

Welcome Home!



Somerset



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ASSET MANAGEMENT • HOMEOWNER ASSOCIATION MANAGEMENT**

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WELCOME TO THE NEIGHBORHOOD!

On behalf of your neighbors, Homeowners Association staff, and Board of Trustees, welcome to the Somerset community! We are very pleased you have chosen this community to call home.

This Welcome Packet has been created in the hope that it will ease your transition into your new home and surrounding area. Its purpose is to provide helpful hints on areas that will be of immediate interest to you while settling in.

This packet contains informal information on Somerset’s Homeowners Association contacts, existing guidelines, meeting dates, committees, community activities and trash guidelines. Additional information can be found at the Associations website at www.somersetowners.org. It outlines essential details on how to make changes to your exterior structure including paint color changes, suggestions for landscaping, and many other details that every homeowner needs to be aware of. We strongly encourage you to take the time to read the Homeowners Bylaws and Declaration of Covenants, Conditions and Restrictions to ensure complete understanding of the Associations rules and regulations.

We also encourage you to register for the Somerset “Quick Communications”. This added feature provides you with up to date and immediate information on your community. This information is always valuable and can be related to events, meeting reminders, changes in management staff and weather related happenings throughout the year.

Because Oberer Management Services is always striving to improve and strengthen our relationship with the homeowners, we want to hear from you. If you have any questions regarding this information, please contact us at your convenience.

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Association Management Division
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Welcome to Somerset! We hope you find living in beautiful and distinguished Somerset a happy and rewarding experience.

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INTRODUCTION

Somerset is a maintained planned-development community. It functions under the direction of the Board of Trustees.

Each homeowner at Somerset automatically becomes a member of the Somerset Homeowners Association. The Association ensures the preservation of the community’s original planning concepts and designs, and protects the assets of the community. The Homeowners Association is responsible for the efficient operation and maintenance of the property for the mutual benefit of all its homeowners.

Governing a maintained community through homeowners associations is an ingenious device whereby professionals are obtained to manage the community assets while authority and responsibility for the property’s maintenance is retained by those most interested in the community’s welfare – the property owners. Somerset is proud of its facilities, homes, and common areas, and its overall appearance and invites owners to participate in the governing functions of its association.

The purpose of this packet is to outline the operation structure and procedure and to provide homeowners with important information about the association and common areas of Somerset. It is intended to serve as a reference and information source, and does not detail all documents governing the community.

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FROM THE BOARD OF TRUSTEES

Dear Somerset Homeowner:

We wish to extend a warm welcome to you as a new resident of Somerset; a maintained community by Oberer Management Services, Homeowners Association Division. Since you are a new homeowner in Somerset, we are forwarding this Welcome Packet to you to help make your adjustment to your new home as trouble-free as possible.

Our community is governed by written documents known as the Declarations of Covenants and the By-Laws, which set forth your rights and obligations as a homeowner. Any homeowner who needs a copy of these documents should contact Oberer Management Services, Homeowner Association Division.

The Somerset Homeowners Association has a three-member Board of Trustees consisting of residents and professionals from the community’s development team who volunteer to manage the everyday business of the Association. Any homeowner is welcome to attend a Board meeting at any time – just call the Association telephone number and leave a message requesting the time and date of the next meeting. During the first quarter of each year there is an Annual General Meeting of the Association. All homeowners are invited and encouraged to attend, meet other homeowners, and vote on important community issues.

Listed below are the names of important contacts for your information. Also, enclosed is a list of Helpful Reminders for all residents and homeowners in Somerset. For now, it is our sincere hope that the enclosed information will help you make a smooth adjustment to living in the neighborhood.

If you have a question, a comment, or a problem to report, please feel free to contact Oberer Management Services, Association Management Division. They are prepared to address your problems and answer any questions you may have about living in Somerset.

Sincerely,

Board of Trustees

Oberer Management Services
Homeowner Association Division
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District Manager
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YOUR MANAGEMENT TEAM

Oberer Management Services, an Oberer Company, is a third generation family-owned business that was founded in 1949. Starting as land developers, the Oberer Companies have expanded into Commercial Construction, Commercial Real Estate, Property Management Services, Association Management Services, and Custom Home Building.

For more than 30 years, Oberer Management Services has offered a full spectrum of real estate needs, specializing in a comprehensive, professional managed service solution.

Oberer Management Services is one of the industry leaders in property management throughout the Miami Valley, managing over 40 communities.

For more information about Oberer Companies and Oberer Management Services, please contact at 937.278.0851 or visit us at www.oberer.com.

MANAGING AGENT

As your homeowners' association managing agent, Oberer Management Services is responsible for guiding and assisting the homeowners association and helping owners with problems or questions, as well as carrying out the policies and decisions of the Board of Trustees. The Managing Agent also has the responsibility of the daily management and operation of the community and its facilities.

Oberer Management Services is a professional firm specializing in homeowner and condominium Association management. They are hired by the Board of Trustees to advise, assist, and implement the decisions made by the Board. The following items are included in the contract for management.

- Collection and billing of homeowner assessments
- Payment of operating expenses and maintaining the official books and records of the association
- Accounting and financial reporting
- Printing and distribution of any notices, announcements and violations
- Making sure Improvement Applications are processed and returned in a timely manner
- Direction of association employees and contractors
- Emergency and General maintenance on common grounds throughout the community. Handling resident requests including dispute resolutions, questions, and complaints
- Coordination of Community activities and communications
- Management of common grounds throughout the community, including protecting, maintaining and repairing
- Assisting in compliance of the provisions of documents and regulations
- Assisting the Board with budget planning, meetings, minutes, elections, and all various duties that management of the neighborhood involves
- Keeping accurate records of current ownership of each property, including contact information Please distinguish between the Managing Agent and the members of the Board of Trustees. Your Trustees

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establish policies and make decisions. The Managing Agent then implements the decisions on a day-to-day basis in operating Somerset Homeowners Association. Your Managing Agent meets with the Board of Trustees on a regular basis, at which time the affairs of the association are fully reviewed.

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YOUR MANAGEMENT STAFF

Jennifer Holp- District Manager

Jennifer joined the Oberer Management Services team in July of 2013 as the Manager of the Association Division, managing a portfolio of both Homeowners and Condominium Associations. In November 2016 she accepted the position of District Manager for a portion of our residential communities as well as overseeing the HOA division of Oberer Management Services.

Jennifer has over thirteen years of experience in property management, ranging from a single site manager to an area manager in Dallas, Texas, to association manager for homeowners and condominium associations primarily in the greater Dayton area. Prior to property management, Jennifer worked as a Restaurant General Manager for 8 years.

Jennifer does hold the CMCA designation and currently serves on several committees for the Greater Dayton Apartment Association.

Lori Mateikat – Association Management, Manager

Lori joined the Oberer Management Services team in January, 2017 as the Manager of the Association Division, managing a portfolio of both Homeowners and Condominium Associations.

Lori has over 15 years of experience in property management, including student housing, affordable and market rate housing, and most recently as an association manager for homeowners and condominium associations, including the Triple Crowne Homeowners Association, consisting of over 1,800 homes in Northern Kentucky.

Lori Holds the CMCA designation and is on Ohio Real Estate Licensee.

Tina Paddon – Association Division Administrative Assistant

Tina joined Oberer Management Services in May of 2014. She is providing Division Administrative Support to the Vice President, Division Managers and HOA Manager of our residential Property Management team.

Prior to coming to Oberer, Tina was the assistant office manager for a small, local heating and air conditioning company for 5 years. She also holds a Masters of Rehabilitation Counseling degree in Chemical Dependency, which she used while working with imprisoned and court ordered juveniles needing drug and alcohol treatment.

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PURPOSE OF THE BOARD OF TRUSTEES

The board of Trustees is a body of elected or appointed members who jointly set forth and oversee the activities and administer policies and procedures, and who make managerial decisions affecting the operation and maintenance of association and all commonly held real property of the community of Somerset.

A board's activities are determined by a set of documents called the Declaration of Covenants and Restrictions, as well as in the By-laws. The By-laws commonly also specify the number of members of the board, how they are to be chosen, and when they are to meet.

Typical responsibilities of the boards of Trustees include:

- Governing the organization by establishing board policies and objectives;
- Ensuring the availability of adequate financial resources;
- Approving annual operating budgets and all expenditures made by the association
- Selecting a management company
- Enforce the policies and regulations that govern the association
- Supervise and prescribe the duties of the Managing Agent
- Set the amount of the lot assessments (association dues)
- Enforce architectural control
- Maintain the common areas and structures located on common property
- Keep a complete record of corporate affairs and report to homeowners

The members of the Board of Trustees, being duly appointed and/or elected, are recognized by the State of Ohio as officers of the Corporation and have the authority to enter into contractual obligations, carry out and enforce all provisions of the Declaration, Articles of Incorporation, and By-Laws, and may assign such responsibilities as deemed appropriate to the Managing Agent.

The Board of Trustees presides over the actions of Somerset as it protects and ensures proper maintenance and enhancements of the community. By the Associations efforts, our homeowners can realize increased property values and experience quality living conditions in Somerset.

By action of the Board of Trustees, consultants and professionals are employed to assist them in meeting the need of the community in a professional and efficient manner utilizing the best methods and resources available. Consultants and licensed vendors are hired to assist the Board in the following areas:

- Landscaping
- Snow Removal
- Trash Removal
- Finance
- Insurance
- Building Maintenance
- Legal

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DUTIES OF OFFICERS

PRESIDENT

The President shall be the Chief Executive Officer of the association. He/she shall preside at meetings of the members of the association and shall preside at all meetings of the Board of Trustees. Subject to the direction of the Board of Trustees, the President shall have general executive supervision over the business and affairs of the association. He/she may execute all authorized deeds, contracts and other obligations of the association and shall have such other authority and shall perform such other duties as may be determined by the Board of Trustees or otherwise provided for in the Declaration or By-Laws.

VICE-PRESIDENT

The Vice-President shall perform the duties of the President whenever the President is unable to, and shall have such other authority and perform such other duties as may be determined by the Board of Trustees.

SECRETARY

The Secretary shall keep the minutes of all meetings of the Board of Trustees. He/she shall keep such books and records as may be required by the Board of Trustees and shall give notices of meetings to members of the association and of the Board of Trustees as required by law, or by the By-Laws or otherwise, and shall perform such other duties as may be determined by the Board of Trustees.

TREASURER

The Treasurer shall receive and have charge of all money, bills, notes, and similar property belonging to the association, and shall do with the same as may be directed by the Board of Trustees. He/she shall keep accurate financial accounts and hold the same open for the inspection and examination by the Board and shall have the authority and shall perform such other duties as may be determined by the Board of Trustees.

The Board of Trustees shall have the power to employ a Manager or Management Company as they deem necessary, and to prescribe their duties.





OVERVIEW

Each homeowner is responsible for the maintenance and insurance of his/her own residence and contents. The Homeowner Association maintains and insures the common area, facilities and equipment shared by the community. There are several documents used in the governing and managing homeowner associations and common interest communities. Listed below are a few you should already have copies of, detailing the rights, obligations, duties and restrictions of residents and guests.

- The Declaration of Covenants, Conditions, and Restrictions that govern the use of the property
- The "By-Laws" and "Rules of Regulations" of the association govern the conduct of our residents, guest, and Board of Trustees.

All owners are encouraged to participate in directing the affairs of Somerset. Your input and cooperation are essential in order to accomplish the overall goals of the community.

WHAT IS A HOMEOWNERS' ASSOCIATION?

When developers first started building Homeowners' Associations, everyone agreed that having property shared by all owners was a good idea. But one question remained, "who is going to take care of it?"

Local government was not responsible because the land was privately owned. The developer would eventually sell all the homes and go on to build another project. He would not want to be responsible. That left the residents. Since they own shared property, they should have the responsibility for its maintenance. Thus, the concept of an association was created.

A Homeowners' Association is an organization of residents. A buyer automatically becomes a member with the purchase of a home within the development. As a member, he/she has a voice and vote in the association's affairs. These votes are cast during annual or special meetings of the general membership.

The automatic membership in a homeowners' association is an incorporated, non-profit organization operating under recorded land agreement through which each land owner in a described area is automatically a member. Each member is subject to a charge for a proportionate share of expenses for maintenance of common property and support of other necessary activities of the organization.

The major responsibility of the association is to protect your investment and enhance the value of the property owned by the members. This is done by providing for the physical maintenance and operation of the shared property.

The association has other responsibilities too, such as, enforcing the regulations and architectural controls, and setting up an effective communications system among members.

To assure the homeowners of a well-run organization, a professional management firm has been retained as an integral part of the operation of the association. Professional management will ensure that the association functions as a viable business organization, protecting the homeowners' valuable investment. The management staff will coordinate and supervise the maintenance, financial, and architectural facets of the association.

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THE HOMEOWNERS' ASSOCIATION IS A BUSINESS

No matter what role you play in the association, one thing is certain: you will want it to operate smoothly and efficiently as possible. The most important thing to remember about a community association is that it is a business. To be successful, it must operate like one.

ASSOCIATION LEGAL DOCUMENTS

When the developer plans his project, he develops a set of legal documents, which establishes the community association, governs its operation, and provides rules for use of all properties in the community. The legal documents consist of Declaration of Covenants, Articles of Incorporation, and By-Laws/Code of Regulations.

DECLARATION OF COVENANTS

The Declaration of Covenants is the collection of covenants imposed on all property within the development and provides:

- For automatic association membership of all owners and the basis for voting rights;
- The obligation of each owner to share in funding the cost of association operations;
- Certain restrictions (architectural control and other rules) on the use of the property and association's enforcement power;
- Sets forth the power and authority of the association to own and maintain any common property and/or easements, and to make and enforce rules.

ARTICLES OF INCORPORATION

The Articles of Incorporation create the association as a legal entity under state corporate statute; defines the broad powers and responsibilities of the association and its membership; and, sets forth the process for creating the Board of Trustees, voting system, etc.

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BY-LAWS / CODE OF REGULATIONS

The By-Laws/Code of Regulations implements, in specific detail, the provisions of the Articles of Incorporation regarding the association operations, including delineation of the meetings process, elections procedures, powers and duties, board meetings, committees, insurance requirements, rulemaking, and enforcement process.

DISCLAIMER AND REFERRAL TO DOCUMENTS: This handbook is designed to familiarize owners briefly with the homeowners' association, management, policies and procedures. A more comprehensive reference to any item concerning the association can be found in the Declaration, Articles of Incorporation, and By-Laws issued to all owners at the time they take title to their home.

In the case of any conflict between this handbook and the documents, the Declaration, Articles of Incorporation and By-Laws shall control.

RESERVES

The Reserve Account is the association's way of setting aside money for future repairs and replacements. Each year, a certain portion of your association fee is set aside in a special interest bearing account to plan for the replacement and repair of items in the common areas. This helps to protect and preserve property values. This expense is included in the overall budget for the association.

Your ability to sell your home can be influenced by the adequacy or inadequacy of reserves set aside by the association. Primary lenders consider reserves for future needs a key part of a good financial policy and can consequently be more receptive to lending money in communities with an established reserve account policy. Reserves do, therefore, directly affect the resale value in associations.

ANNUAL ASSESSMENT

Payment of dues is essential to the maintenance of the association. Your association provides a payment coupon/statement at the beginning of each calendar year which indicates the amount and due date. Should you close on your new home at any time other than the beginning of the calendar year, please contact Oberer Management Services to verify how and where to send in the monthly association dues.

Reminders and late notices are sent to homeowners who do not pay in a timely manner. If, after all steps have been taken to collect delinquent dues, the account is still in arrears, **liens will be filed and foreclosure actions will be taken no later than three (3) months from the date the dues are in arrears.** Builders who purchase lots also pay their proportionate share of the dues prior to selling to individual homeowners. The developer contributes money to the association to cover any deficits during the development stages.

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SPECIAL ASSESSMENTS

Occasionally, a community may have special needs for maintenance, repairs, or projects which were unforeseeable during the budgeting process. If this occurs, and if there are insufficient contingency funds in the operating budget or reserve fund to cover the unexpected expenses, the Board of Trustees has the authority to approve special assessments in addition to your yearly fees to cover such expenses. Great care is given to avoid special assessments by carefully planning the community's budget and reserve funding requirements. In the unlikely event that a special assessment becomes necessary, homeowners will be fully informed.

ASSOCIATION COLLECTION POLICY

First notice: Mailed to any owner who is fifteen (15) days delinquent.

Second notice: Mailed to anyone who is 30 days past due. This notice will request full payment within ten (10) days from the date of the notice or a lien will be recorded with **no further notice**.

Lien: When a lot owner is in default of payment of past due fees, and any other accrued fees for more than sixty (60) days, a lien will be prepared and recorded against the respective lot by the association's attorney. The lot owner will be responsible for all legal fees and collection expenses, including the associated costs of the lien.

Foreclosure: If a lien remains unpaid for a period of over thirty (30) days, the Board of Trustees, by resolution, may request the association's attorney to enforce action as provided for in the Declaration of Covenants, Conditions, Restrictions, Easements, and Liens of the Somerset Owners Association.

INSURANCE COVERAGE

The homeowner should have an individual homeowner insurance policy. This policy should cover all structures, personal contents, carpeting and any changes and/or upgrades that have been made to the interior or exterior. The association carries insurance coverage on the common areas and easements only. The association also carries errors and omissions insurance coverage for the Board of Trustees.

PETS

Please be courteous to your neighbors when considering pets. Dogs, cats, and other household pets are permitted at Somerset provided they are not kept for commercial purposes.

- All pet owners are responsible for cleaning up after their pets.
- No animal may be a nuisance by barking, howling, or making loud noises so as to disturb your neighbors' peaceful enjoyment of their home.
- Dogs must be under leash control at all times on common property.

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24 HOUR EMERGENCY CONTACT

In the event you witness an emergency on the common grounds when Oberer Management Services offices are closed, please call our office number at (937) 278-0851. We provide 24 hour emergency contact seven days a week, including holidays.

ACTION/REQUEST PROCEDURES

Occasions may arise when homeowners have a specific item they wish to bring to the Board of Trustees attention. Written documentation addressed to the Board's attention is necessary to ensure proper action is taken. The procedure for initiating an action or request to the Board of Trustees is as follows:

Action Procedure: Homeowners are encouraged to resolve issues with their neighbors. If no resolution can be reached between the parties involved, place in writing your complaint, steps you have taken toward a reasonable solution, and your suggested solution for the problem.

Mail your request to:
Oberer Management Services
Association Management Division
3445 Newmark Drive
Miamisburg, OH 45342

The following steps will be taken as necessary to resolve the complaint:

1. Initial letter sent to offending party.
2. If there is no resolution, a second letter will be sent.
3. If, after these two letters, the problem or complaint is not resolved, the issue will be taken to the Board of Trustees and recommendations will be made to alleviate the complaint. Recommendation may include pursuing legal remedies.

Request Procedures: To initiate a request to the Board of Trustees, state request in writing and forward to Oberer Management Services, at the address indicated above. We will forward your written request to the Board of Trustees. If you wish to address the Board of Trustees at a Board of Trustee meeting please state your issue in writing and forward to us.

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SALE OR RENTAL OF YOUR HOME

When you decide to sell or to rent your home either, by owner or through a Realtor, you need to transfer, not only your property, but also the responsibilities of membership in the association. You do this by transferring the three documents cited on page two of this booklet. Also, please contact Oberer Management Services as there are necessary forms you will need to fill out regarding association dues.

If you sell, your buyer will become a member of the association and be subject to the Covenants and By-Laws as you were when you purchased your home.

If you lease or rent your home, your tenant must be familiar with the Covenants and By-Laws of the association in order for you to be protected against your tenant's inadvertent violation of Covenants through ignorance. The owner, not the tenant, is held responsible to the association for the tenant's behavior.

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ARCHITECTURAL CONTROL GUIDELINES

Improvement Application – The association has been charged with the responsibility of maintaining the aesthetic and architectural character of your community.

Any owner desiring to make any exterior change, improvement or addition (including change of color) must obtain approval for the change or improvement from the association through its Board of Trustees. All applications will be considered on an individual basis and all reasons presented for the improvements will be weighed and evaluated, based on the following considerations:

1. The harmony of external design and location in relating to surrounding buildings in the community.
2. The recognition of future maintenance problems or expenditures the installation might cause the association.
3. Adherence to Guidelines and Use Restrictions established in the Declaration of Covenants, By-laws, etc.

The procedures for this are as follows:

1. Submit to Oberer Management Services a complete description of the improvement with a drawing, photograph or catalog picture specifications as necessary. Attach a plot plan of the lot indicated where improvement or modification will be located on the lot. Attach to a completed Improvement Application.
2. The Board of Trustees and/or designated committee will review at the next scheduled meeting, and the application will be approved, disapproved, or additional or alternative recommendations for the improvement modification will be suggested. The owner will receive notice of the decision within several days from the date of the meeting.
3. Any change, modification, improvement made by an owner is the responsibility of the owner for maintenance, repair and/or replacement.
4. Unauthorized changes, modifications, or improvements must be removed or restored to original condition at the discretion of the association, through its Board of Trustees and will be at the expense of the owner.

The purpose of the Architectural Control approval is not to discourage improvement, but to control the nature of improvements to those that enhance the value and conform to the overall aesthetic appearance of the association. This control should be looked upon as a protection of your investment. The Board of Trustees and the association members are in favor of improvements and encourage owners to personalize their homes within the limitations of the Declaration of Covenants, Conditions and Deed Restrictions, and By-laws.

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ENFORCEMENT AND FINE POLICY

Upon notification or observation of a violation of the restrictions as set forth in the Declaration of Restrictions, as acting management agent, Oberer Management Services, Association Management Division will send out a notice of violation citing the actual violation, the article and section of the Declaration of Restrictions being violated and a reasonable time period in which to correct the violation. Any issue that requires immediate Board action will result in being called to a hearing without prior notices sent.

Upon second notification or observation of the continued violation following the expiration of the time period allotted, Management will send out a Notice of Hearing. This letter is to be sent via certified, return-receipt requested, and regular mail.

A hearing is held before the Board of Trustees for the purpose of the homeowner to explain the reasons for the continued non-compliance. If the homeowner intends to have legal representation at the hearing, the homeowner must be present and the homeowner must notify Management at least (7) days prior to the hearing date so that the Association can also have legal representation. If the Association's legal counsel is unable to attend the hearing, the hearing will be continued to a later time. Should the homeowner not show cause as to the reason for the continued non-compliance issue, a Non-Compliance assessment of **\$50.00** may be imposed by the Board of Trustees. If the fine is unpaid within thirty (30) days of the date of the hearing, the Board will suspend the homeowner's common area privileges after a call to hearing. Additionally, the Board of Trustees will make a decision, following the hearing, as to what other action is to be taken in order to gain compliance, and will notify said owner within seven (7) business days of the date of the hearing.

If the non-compliance is not rectified, the homeowner may be invited to a second hearing before the Board of Trustees. Except as specified elsewhere in the Rules and Regulations of the Association, and on the Fine Schedule, if at the second hearing the violation is not cured, a Non-Compliance assessment double the amount of the original fine may be imposed by the Board of Trustees. Fines will continue to double with each repetition of the offense. If fines are unpaid within thirty (30) days of the hearing date that the fine was imposed, the Board will suspend the homeowner's common area privileges after a call to hearing. Additionally, the Board of Trustees will make a decision, following the hearing, as to what other action is to be taken in order to gain compliance, and will notify said owner in with seven (7) days of the date of the hearing. This letter will be sent via certified mail, return-receipt requested and regular mail. If the non-compliance is not rectified the homeowner may be invited to a third hearing before the Board of Trustees or have their account be sent to the Associations legal counsel.

The Board can impose continuous fines for violations until the violation is cured. The Board can also suspend privileges such as access to the common area amenities and amenities and the privilege to vote in any Association election in which an Owner is otherwise authorized to vote, for any violation and/or unpaid violation fines imposed.

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Should a violation occur which imposes financial obligations on the Association; the responsible party for said violation will reimburse, by way of an enforcement assessment, Somerset Owners Association for this financial obligation. For example: damage to the common area walls, carpet and/or any other common area repair and replacement costs will be charge to the Owner.

At any time during this procedure, the Board of Trustees may determine that it is in the best interest of the Association to expedite enforcement action and may choose to take legal action or to cause the violation to be corrected at its expense and asses the account of the owner for reimbursement for said correction. If no compliance is gained, the Board of Trustees may seek legal action against the owner.

VIOLATION FINE SCHEDULE

Except as noted below, most violations of the governing documents, including those in the Rules and Regulations carry a fine of \$50.00

CLASS A Violation not remedied in seven (7) days **\$50.00 Fine**
Examples include, but are not limited to: Signage, Hazardous Waste/Materials, Pets, Parking/Vehicles, Nuisances, Trash Containers, Visible debris.

CLASS B Violation not remedied in thirty (30) days **\$100.00 Fine**
Examples include, but are not limited to: Impairment of Structural Integrity to the Lot Unit, Unit Lot items due to negligence, Satellite Dish/Antenna; Landscaping, Pools, Fencing, Decks, Garden Structures, Mailboxes, Exterior Lighting, Basketball goals, Swing sets/Play Equipment, Sheds, Clothesline, and Rental of Unit issues.

Unless exception is made, there will be an additional fine of \$5.00/day when exceeding the above time frames. Once the Violation is remedied, it is the responsibility of the Owner to notify the Property Manager for inspection of correction. If the Violation re-occurs within 30 days of the correction, it will be considered a continual Violation, and daily fines will be assessed accordingly.

- Noise Nuisance
- Unauthorized Access to Common Area Amenities (Immediate call to hearing)
- Unauthorized Architectural Changes (Immediate call to hearing)
- Damage to Common Area/Vandalism
- Hazardous Activities

The Board can impose continuous fines for violations until the violation is cured. The Board can also suspend privileges such as access to the common area amenities plus the cost of repairs and restoration if necessary.

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RESOLUTION BY UNANIMOUS WRITTEN CONSENT

The undersigned, being all of the Board Members of the Somerset Owners Association, an Ohio not-for-profit company do hereby adopt the following Resolution by Unanimous Written Consent pursuant to Section 1705.25 of the Ohio Revised Code.

RESOLVED, that the Company shall adopt the Rules and Regulation Resolution #2012-01 contained herein.

IN WITNESS WHEREOF, the undersigned have executed with Unanimous Written Consent to be effective the 2nd day of July, 2012.

RULES AND RESOLUTION 2012 -01

Pursuant to the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Somerset Owners Association, (the "Declaration"), The Somerset Owners Association Board of Trustees, (the "Board") hereby adopts the following **Rule and Regulation 2012 – 01** pertaining to Fines and/or Remedies Resolution for the violation of the Declaration, Covenants, Conditions, Restrictions, Rules and Regulations of the Association as contained in the Declaration and as adopted by the Association (the "Rules and Regulation"),

Whereas, the Board has carefully considered all factors and determined that the adoption of the Rules and Regulation 2012-01 contained herein is necessary, reasonable and appropriate; and

Whereas, the Board has determined that it is in accord with the Association Documents and in the best interests of the Association to so adopt such a Rule and Regulation.

Now therefore, the Association, by and through its Board of Trustees, hereby adopts the following Rules and Regulation regarding fines and/or remedies for the violation of Covenants, Conditions, Restrictions, Rules and Regulations of the Association as contained in the Declaration and as adopted by the Board of Trustees;

The Association, through its Property Manager or the Board of Trustees or other designated agent, shall notify, in writing, any Unit Owner, with a copy to any occupant in default and a copy to any first mortgagee of the lot who has requested copies of default notices, of the violation of the Declaration, Covenants, Conditions, Restrictions, Rules and Regulations.

Such Unit Owner shall immediately and permanently cease and/or correct such violation of the Rules within the specified number of days of the mailing of notice.

If such Unit Owner fails to permanently and immediately cease and/or correct such violation of the Rules and Regulations within the specified number of days, such Unit Owner shall be found in Default of the Declaration, Covenants, Conditions, Restrictions, Rules and Regulations.

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Once in Default, the Unit Owner will be responsible to pay to the Association, a fine or fines in the amount set forth below, plus the costs and expenses incurred by the Association as a result of or in connection with such violation and/or the correction thereof. Such costs and expenses shall include, but not be limited to, the costs of notification, the costs of correction of such violation and administrative costs and attorney fees connected with the correction and/or notification of the violation, the enforcement of the Rules and Regulations and/or the collection of fine(s), costs and expenses imposed as a result of the violation.

Owners are, and shall be, jointly and severally, liable for and responsible for all actions and/or violations of their Tenants, Residents, Guests and/or Occupants, including, but not limited to, the correction of all violations and the payment of all fine(s), costs and expenses. The correction of violations and such fine(s), costs and expenses shall be the obligation of the lot in addition to, and not in lieu of, the lien rights of the Association as set forth below.

Notice of the imposition of fine(s), costs and expenses shall be given to the Owner in writing.

The remedies set forth in this Rule and Regulation is in addition to, and not in lieu of, any and all other remedies available to the Association at law, at equity, by reason of the Association Declaration, Code of Regulations and Articles of Incorporation or otherwise.

Violation(s) not remedied within sixty (60) days, are subject to the Board of Trustees who may exercise, but are not limited to, Self-Help and correct said violation and bill Owner for all costs.

SO RESOLVED.

SOMERSET OWNERS ASSOCIATION

BY: _____
George R. Oberer, Jr.
Its: Board Trustee

DATE: _____

BY: _____
Michael F. Oberer
Its: Board Trustee

DATE: _____

BY: _____
Robert M. McCann
Its: Board Trustee

DATE: _____

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WEBSITE INFORMATION

Homeowner’s Website: www.somersetowners.org

This site provides the following links:

- Annual Meeting Minutes
- Action Request Forms
- Improvement Applications
- Current Budget
- Somerset Declaration of Covenants and Restrictions
- Somerset Articles of Incorporation
- Welcome to Somerset Package
- Listing of Committees supporting the Board of Trustees
- Information about Oberer Management Services
- Resolution 2012-01
- Resolution 2005-10
- Somerset Code of Regulations

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