

STEDWICK HOMES CORPORATION

PRIVATE PROPERTY MAINTENANCE POLICY RULES, REGULATIONS AND POLICIES FOR EXTERIOR MAINTENANCE OF PRIVATE DWELLING UNITS AND LOTS

Terms used in these rules will have the meanings given in the Stedwick documents (Articles of Incorporation, By-laws, Declaration of Covenants, Supplementary Declaration of Covenants, Rules, Regulations and Guidelines). If terms are not defined in the Stedwick documents, terms will be considered to have their ordinary, customary meanings based upon common usage.

1. EXTERIOR MAINTENANCE OF PRIVATE DWELLING UNITS

Owners of private dwelling units are responsible for the appearance and maintenance of their private property, including any garages, patios, decks, walkways, driveways, sheds, fences, play equipment, etc. Owners with any additions and/or improvements to their homes (as approved by the Architectural Review Board of the Montgomery Village Foundation) are also responsible for the appearance and maintenance of said additions/improvements.

Owners shall maintain their yards and lots in good order and repair, which shall be free of debris, garbage, pet defecation, and other conditions deemed to be in non-compliance of these community rules, regulations and policies.

Failure to correct any of the following issues after written notification is considered to be a violation of these exterior Private Property Maintenance Rules, Regulations and Policies:

- A. Noticeable peeling, bubbling, or missing paint on any house or garage exterior surfaces.
- B. External wood surface area that is cracking, splitting, rotting, or extreme warping, including the roof and/or garage.
- C. One or more missing or damaged shutters.
- D. One or more broken exterior doors or windows.
- E. Split-rail fences with (a) three or more missing parts or (b) that appear to be severely damaged, severely rotted, or severely leaning.
- F. Damaged or missing downspouts or gutters and/or downspouts that are draining onto community property.
- G. Outside decks or patios in disrepair (this includes broken/rotting wood, severely cracked concrete, etc.) or decks or patios that are overgrown with weeds/grass or other vegetation. This also includes home foundations or retaining walls belonging to the unit that contain severe cracks, missing blocks or mortar that constitute an eyesore.
- H. Brick or block retaining walls or free-standing walls, that contain two or more missing bricks or blocks, severe cracks adjacent to three or more contiguous blocks and bricks, missing mortar between three or more contiguous blocks or bricks, or discoloration and staining that are deemed to constitute an eyesore. This standard is not intended to preclude rock walls.

- I. Other exterior maintenance conditions that are determined to present an unsightly appearance at the determination of the Board of Directors within the Stedwick community are not allowed.

2. LANDSCAPING AND YARD MAINTENANCE

The owner of a private dwelling unit that includes a yard/lot is responsible for the normal upkeep of the yard/lot, such as seeding, fertilizing, watering, and mowing and the routine pruning and cutting of shrubs/trees and other flora to prevent any overgrowth onto pathways and common areas.

Failure to correct the following issues after written notification are considered to be violations of these exterior Private Property Maintenance Rules, Regulations and Policies:

- A. Grass must be mowed at regular intervals so that the height does not exceed twelve (12) inches at the maximum.
- B. Gardens and flowerbeds are most welcome to enhance the beauty of the Stedwick neighborhoods, but at the same time, must be maintained to prevent any severe overgrowth of weeds.
- C. Composting facilities must be maintained and present an orderly appearance.
- D. Pet defecation on an owner's property shall be removed and disposed of in a timely, sanitary and regular manner.
- E. Front yards must be substantially free of stored items, including but not limited to toys, furniture, trash and recycling containers, yard implements and tools, etc.
- F. Insufficient ground cover. Ground cover must encompass essentially 100% of the ground area. Acceptable ground covers include turf grass, shrubs, mulch, and plants such as pachysandra, liriope, ornamental grasses, mosses, or ivy. Most yards will contain a variety of ground cover such as turf grass plus shrubs and trees. Regardless of the selected vegetation, essentially 100% of the ground area must be covered. If mulch is employed in lieu of turf grass, for example, a depth of at least two inches is required throughout. Yards with difficult soil and exposure conditions may simply employ ornamental grasses or shrubs, or both. In this case, the grasses and shrubs must cover at least 50% of the area and the remaining ground between plants must be mulched to a depth of at least two inches. It is recognized that during summer periods of drought, turf grasses may not thrive. However, once turf grass reaches a point where less than 50% of the area is covered with live vegetation of at least two inches depth, remedial actions must be taken which may include replacement of turf grass with an alternative ground cover. In practice, standards for back yards are less strict than front yards. Two-thirds (67%) coverage in backyards is deemed to be acceptable. However, erosion, puddles, and bogginess will not be permitted.
- G. Other landscaping and yard maintenance conditions that are determined to present an unsightly appearance at the determination of the Board of Directors within the Stedwick community are not allowed.

3. NON-OWNER OCCUPIED DWELLINGS AND GROUNDS

Unit owners who rent their properties are obligated to instruct their tenants to adhere to these rules, regulations and policies. **Unit owners are ultimately responsible for complying with these rules, regulations and policies regardless of who resides in his or her unit.**

Unit owners who are landlords are to see that their tenants and other residents of their properties are sufficiently apprised and notified of these rules, regulations and policies, and that the tenants must abide by them as part of their living within the Stedwick community. **In no instance, however, may a unit owner defer any liability under these and other applicable rules, regulations and policies to renters,**

tenants, or others. It is specifically the unit owner's responsibility to ensure that their tenant and any other renter(s) agrees to, and abides by these rules, regulations and policies.

4. INSPECTIONS

In order to ensure compliance with these Private Property Maintenance Rules, Regulations and Policies, the Montgomery Village Foundation covenant control staff and/or community management staff shall perform regular inspections of the exterior lots of all privately owned properties within its defined boundaries on a periodic basis, but no less than once each year.

Inspections shall be under the jurisdiction of the Stedwick Board of Directors, which has established the criteria herein in order to achieve uniformity from neighborhood to neighborhood within Stedwick. Reminders of the annual inspections will be published in the *Village News*. This will allow residents to be adequate time and the opportunity to be proactive with regard to the maintenance of their private property and exterior lots.

Periodic inspections may also be made in response to complaints submitted *in writing* to the Montgomery Village Foundation. Such notices must be signed and include the signer's home address and phone number, but complainants may specifically request that their name(s) and address(s) be withheld from any public disclosure (in other words, the complainant shall remain anonymous). It shall be the policy of the Board to honor any request for anonymity as far as practicable but the Board may, when such reports involve the life, health and safety of our residents, release such information to applicable County authorities, when appropriate.

Additionally, alleged violations reported in writing by employees and duly authorized representatives of the Stedwick Homes Corporation may be investigated, as warranted, at the discretion of the Board. Inspections based on reports of non-compliance from others will be made on a case-by-case basis, as determined by the Board.

5. NON-COMPLIANCES, VIOLATIONS, AND PENALTIES

When there is a failure to meet the above Private Property Maintenance Policy standards, as verified by inspection by the Montgomery Village Foundation covenant control staff and/or community management staff, the Stedwick Homes Corporation Board of Directors will implement the following procedures:

- A. The Stedwick Homes Corporation Management Agent will send a letter to the unit owner of the property in question clearly identifying the problem with a reference to the relevant portions of the above listed private property maintenance standards
- B. In most cases, the unit owner will be given thirty (30) days to correct the problem or to contact the Stedwick Homes Corporation Management Agent to resolve the problem. In situations involving the storage of debris, trash, or other objects that may create a health or safety problem for the community, the unit owner will be given ten (10) days to correct the problem or to contact the Stedwick Homes Corporation Management Agent to resolve the problem. When the property owner contacts the community manager, he/she may request an additional reasonable amount of time, if necessary, to address the problem. A new deadline will be set for the correction of the problem, which may be beyond the original thirty (30) days, as the situation warrants.
- C. In the first letter, the unit owner will also be notified that he/she may request a hearing in accordance with the Montgomery County Code for Dispute Resolution (Montgomery County Code, Chapter 10B, Article 2, available from Montgomery County), within the original thirty (30) day period or any extension thereto granted. If the property owner requests a hearing, the dispute will be considered to

exist and the Stedwick Homes Corporation Procedures for Dispute Resolution will apply.

- D. If, after receiving the first letter, the unit owner does not correct the problem within the first thirty (30) days, or does not contact Stedwick Homes Corporation community management staff to request additional time in which to correct the problem, or ask for a hearing invoking the Montgomery County Code for Dispute Resolution, then the matter will be referred to the Stedwick Homes Corporation Board of Directors for further action. The Board may take any and all appropriate actions to resolve the problem, including one or more of the following steps:
1. Direct the Stedwick Homes Corporation community management staff to contact the property owner again if the Board reasonably believes that such effort might resolve the matter in an amicable state.
 2. Determine that a violation exists and proceed to enforcement, including any and all appropriate fines and any and all legal action.
 3. Schedule a hearing, at which the unit owner is requested to attend, if the Board reasonably believes that a hearing might resolve the matter amicably. The hearing will be conducted in accordance with the Stedwick Homes Corporation Procedures for Dispute Resolution. However, if the property owner fails to attend the scheduled hearing, the Board may proceed directly to enforcement if it determines that a violation exists.
 4. Take such other action as may reasonably be appropriate under the rules, regulations and covenants of the Stedwick Homes Corporation.
 - a. If the Board determines that a violation exists, with or without a hearing requested, then the Stedwick Homes Corporation Board of Directors may assess a penalty against the unit owner in the amount of \$100.00 (One Hundred and No/Cents) and the Board shall set a firm date as of which the penalty will be assessed. Thereafter, each seven (7) days that the violation continues will be deemed a separate offence, subject to an additional \$10.00 (Ten Dollar and No/Cents) penalty. Additional penalties will not be assessed for time periods less than 7 full days.

For example, if the \$100.00 penalty is assessed as of May 1, an additional \$10.00 penalty will be assessed as of May 8. If the violation is corrected before May 15, then no additional penalty will be incurred. If the violation is not corrected before May 15, an additional \$10.00 penalty will be assessed as of May 15. This process will continue for each seven (7) days until the violation is corrected.
 - b. Compliance is defined as correcting the violation and maintaining the correction for a period of at least one year. If compliance is not maintained for one continuous year, the whole year (including the time of temporary compliance) will be subject to the full calculated fines.
 - c. Property owners remain responsible for the maintenance of their property throughout the time of their ownership, whether or not they reside in Stedwick. Property owners who may be away from their property or out of contact for extended periods are encouraged to make arrangements for an agent to monitor and care for the property during their absence, and to report contact information for that agent to the community manager. Fines will not be waived due to the inability of Managing Agent to contact the property owner.

6. ENFORCEMENT

Financial penalties for violations of these rules, regulations and policies may be collected by any means available through administrative, legal and judicial proceedings. Additionally, the Board may institute legal action for the injunctive relief of damages, and the homeowner shall be liable for attorney's fees and

costs. Any outstanding violations of these rules, regulations and policies, and/or outstanding unpaid penalties levied by the Stedwick Homes Corporation, shall become a part of the resale disclosure statement and legal documents of the property.

7. IMPLEMENTATION

These rules, regulations and policies shall come into full force and effect on January 1, 2002. In the subsequent years that these rules, regulations and policies remain in force, inspections will be performed in line with the standards contained herein. Owners are encouraged to survey their properties periodically for potential issues and to avoid any possible problems and/or citations. Notices of non-compliance beginning July 1, 2002 will be processed fully with penalties, as provided in these Rules, Regulations and Policies.

However, any violation(s) and/or condition(s) that could affect, or potentially affect the health, welfare and/or safety of owners, tenants, residents, or neighborhoods within Stedwick that may be found during any inspection will be enforced immediately, with no grace period.

8. AUTHORITY

These Rules, Regulations and Policies for the Exterior Maintenance of Private Dwellings and Lots were adopted in accordance with the Articles of Incorporation, By-laws and Declaration of Covenants, Conditions, and Restrictions recorded among the Land Records of Montgomery County, Maryland, and are applicable to all privately-owned property, community property, and common property within Stedwick Homes Corporation as defined in those documents.

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