or survey showing the project's location on the property.
 - Include all easements and show the project to scale on survey.
 - Obtain all adjacent property owners' signed permission when using the property lines.
 - Include photos of the areas to be improved.

- **Exterior Paint Approval:**

- Complete the architectural application.
- Include photos of the home.
- Provide color scheme number, paint brand, and/or color code in each section (Body/Trim/Door). Schemes may not be mixed and matched.
- Circle areas to be painted under each color section.
- Include existing roof color and gutter/flashing color for reference.

- **Color Schemes outside of pre-approved colors:**

- Attach actual color samples to the application.
- Photos and photocopies will be rejected, and the application will be denied.
- Provide color scheme number, paint brand, and/or color code in each section (Body/Trim/Door).
- Circle areas to be painted under each color section.
- Include existing roof color and gutter/flash color information for reference.

- **The Architectural Control Committee (ACC) will evaluate all plans.**

- After receiving a request, a member of the ACC will contact you to discuss the specifics of the project. Arrangements will be made if an 'on-site' inspection is deemed necessary.
- The ACC will then evaluate the plans using the standards provided in Article VIII, Section 8.2 of our Declaration.

- **Notification of Approval or Denial:**

- Written approval or denial will be sent to the Management Company to forward it to the respective lot owner within a reasonable period of time (not to exceed 30 days).
 - NOTE: The ACC reserves the right to refuse approval of any proposed plans that, in its sole discretion, are not in the best interest of the DCV HOA.

- **Notice of Completion:**

- Homeowners must contact the Manager or ACC within five (5) days of completing the project for final approval.
- Projects completed without ACC approval may lead to violations and related actions. Arrangements will be made if an 'on-site' inspection is deemed necessary.

- **Expiration and Completion:**

- Application approval is valid for sixty (60) days.
- Major construction must start before the expiration date and be completed within one year or in line with Orange County permits.

Architectural Standards

Definition and Requirements

- **Architectural Compliance Committee (ACC)** (also known as the Architectural Review Committee – ARC). A panel of homeowners or board members that are responsible for reviewing all applications for home improvements and presenting any special exception applications to the board at the following board meeting for review and board vote to approve or deny the presented application.
- **Fence:** An above ground, man-made barrier that encloses or visibly shields an area of the homeowner's property, providing privacy, security, or landscape enhancement. This includes living barriers such as shrubs and hedges.
- **Valencia Water District Easement (VWDE):** Most of the Deer Creek bodies of water are managed and maintained by the VWDE. Special easements are located on waterway properties. Review your property survey for special VWDE's.

FENCES Must be constructed in a manner deemed appropriate by the ACC/ARC.

- **Maintenance:**
 - The homeowner is responsible for the maintenance of the entire fence, including both sides.
 - Grass along the base of the fence should not exceed the height of the lawn.
 - All wooden fences must be treated within thirty (30) days of installation and maintained in an "as new" condition.
 - All Fences must be clean, free of mildew and always kept in good repair.
 - Placement of the privacy fence must have finished side facing the neighbor's property.
- **Class I Fences:**
 - Class I fences are 5-foot or 6-foot "Board on Board" or "Shadow Box" wooden fences or 6-foot white vinyl panel fences.
 - Wooden fences must be painted the same color as the homeowner's house body or trim, or stained with a natural colored sealer/stain.
 - Class I easements: fences may not extend toward the street any farther than the front corner of an adjacent neighbor's house. This includes privacy hedges and shrubs; hedges may not be placed on the front of the lot around the perimeter of the lot.
 - Corner Lots: Fences must be set back ten feet from the sidewalks on corner lots.

- Waterfront Fences:
 - Lakefront fences must be placed ten (10) feet back from the utility easement, with a total setback of forty (40) feet on Valencia Water District Easement properties from the rear perimeter property line (10-foot set back from the utility easement, 10-foot utility easement plus 20-foot Valencia Water District easement from the property line).
 - Canals, Greenbelts, and Drainage easements may only extend to the utility easement, not to the property line.
 - Canals on Valencia Water District Easements have the same set back as lakes. Any property with a 20-foot VWDE must be placed 10 feet back from the utility easement, with a total setback of 40 feet on Valencia Water District Easement properties from the rear perimeter property line (10-foot set back from the utility easement, 10-foot utility easement plus 20-foot Valencia Water District Easement from the property line.)
 - Fences should be installed parallel to the ground, but lots with sloping grades will be reviewed individually for conformity, stepping down to accommodate land contour.
- Unscreened Pools: Class I fences enclosing unscreened pools must meet Orange County Codes and completely encompass the protected area.
- **Important Notice:** Class I fences are the only fences allowed on or near the property line. If the placement of the fence falls within two feet of any surrounding property line, the homeowner is required to obtain the written consent of affected adjacent property owners prior to construction or approval of the fence. This includes the replacement of existing fences.
- **Class II Fences:**
 - Class II fences are 3 to 5 feet in height and are made of lattice, stucco, cement block, or other Board-approved decorative material.
 - Class II fences must be painted the same color as the house body or trim.
 - Class II fences are not allowed within 2 feet of the property line and must abide by the set-back requirements established for Class I fencing.
 - The purpose of Class II fencing is to limit access or visibly shield an area, such as A/C units, water pumps, trash cans, propane tanks, etc.
 - Garbage can enclosures may be placed on the side of the home to enclose trash cans. This can include a 5-foot white panel vinyl or wooden board-on-board enclosure.

- **Class III Fences:**
 - Class III fences are decorative fences or edging up to three (3) feet in height, intended to enhance the landscape.
 - Materials and colors may vary to complement the landscape.
- **Approval Requirement**
 - Anyone constructing a fence without prior written approval from the association will be responsible for all costs and attorney fees incurred to bring the fence into compliance with the above standards.

EXTERIOR HOUSE PAINTS

Preapproved Color Choices: When repainting the exterior of your home, please pick from the preapproved colors at the Sherwin Williams website (direct link is on the DCV website).

- Please check with the property manager for the current paint list as the colors are updated occasionally.
- Deer Creek Village gets discounts at Florida Paints for 20 color scheme options. At Sherwin Williams Paints, the first 20 colors are color matched to Florida Paint and 21-58 Sherman Williams color schemes.
- Once you pick one scheme, it is recommended to go to the store and pick up a color chip for the actual color.
- It is important when filling out the application that all areas to be painted are circled under each color column for Body, Trim, and Door. By not having all the information circled it will delay the approval of your application.
- Only one-color scheme per application is allowed for preapproval. Do not pick colors from multiple schemes. If this is done the application must go to the ACC/Board for review and have an exception vote for approval.

Non-Preapproved color choice: Application must be complete with brand of paint, name and paint code in each of the areas to be painted: body, trim, and door (an exception vote is required).

- The actual color chip must be attached to a paper copy and submitted to the HOA Board of Directors or Association Manager. Do not mail applications as this will delay approval.

ROOF/GUTTERS

- Roof: Three-tab or architectural shingles are permitted.
- Automatic approval with application on all neutral shingles, brown, tan, cream, white, gray, and black.

- Flashing color must match shingle/trim color and be written on application.
- Gutters must be painted in body or trim color choices.
 - No metallic colors are permitted.
 - Gutters must not be facing into neighbors' yards and must adhere to Orange County Code and flow to sewer drains/streets.

SOLAR PANELS

- Solar panels are permitted. Solar installation must follow the Orange County permits. All necessary permits must be obtained and posted.

DOORS

- Front/Entrance Door(s) Type and Style require ACC approval.
 - Color must be from the same color scheme. Entrance Door can be body, trim, or door color.
- Screen Doors
 - Should match or coordinate with the colors of the home.
 - Aluminum screen and storm doors are permitted.
 - Gates or iron doors are not permitted.
- Garage Door(s)
 - Garage doors should be painted, repaired, or replaced when damaged.
 - They should be painted either the body, the trim color of the home, or white. Color choice should be indicated in the ACC Application.
 - Window trims must be the same color as the garage door.
 - Garage windows must be at the top panel of the garage door.
 - Garage windows may not have any material placed behind the glass that shows from the street.
 - Screens on garage doors are not permitted.

WINDOWS

- When replacing windows please be sure to include manufacturers information, color, and style with your application. All necessary permits must be obtained and posted.
- UV window tinting is permitted. No mirrored tinting allowed.
- No window bars/gates are permitted.

HURRICANE SHUTTERS

- The purpose of hurricane shutters is to protect from storm damage.
- They are not to be used as vacation home security.
- Hurricane shutters or coverings, or a combination of both, can be installed 72 hours before an approaching storm.
- They must be taken down within (five) 5 days after the all-clear signal is broadcasted.
- The only visible part allowed to remain is anchoring bolts or tracking, which must be painted to match the color of the house in which they are attached.
- Any other parts of the shutters or coverings must be stored out of sight by the homeowner.

MAILBOXES

- Mailboxes do not require any approval at this time but must be in good condition and free of mildew or damage.
- Mailboxes must meet the specifications of the USPS requirements.

LANDSCAPING

- When installing new landscaping changes to your front yard, the plans for the improvement must be submitted to the ACC for review. Florida Friendly landscaping rules can be located in *Schedule C; Article C.27.2*.

- Sod must cover 60% of the front plane of the house. Sod must be living grass. No artificial turf is allowed. No more than 40% of the front plane of the house can be a nonliving material. This includes but is not limited to driveways, walkways, landscaping rock, mulch, etc.
 - Privacy or perimeter hedges are not to be planted from the front of the home to the sidewalk.

PAVERS AND DRIVEWAY

- Pavers:
 - Pavers must be a neutral shade and only one tone (tan, gray, beige, or other natural shades).
 - Pavers may not extend past the edges of the garage and should follow the walkway into the front patio/front entrance.
- Driveway
 - The driveway should not extend past the edges of the garage.
 - Stains/Coatings should be neutral shades of gray, cream, or tan.
 - Extending the driveway past the edges of the home requires special approval from the ACC or Board of Directors. This applies for all extensions, stone, concrete, or paver blocks.

SCREEN ROOMS, PATIOS, SUNROOMS

- Definition: An external construction connected to the homeowner's house that is intended to screen an area from the general outdoor environment. The enclosure includes a roof that is either an existing portion of the house or of the same material as the rest of the screen enclosure. An enclosure must meet Orange County standards if installed in lieu of a Class I fence.
- NO Gazebos, pergolas, temporary, or free-standing structures are permitted on any portion of your property. *Schedule C; Article C.10*

SWIMMING POOLS

- Only in-ground pools are allowed and must be reviewed and approved by the ACC prior to installation. All pools must meet Orange County standards and be protected by either a screened enclosure or a Class I fence immediately following construction.

OUTSIDE LIGHTING

- Lighting should illuminate the individual's property.
- Landscaping lighting should illuminate plants or your home.
- Security lights must not point into neighbors' homes and should illuminate the ground. *Orange County; Article VII, Section 14.*

ABOVE-GROUND PROPANE TANKS

- Above-ground propane tanks will be allowed only when all of the following conditions are fulfilled:
 - A written request for review of the tank and its installation has been submitted to the ACC and has been approved.
 - The tank location is to be or has been enclosed by a Class II fence that is 4 feet high with a gate on the side, facing away from any street.
 - The tank and its enclosures do not impede access by the propane supplier or cause trespass across adjacent property.
 - Written approval from the propane supplier accepting the enclosure and stating that they will not lay propane service lines on adjacent property must be filed with the ACC.
 - A propane hazard warning sign in dimensions acceptable to our local fire protection service must be affixed to the enclosure facing any approach that might be taken by firefighting personnel.
- All current homeowners having above ground propane tanks will fulfill all the above conditions within thirty days from receipt of this notification. If a homeowner cannot comply, then the tank will have to be moved, buried, or removed.

ANTENNAS

- "Schedule C, Rule 16" of the Deer Creek Village Homeowners' Association Rules and Regulations states: Antennae, exterior television, satellite dishes or other antennae or aerials are prohibited, unless installed so as to be concealed from public view or as otherwise approved in writing by the Board.

NOTE: Signs advertising an approved project are allowed during construction, and we rely on the homeowner to ensure their removal within five days of the project's completion.

Addendum 08/12/1996

Architectural Contact Procedure

Whenever a new alteration of a member's property is noted, it shall be reported to the Architectural Review Committee (ARC) aka Architectural Control Committee (ACC).

The ARC/ACC will determine whether this is an approved change/addition/alteration. If the change/addition/alteration has not received prior approval as provided in the governing documents, the ARC/ACC shall first determine whether the change/addition/alteration would have been approved.

SECTION 2: Deer Creek Village Rules and Regulations

This section is provided to assist homeowners in understanding the expectations of home maintenance and Rules and Regulations in the neighborhood in regard to upkeeping the Covenants, Rules, and Restrictions for Deer Creek Village. This section is only a portion of the Rules and Regulation under Schedule C. Please familiarize yourself with all the Rules in *Schedule C - Rules and Regulations*. Also included are a few State Laws or Orange County Ordinances for reference.

DEER CREEK VILLAGE HOMEOWNERS' ASSOCIATION BOARD OF DIRECTORS MISSION STATEMENT

The Deer Creek Village Homeowners Association Board of Directors is committed to maintaining a high standard of living in a pleasant neighborhood with a focus on safety, security, aesthetics, and fostering a strong sense of community. We will achieve this by maintaining the common areas, sponsoring community activities, and upholding the covenants. We will support an open-door policy and treat all community members with fairness, respect, consistency, flexibility, and compassion.

The responsibility of the Board of Directors is to oversee the maintenance of the common areas, managing budgets/fiscal responsibilities, and enforcing the rules with governing documents. This is accomplished through the Association Management Company, through the direction of the Board of Directors while enforcing the Rules and Regulations and Articles under the Declaration of Covenants, Conditions, Restrictions, Reservations and Easements for Deer Creek Village.

It is our intention to show the most commonly violated rules to help the homeowners understand their responsibilities of their properties and to avoid violations. Violations can be costly to the association and homeowners and, thus Section 3 the process of Violations and Enforcing Violations will be explained.

All areas of concern in this section should be presented at a monthly board meeting by contacting the Association Management Company to be added to the agenda for discussion.

Rules and Regulations of Deer Creek Village - Schedule C MAINTENANCE

Lot Maintenance – Schedule C - Article C 11.2

- **Prohibition of Unsightly Objects:** No unsightly objects or debris may be left visible on any portion of the homeowners' properties. This includes, but is not limited to, portable children's playsets/toys, basketball hoops, sporting equipment, ladders, pallets, garden equipment, and any other items that may detract from the visual appearance of the community.
- **Storage and Nighttime Regulation:** Portable children's playsets and toys must be brought in at night or after use. Basketball hoops and sporting equipment should be properly stored when not in use, ensuring they are not visible from the street or common areas.
- **No tree swings or rope swings** are permitted on any portion of the homeowners' properties. This rule applies to any swing or hanging apparatus attached to trees or other natural structures.
- Homeowners are allowed to display a maximum of fifteen (15) decorative pieces per house. Decorative pieces include sculptures, miniature structures, and other non-functional ornamental items, placed within the homeowner's yard or attached to their homes. The decorative pieces must be tasteful, in good condition, and should not obstruct the view or access of neighboring properties.
 - As a general rule, small numbers (15 or less) of decorative planting pots, lawn decorations, and outdoor furniture (in well maintained condition) are allowable in the front yard (and visible side yard) of property without approval.
 - These would include such things as reasonably small (less than 2 feet in either height, width, or depth) decorative pots, planters, animal figurines, statues, lawn sculptures, rock gardens, topiaries, and lawn balls.
 - These may not be offensive in nature to the general population (examples: no nude statues or items with profane writing).
 - These may not be permanent in nature (they must be easily moved to another location)
 - More than a total of five (5) of these types of items will require approval of the overall "decorating scheme."
 - Fountains and birdbaths in view of the public must not exceed three (3) feet in height, two (2) feet in width, and must be natural (i.e., grey or beige) in color and will require approval.

- Display of larger items is not allowed. Generally, such items as old wagons, sea memorabilia, museum pieces, art sculptures, picnic tables and large topiaries will not be approved for display in the front or side yard.

LANDSCAPING – Schedule C - Article C.27

- Privacy Hedges and Fencing Guidelines: When property line hedges are intended to serve as privacy hedges, they fall under the same guidelines as fencing rules set forth by the HOA. Homeowners must ensure that privacy hedges comply with the designated height and design standards specified for fences in the community.
 - Property line hedges should be positioned and maintained in a manner that does not protrude in front of the house or obstruct the line of sight for pedestrians and drivers.
 - Privacy or perimeter hedges are not to be planted beyond the front plane of the home or perimeter of the sidewalk.
- Homeowners are required to keep their property line hedges pruned and maintained in a uniform shape. The hedges should be regularly trimmed to prevent overgrowth, ensure a tidy appearance, and maintain compliance with the either (8) foot height limit. *Article C.11.1.(b).(3)*
- Turf/lawn grass must be living turf (examples: St Augustine, Zoysia, Bahia, etc.).
- No artificial turf is allowed anywhere on the property unless it is behind a privacy fence.

TRASH CONTAINERS – Schedule C - Article C.7

- Garbage and recycling bins must be stored out of sight, preferably in the garage or within a full enclosure by the side of the house.
- On pickup days, garbage, trash, and recycled material may be placed by the curb no sooner than twelve (12) hours before pick up.
- Yard waste that is properly bagged or bundled per waste management standards may be on the curb until the next pick-up day.
- The homeowner shall pick up any litter left behind by the pickup crew.

- Trash containers shall be removed from the curb on the day of pickup and placed in the proper storage locations as indicated above.
- Burning trash, leaves or garbage is not permitted.
- Homeowners may incorporate an enclosure to hide trash cans on the side of the house. Class II Fence Guidelines address these types of enclosures. ACC/ACC approval is required.

SIGNS – Schedule C - Article C.8

- Identification signs (numbers) for homes are required. Numbers must be visible and legible from the street on which the house fronts. The color must contrast with the immediate background material. *OC Ordinance*.
- One security sign is permitted in the front yard located either adjacent to the driveway or in close proximity to the front entrance of the main dwelling. Security company signs are also permitted in the windows.
- No signs shall be attached to the association's fences, traffic and street signs, lamp posts, or trees.
- There may be only one directional sign per open house at each intersection.
- Political Signs – One political sign or flag (18x24 maximum size) may be placed on individual lots during the 30-day period immediately preceding the applicable political election. Such signs should be removed within two (2) days of the applicable election.
- Contractors' signs: all approved advertising of architectural improvements signs is allowed during the installation or work process but must be removed within five (5) days of project completion.
- Open house, home for rent, or home for sale signs are limited to one directional sign per intersection.

SPORTING EQUIPMENT – Schedule C - Article C.10

- No recreational, playground, or sports equipment shall be installed or placed on the front plane of the home. No basketball hoops shall be attached to a home, and any portable basketball hoops or *other sporting equipment must be stored inside the house or out of sight of the street when not in use.

- *Including but not limited to skateboard ramps, portable slides, portable swing set, or Little Tyke play equipment.
- Tree houses or platforms of a similar nature shall not be constructed on any part of a home lot.
- No tennis courts are permitted within lots.

PETS – Schedule C - Article C.5

- No livestock or poultry of any kind shall be raised, bred or kept on any Lot, except that dogs, cats and other generally recognized household pets may be kept, provided that they are reasonable in number, and provided further that they are not maintained or bred for any commercial purpose and the proper restraint and control are used in the keeping of them (that is, pets must be kept in a confined area unless maintained on a leash).
- OC Chapter 5.50.b.(7) Failure to remove any excreta deposited upon public property or another person's private property by any animal within the care, custody, ownership, or control of such person.

PARKING – Schedule C - Article C.3 and Article C.4

- Multiple vehicles parked in driveways often block the public sidewalk. This blockage is not in compliance with traffic rules of Orange County. Also, vehicles parked against traffic (left side of vehicle against the curb) are a hazard and are prohibited by Orange County Traffic Rules.
- Vehicle street parking requires that vehicles carry the current year licensed tag registration. The vehicle must be parked with the flow of traffic and must not block sidewalks or neighboring driveways.
- Commercial vehicles are not permitted for overnight parking. Vehicles with company logos must be stored inside the garage. *Schedule C Article C.4.*
- Recreational vehicles: No trucks or commercial vehicles, campers, mobile homes, motor homes, house trailers, or trailers of every other description, recreational vehicles, boats or boat trailers or horse trailers shall be permitted to be parked or to be stored at any place in Deer Creek Village. However, such vehicles may be stored if concealed from public view in a manner approved in writing by the Board, provided such storage is not prohibited by the Orange County Restrictions. *Schedule C Article C.4.*

GOLF CARTS – Schedule C - Article C.2

- Deer Creek Village roads are owned by Orange County and do not have proper designation for golf cart use. Therefore, the driving of golf carts in Deer Creek Village is a violation of Orange County Code and FL statute.
 - Orange County Florida Code - ARTICLE IX. – Use of golf carts on designated public roads and streets- Sec. 21-291-299.
 - Florida Statute - F.S. § 320.01 shall not be operated on a sidewalk, public road or street unless specifically authorized by the State of Florida Department of Transportation, as provided in F.S. § 316.212 or F.S. § 316.2126.

SPEED LIMIT – Orange County Code

- Deer Creek Village roads are owned by Orange County. Therefore, all maintenance and code enforcement fall under Orange County.
- All of Deer Creek Village roads have a speed limit of 25 mph.
- Deer Creek Village has rules for noise, registration, and parking of vehicles.

GARAGE CONVERSIONS – Schedule C - Article C.26

- Garage conversions must be for interior use only.
- Garage doors must remain closed on interior conversions.
- They must not have a private entrance, nor be used as rental for income. *Article DC 7 Single Family Use.*

BODIES OF WATER RULES – Schedule C - Article C.20

- No swimming, wading, or boating of any type is allowed on the DCV waterways. Furthermore, fishing is only allowed by the lot owner on the lot owner's property.
- No walking or driving of any type is permitted on the grass of the DCV/VCWD waterways.
- Fishing is allowed on sections of waterways that meet up to Deer Creek Village roadway

easements and common areas.

- Fishing is catch and release only.
- No owner, resident, tenant, or guest is permitted to feed, endanger, or harass the wildlife (examples: birds, ducks, alligators, deer etc.).

TEMPORARY STRUCTURES – Schedule C - Article C.10

- No temporary structures or accessory buildings may be erected, placed, or maintained on any portion of the property.
- Temporary storage containers such as a POD or dumpsters utilized for construction purposes may be permitted for a maximum of two (2) weeks without Board approval. Greater lengths of time will require Board/Management approval.

NOISE- *Schedule C- Article C.14*

- No Owner or Occupant shall make or permit any disturbing noises in or about the Common Property and any recreational facility or facilities located thereon by himself or his family, servants, employees, agents, visitors, or licensees, nor permit any conduct by such persons that will interfere with the rights, comforts or conveniences of other Owners or Occupants. No Owner or Occupant shall play or permit to be played any musical instrument, nor operate or permit to be operated a phonograph, television, radio or sound amplifier or any other sound equipment on any Lot or on the Common Property and any recreational facility or facilities located thereon in such a manner as to disturb or annoy other Owners or Occupants. No Owner or Occupant shall conduct, nor permit to be conducted, vocal or instrumental instruction at any time which disturbs other residents.
- It is a violation of Orange County Ordinance, Chapter 15.184, for a person to produce, cause to be produced, or allow to be produced, by any means, any noise disturbance on any private or public property, including a right-of-way, when such noise is plainly audible or when such noise is measured pursuant to Chapter 15.183 and, where applicable, exceeds the applicable sound level limits set forth in Chapter 15-.182. Noise violation shall also be considered nuisance behavior.

STORAGE – Schedule C - Article C.12

- Temporary storage containers (PODS) that are used when moving or for repairs and renovations are permitted with approval from the association for not more than fourteen (14) days.

- Additional time may be granted by the Board if repairs and renovations extend beyond fourteen (14) days and written documentation is provided by the contractor stating the length of repairs and renovations.
- The temporary storage container must be placed and fit entirely on the owner's driveway and may not block the sidewalk.

LEASING – Schedule C - Article C.28

- No leasing is allowed within the first twelve (12) months of property ownership.
- The homeowner must be in good financial standing to lease property.
- All leases must be for residential single-family use only. NO individual room rental is permitted on leased properties.
- All leases must include all vehicle registrations for each vehicle being registered to the property.
- All leases must include contracted lawn maintenance as part of the lease and paid for by the homeowner.
- All leases must be submitted thirty (30) days prior to the commencement of the lease to the association board or association manager. Leases are subject to approval.
- Criminal background checks are required by the association and must be included with the lease.
- All Rules and Governing Documents must be furnished to the tenant by the homeowner.

If any lease is entered into without the approval of the association, or an occupant resides at the lot without prior approval of the association, the lease shall be considered void, and the occupants shall be subject to immediate removal by the association.

SECTION 3: Violations and Enforcement

A. VIOLATION LETTERS

I received a violation letter. What should I do?

DO NOT DISREGARD THIS LETTER! It is important that you **comply** according to the dates in the letter **and communicate** with the association so as not to end up in a legal situation or paying fines. Refer to the *Notice of Violation Procedures & Enforcement* section below for next steps.

I believe the violation letter was an error or it's already been fixed.

Send photo evidence to the association manager or management care team. The violation will then be re-inspected on the next routine visit to the community. *NOTE: The management representative is not able to make additional unscheduled visits, including at the request of a real estate agent, due to an open violation on an estoppel.*

Why the Association issues Violations.

Associations have a fiduciary duty to enact and enforce its rules or Covenants, Conditions, and Restrictions (CC&Rs) through their body of authority, must act in good faith and offer homeowners fair enforcement procedures with no selective enforcement. *Refer to Schedule C, Article C.23 for complete details of this procedure.*

Property Visits and Site Inspections:

The community representative or Community Association Manager (CAM) shall inspect lots to ensure compliance with the Declaration, the Association's Rules and Regulations, the Architectural Guidelines, and/or other Governing Documents. These inspections are from street view.

Where Do Violation Letters Come From?

Violation letters are sent by the management company (NOT the HOA) via email or mail when violations are reported or spotted either by:

- routine site inspections or property visits by our management company.
- site inspections by the board-appointed committee.
- resident-submitted complaint form sent to board or management for review.

Note: management will take direction from the Board of Directors *only* and will not send a notice to a resident based solely upon the request of a neighbor.

B. VIOLATION PROCEDURES AND ENFORCEMENT

Below are the steps that will occur from your first violation to resolution.

1. FIRST NOTICE: First Notice of Violation

- Upon identifying a violation, the management company will send a FIRST NOTICE, and will provide the owner with a reasonable timeframe to bring the violation into compliance.
- It is the homeowner's duty to fix the violation or contact the management company to discuss.
- Extension Request: The board may opt to allow an extension request due to extenuating circumstances (ex. hospitalization or death of a family member). Typically, an extension is granted for 60 days from the date of the second notice.

Chronic Violations May Not Get a First Notice: Some homeowners repeatedly violate the community's governing documents, often with the same violation. For example, they park a boat in the driveway, receive a violation notice, and then move the boat just before a violation committee hearing. Shortly afterward they commit the same boat violation. When this happens, the association does not need to start all over again with a courtesy notice. Instead, **if the violation is repeated within twelve (12) months**, the association may send a SECOND NOTICE rather than the initial FIRST NOTICE. In addition, if the association was led to believe the violation was corrected but it was not corrected, the association may resume its enforcement actions.

2. SECOND NOTICE: Second Notice of Violation

- If a matter is noticed to be uncorrected within the expiration date of the First Notice of Violation and/or the management company has not been contacted by the homeowner, then a SECOND NOTICE will be sent. The SECOND NOTICE will provide the owner with a reasonable timeframe to bring the violation into compliance. If the violation is a repeat violation or is not corrected by the expiration date of the SECOND NOTICE, then the violation could be forwarded to the Board of Directors to send to the Compliance Conveyance Committee for a Fining Hearing.

If the matter is corrected, the violation will be closed. If the matter is NOT corrected, one or more (or all) of the following steps can be enacted:

3. BOARD ACTION: Compliance Conveyance Committee Referral

- The homeowner will receive a notice of date of fining hearing with fourteen (14) days advanced notice, where the matter will be discussed among the Compliance Conveyance Committee (and the homeowner if they choose to attend). The hearing could give penalties including:
 - **Fines:** up to \$50 per day up to \$500 per violation
 - As of this document, the board approved the amount is \$10 a day up to \$500 a violation. These fines are subject to change and are voted on by the Board of Directors not to exceed the fines set by Schedule B C.12.
 - **Further Action by the Board:**
 - **Suspension of rights** to amenities such as pool and tennis court access.
 - **Legal action** including mediation or arbitration through the association's attorney and at the homeowner's expense. This can also include putting a lien on your home. We always want to avoid this form of action if possible. So please make sure to comply and communicate with the board and management company.
 - **Delinquency in Payment:** If a member is more than **ninety (90) days** delinquent in paying any fee, fine, or other monetary obligation due to the association. The association may suspend the rights of the member, or the member's tenant, guest, or invitee, to use common areas and facilities until the fee, fine, or other monetary obligation is paid in full. *STATE STATUTE 720.305.*
4. **Hearing:** The violation will then be presented to the conveyance compliance committee, and the owner will have the opportunity to appear and speak. The CCC will then decide whether to:
- approve the fine, and/or the suspension-of-use rights.
 - reject the fine, and/or the suspension-of-use rights.
 - allow more time to ensure that full information is presented upon which to make a decision.

See Schedule C- Article C.23 for complete procedures on the enforcement procedures.

Conveyance Compliance Committee

- The Compliance Conveyance Committee (CCC) is made up of at least three (3) homeowners who are not officers, directors, or employees of the Association or of any relations of an officer, director, or employee of the Board of Director. *Schedule B.12.(b).(1)*
- The CCC is required to follow the rules as presented under Schedule B.12.(c).
- **Fine/Suspension Imposed:** If the result is a fine or suspension, the homeowner will be notified in writing via mail within five (5) days of the hearing. All fines must be paid within five (5) days of the notice of the fine being received by any occupant, licensee, or invitee of the parcel owner.

EXAMPLES OF VIOLATIONS FOR REFERENCE:

Examples of Common Violations & Non-HOA Violation Issues:

- Unapproved architectural changes
- Exterior maintenance required:
 - repairs to damaged fencing, broken windows, dirty driveway or sidewalk, house in need of cleaning or painting, dirty roof and/ or fascia, missing house numbers.
 - weeds in lawn or beds, overgrown or dead landscaping larger than a specified size, edging, tree trimming.
- Improperly parked, commercial, or unapproved vehicles
- Debris or trash containers in the wrong area
- Unapproved items on patio, yard, or common area, including off-season holiday decorations or signage

Examples of police matters that HOA does NOT handle:

- Dangerous or life-threatening incidents
- Drugs or other illegal activity
- Suspicious activity or trespassing
- Disturbance of peaceful enjoyment
- Speeding or traffic matters
- Vehicles in the street
 - Deer Creek Village streets are not owned by the HOA homeowners/residents; they are owned and maintained by Orange County.
- Aggressive, loose, nuisance animals: contact animal control

Examples of Neighbor-to-Neighbor matters that HOA does NOT handle:

- Noise disturbances
- Tree/Landscaping encroachment
- Smoke or other odors from neighbor