

STEDWICK HOMES CORPORATION
PRIVATE PROPERTY MAINTENANCE STANDARDS AND POLICY

It is the policy of the Stedwick Homes Corporation to encourage, promote, and enforce good standards of maintenance of private property within our community. The purpose is to fulfill our obligations to promote the general welfare of the owners and residents. Good maintenance enables all owners and residents to enjoy and feel pride in our neighborhood. Good maintenance also preserves real estate values, protecting one of our largest investments. The maintenance standards and procedures for their enforcement follow below.

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 HOMES AND STRUCTURES

Owners of private homes 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.

Failure to correct any of the following conditions after written notification is considered to be a violation of these exterior Private Property Maintenance Standards:

- A. Paint that is noticeably peeling, bubbling, or missing on any house, garage, or shed exterior surfaces.
- B. Cedar shake shingles that are rotting, have holes, or have extreme warping; any other external wood surface area that is cracking, splitting, rotting, or warping, including roof and/or garage.
- C. Shutters that are missing or damaged.
- D. Exterior doors or windows that are broken.
- E. Split-rail fences with three or more missing rails; split-rail fences that appear to be severely damaged, severely rotted, or severely leaning.
- F. Downspouts or gutters that are damaged or missing; downspouts, or pipes connected to downspouts, that are draining onto community property, except where the outflow and any necessary erosion control has been approved by the board of directors through a Community Property Improvement Request ("CPIR" form is available from community management office).
- G. Decks or patios with broken or rotting wood, severely cracked concrete, or that are overgrown by vegetation.
- H. Home foundations or retaining walls belonging to the unit that contain severe cracks or missing block or missing mortar, and that constitute an eyesore.
- I. Free-standing walls that contain one or more missing bricks or blocks, severe cracks adjacent to three or more continuous blocks and bricks, or missing mortar between three or more contiguous mortared blocks or bricks, and that constitute an eyesore.
- J. Exterior house walls that have one or more missing bricks or blocks, cracks adjacent to three or more contiguous bricks or blocks, or missing mortar between three or more contiguous bricks or blocks.
- K. Other exterior maintenance conditions that are determined to present an unsightly appearance at the determination of the Board of Directors are not allowed.

2. LANDSCAPING AND YARD MAINTENANCE

The owner of a private home that includes a yard/lot is responsible for the upkeep of the yard/lot, such as seeding, fertilizing, watering, and mowing and the routine pruning and cutting of shrubs/trees and other flora, both for appearance and to remove any overgrowth that impedes pathways.

Failure to correct the following conditions after written notification is considered to be a violation of exterior Private Property Maintenance Standards:

- A. Lawn grass or weeds in excess of 12 inches in height at the maximum.
- B. Gardens or flowerbeds with overgrowth of weeds or grasses.
- C. Composting facilities that include household refuse or vermin, or that present a disorderly appearance.
- D. Pet feces in the yard that were not removed in a timely manner.
- E. Litter or trash that is not removed promptly from yards, decks, or patios.
- F. Stored Items: 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. Rear and side yards may contain stored items only if they are neatly maintained, non-hazardous, and comply with Stedwick's Policy Governing Storage on Private Property. Examples of unacceptable items under any conditions are: indoor furniture and appliances; chemicals and fuels; yard waste not contained in a compost bin; trash or debris; obviously broken or rotting objects that cannot be used for their intended purpose; food.
- G. Insufficient ground cover: In front yards, ground cover must encompass essentially 100% of the ground area. Acceptable ground covers include turf grass, shrubs, mulch, stones, and plants such as pachysandra, liriopse, ornamental grasses, mosses, or ivy. Yards with difficult soil and exposure conditions may simply use 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. Standards for back yards are less strict than front yards. Two-thirds [67%] coverage in backyards is acceptable. However; erosion and puddles or standing water will not be permitted.
- H. Trees and shrubs must be pruned at least two feet away from and at least 9 feet above any paved path or sidewalk on common property.
- I. Other landscaping and yard maintenance conditions that are determined to present an unsightly appearance at the determination of the Board of Directors are not allowed.

3. NON-OWNER OCCUPIED HOMES AND GROUNDS

Homeowners who are not occupying their properties are obligated to instruct any tenants and other residents to adhere to these standards. Homeowners must fully inform the residents of these standards.

Home owners are responsible for complying with these standards regardless of who resides in their properties. In no instance may a home owner defer any liability under these and other applicable rules, regulations and policies to renters, tenants, or others. It is specifically the home owner's responsibility to ensure that their tenant(s) and any other resident(s) agree to, and abide by Stedwick's rules, regulations, and policies, including these private property maintenance standards.

4. INSPECTIONS

In order to ensure compliance with these Private Property Maintenance Standards, the Montgomery Village Foundation covenant control staff and/or community management staff shall perform periodic inspections of the building exteriors and lots of all privately owned properties within Stedwick's defined boundaries as determined by the board of directors. Additional inspections may also be made when alleged violations are reported in writing or by email by employees and duly authorized representatives of the Stedwick Homes Corporation or by residents or owners of homes in Stedwick. Such reports must be signed (if not email) and must include the complainant's name, address, and phone numbers. If complainants request that they be kept anonymous, this will be done.

Inspections shall be under the jurisdiction of the Stedwick Board of Directors. Reminders of the annual inspections will be published in the *Village News*. This will give owners and residents adequate time to inspect their own properties and community property improvements and to bring them into compliance.

5. NON-COMPLIANCES, VIOLATIONS, AND PENALTIES

When there is a failure to meet these Private Property Maintenance Standards, as verified by the Stedwick Homes Corporation, the following actions may be taken:

- A. The Stedwick Homes Corporation Management Agent will send a letter to the owner of the property clearly identifying the problem with a reference to the relevant portions of the above listed private property maintenance standards.
- B. In most cases, the home 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 property 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 resolve 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 home 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 home owner does not correct the problem within the specified time period, or does not contact Stedwick Homes Corporation community management staff to request additional time in which to correct the problem, or doesn't 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 agent to contact the home owner again if the Board reasonably believes that such effort might resolve the matter.
 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 home 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 home 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, including the levying of fines.
 - 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 home owner in the amount of \$100.00 (One Hundred Dollars and No/Cents) and the Board shall set a date as of which the penalty will be assessed. Thereafter, each seven (7) days that the violation continues will be deemed a separate offense, 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.
- c. Fines will not be waived due to the inability of the Stedwick Homes Corporation managing agent to contact the property owner. (Home 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.)

6. ENFORCEMENT

Fines for violations of these standards 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 standards and/or outstanding unpaid fines and 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 revised standards shall come into full force and effect on March 1, 2012.

8. AUTHORITY

These private property maintenance standards and policy 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 within Stedwick Homes Corporation as defined in those documents.

Adopted: 10/17/01

Revised: 2/15/02, 6/19/02, 4/16/03, 2/15/12, 9/19/12

Reaffirmed: 4/16/03, 5/19/04, 5/18/05, 4/19/06, 5/16/07, 4/16/08, 4/15/09, 5/19/10, 6/15/11, 4/16/14