

D'ESTE COURT

RULES & REGULATIONS

Revised March 2023 *

Dear D'Este Court Unit Owners:

Enclosed are our updated Rules & Regulations that are effective immediately. Please familiarize yourselves with them to avoid any misunderstanding.

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With your continued interest and cooperation, we can keep our Court clean, safe, and comfortable for all unit owners and their guests. Violation of Rules and Regulations and other governing documents can lead to fines.

Very truly yours,

THE FOUNTAINS OF PALM BEACH
CONDOMINIUM, INC. NO. 5
Board of Directors D'Este Court

I – COMMON ELEMENTS

- A. Residents are responsible for the conduct of their guests, family and tenants.
- B. All common areas must be kept free of all personal belongings and litter. This includes but is not limited to balconies, catwalks and rails. Personal items left in common areas are subject to confiscation. Exception – Seasonal decorations on unit entry doors from October 1st – January 15th.
- C. Trees, shrubs, etc. may NOT be planted on lawns or common elements without prior written approval on the Landscape Committee.
- D. Per Florida Fire Prevention Code 10.11.6 outdoor cooking is not allowed on the terraces or balconies on the 2nd and 3rd floor units. Use of electric grills only is allowed on the ground floor but must be at least 10 feet away from the building or overhang. Grills must be kept covered when not in use.
- E. There shall be no chipping or practicing of golf on the common elements.
- F. No roller skates, skateboards, scooters, roller blades or bicycles are permitted in the catwalks or walkways
- G. Duplicate keys for all units must be left with the caretaker of your unit or in a lockbox in utility closet.
- H. Keep noise levels low enough so as not to disturb others; including in units and common areas.
- I. Proper attire, such as shirts, shorts, skirts and pants should be worn at all times in all public areas. When walking to and from the pool, a shirt, bathing jacket or cover-up must be worn.
- J. The feeding of any wild animals including, but not limited to, stray cats, is strictly prohibited.
- K. No smoking or vaping is allowed in common areas of the buildings, including but not limited to the pool house, pool deck and patio, elevators, laundry rooms or on catwalks.
- L. Moving is allowed Monday through Saturday, from 8 A.M. to 6 P.M. Moving and deliveries need to be scheduled (a minimum of 24 hours) with the management (residentservices@grsmgt.com 561-641-8554) to ensure the elevator’s protective pads are mounted. Failure to adhere to this procedure will place the owner liable for any and all damage to all common areas including elevators and catwalks. Moving trucks are not allowed to back up onto entry ramps of buildings.
- M. The use of any commercial vehicle (including U-Haul trucks, trailers, etc.) or Portable Storage Unit (such as Pods) that will not leave the same day as arrival requires permission (at least 24 hours) from a Board Member (see list on Bulletin Board for contact info).
- N. Bulletin boards may not be used for personal or commercial messages. Distribution of flyers, commercial or other notices, etc., are also prohibited. Exception: Pool house notice board
- O. New owners and renters are not to tape names on mailboxes or on directories. Renter names are placed inside the mailbox by the USPS.
- P. Unit owners on the first floor may NOT construct a patio, including pavers, without submitting detailed plans to the Board of Directors and Property Manager.
- Q. Unit windows, window treatments, doors and screens are owners responsibilities; they must be kept clean & properly maintained. Screen doors must be kept closed to maintain clear path of egress.

II – EMOTIONAL SUPPORT ANIMALS (ESA) & SERVICE ANIMALS (SA)

- A. Pets are NOT PERMITTED. This includes pets owned by Owner, Guest or Lessee . However, Court approved emotional support animals and service animals are permitted according to Florida State Guidelines.
- B. As it relates to an animal previously brought in (prior to May 2021) by an owner/renter, said animal will be considered “grandfathered” on a case by case basis and MUST still register and follow all the rules and regulations outlined in this section for permitted emotional support/service animals (ESA/SA). Permission to have an animal is not transferable under any conditions.
- C. All ESA/SA must be on a leash at all times when outside of the Unit.

- D. Breeding of any animals or keeping of animals for any commercial purpose whatsoever within the Community is prohibited.
- E. ESA/SA owners are responsible for any property damage, personal injury or disturbance, which their ESA/SA may cause or inflict. Each resident who keeps a ESA/SA agrees to indemnify the Association and hold the Association harmless against any loss or liability of any kind of character whatsoever arising from or growing out of his / her having any animal in the community.
- F. ESA/SA owners shall immediately pick up, remove from the property and properly dispose of all solid pet waste caused by their ESA/SA.
- G. All ESA/SA shall have and display, as appropriate, evidence of all required registrations and inoculations and the name and address of its owners, all of which will be registered with the Association.
- H. **If it is determined that any ESA/SA is a nuisance, then the owner of the ESA/SA shall cause the problem to be corrected or remove the ESA/SA from the community within 30 days.**
- I. ESA/SA that show a dangerous propensity either against other ESA/SA or persons shall be required to be removed from the community on a permanent basis within 24 hours after notice by the Board unless the Board, in its sole discretion, sets a longer period for compliance.
- J. All Owners, ESA/SA owners and ESA/SA shall be subject to any additional rules and regulations governing animals which may be promulgated by the Board of Directors from time to time. The term “ESA/SA owners” shall include the owner of the ESA/SA and/or any individual caring for the ESA/SA.

III – VEHICLE USE AND PARKING

- A. **Violation** of vehicle use & parking rules may result in fines and/or vehicles being towed at owners’ expense.
- B. All persons must obey the established traffic pattern, stop signs, and speed limit. The entire Court is ONE WAY. The speed limit within the Court is 20 MPH.
- C. Vehicles must be parked only in the parking lot, within the lines and with the front facing tire bumpers. Do not park on building entry or dumpster ramps.
- D. Unit owners or renters are permitted to park one vehicle facing their building. Additional automobiles must be parked facing the median opposite their building, except for Building 4230 where additional automobiles must be parked at the extreme ends of that building or facing the median opposite Building 4290.
- E. Vehicles of guests and visitors may only be parked in spaces designated for guests or unlabeled parking spots.
- F. Vehicle coverings are NOT permitted. If you violate this rule, the cover will be removed and disposed.
- G. When a unit owner’s license plate number is changed, the new number must be given to the FCO Office.
- H. Every vehicle of D’Este Court’s unit owners and/or renters MUST have a number “5” sticker affixed to the left side of rear window. These can be obtained ONLY from the FCO office.
- I. No boats, boat carriers, commercial vehicles, liveries, trucks, motorcycles, scooters, motor homes, campers, non- passenger vans, trailers, or unsightly, heavily damaged, or inoperable vehicles may be parked on Condominium property. Exception: visiting service personnel during daylight hours.
- J. Absolutely no signage/advertising is allowed on any vehicle (whether owned, rented or leased) parked within D’Este Court Monday – Saturday from 6 P.M. to 8 A.M. and not at all on Sundays.
- K. Absolutely no service personnel allowed on roof after dusk.
- L. Vehicle washing may be done only if D’Este residents own the vehicles. Repairs of any kind, other than emergency repairs, are prohibited.

- M. Handicapped parking spaces are to be used only by automobiles displaying the proper authorization. All others will be will be ticketed by the Palm Beach Sheriff's Office (in connection with Fountains Security) and may be towed away at the owner's expense.
- N. Long term parking is only allowed for residents and this must be done in the medians only. A set of vehicle keys must be left with a caretaker/neighbor/friend and notify the Board/Property Manager who has the keys or where available. In case of emergency or roadwork repair, we must be permitted to move your vehicle, or tow at your expense.
- O. Golf carts are prohibited anywhere on our common grounds, except for those used by the employees, Board/Property Manager or Security personnel.
- P. Any vehicle driven or parked on any roadway within the Fountains must be an insured and a currently registered vehicle, driven by a licensed driver.
- Q. Only STANDARD SIZE pickup trucks, i.e., not modified after-market in height, length, width or oversized tires, must have covered beds (no open bed allowed) and they must park facing the median and not the building.
- R. Please refer to F.C.O. Security Rules and Regulations for additional items.

IV – POOL RULES

As there is no lifeguard on duty, use of the pool facilities is solely at the risk of the persons using it. For the safety and comport of the residents and their guests, the following rules have been adopted:

- A. **Pool hours are from 6am to 9pm.**
- B. Everyone must shower before entering the pool. No soap or shampoo is permitted in the pool area.
- C. Fins, rafts, water toys, balls and floats, etc. are not permitted in the pool area. Ball playing is also prohibited. Noodles may be used.
- D. The use of roller skates, skateboards, scooters, roller blades or bicycles are not permitted in the pool area or the adjoining patio area.
- E. Diving and/or jumping into the pool is strictly forbidden by law.
- F. Animals are not allowed in the pool area.
- G. Food, beverages and glass objects are prohibited in the pool and deck areas. Food and beverages are only allowed in the pool house and pool patio. Exception: bottled water is allowed in all areas.
- H. ALL children under twelve years old, must be accompanied by a supervising adult while in the pool area. Children who are not toilet trained or in diapers are required to wear leakproof-swimmer diapers in the pool.
- I. Playpens are permitted in the pool patio but not on the pool deck.
- J. Chairs, lounges and tables are provided for the use of residents and guests. These are not to be reserved or removed from the pool area. When leaving the pool, all clothing, towels and other personal items must be removed.
- K. When leaving, chairs and lounges must be replaced to their original position, including closing the table umbrellas.
- L. The use of the swimming pool is restricted for recreational purposes only.
- M. Only proper swimwear is allowed in the pool, no street clothes allowed.
- N. **PATIO & GRILL-**
 - To host a gathering at the pool patio, reserve the area by signing up in the binder in the pool house at least 24hrs in advance; first come first serve. Call the relevant board member to make them aware of your request, their number will be in the binder. Reservation of pool patio and grill does not include the pool nor pool deck.
 - Gatherings are limited to 25 persons. Exception: community wide events

- A \$50 deposit is required to use the grill & area. \$40 will be refunded, providing area is in good condition. All activity in this area must be concluded and vacated by 9pm

V - LAUNDRY ROOMS

- A. Laundry rooms are for the convenience of our residents only. Please follow the instructions posted by the laundry service.
- B. Dryer lint screens MUST be cleaned after each use. Laundry rooms need to be left clean after use.

VI – UNIT WASHERS/DRYERS

- A. Before modifying a unit to add a washer and dryer, approval is required by the Board of Directors/Property Manager. An alteration form must be submitted to the management company with the proper credentials of a licensed and insured professional. Ventless dryers are recommended.
- B. Any and all appliances such as washers and dryers that are legally installed must be in full compliance with all Palm Beach County codes and regulations. Machines may not be used after 8:00 P.M. or before 8:00 A.M.

VII - STORAGE FACILITIES

- A. All personal items MUST be placed in your assigned storage bin that is located in the main storage area. Any items left outside your bin will be disposed of at the owner's expense. Exception: bicycles.
- B. Bicycles may be parked outside the bin in the appropriate areas designated for their storage. Every bicycle must have an id tag (name, unit number & phone number). Untagged bicycles will be removed and donated to a local charity. No electric bikes/scooters etc. allowed.
- C. It is not permissible to store any items of a flammable nature, i.e., paint, paint thinner, chemicals, etc. in your storage bin or utility (A/C & water heater) room.
- D. Utility closets [next to unit entry] are not storage closets and are not to be locked.

VIII – RENTALS/SALES

- A. Applications must be submitted at least thirty (30) days in advance to the management company for processing and approval by the Board. Applications are available online www.grsmgt.com and must be submitted along with a non-refundable \$150.00 application fee for each applicant (Husband and wife are considered one applicant.)
- B. The fee to renew a lease in D'Este Court is also \$100.00.
- C. There is a rental cap of 15% currently in place.
- D. D'Este Court requires that each person going on title (except husband and wife / married couple) must meet the credit score requirement (700+).
- E. Quit Claim Deed Title transfer require application and board approval.
- F. All potential Lessees or Purchasers are to appear before an interview committee. Additionally, any potential purchaser or renter must submit to a background check, including but not limited to a criminal background check and credit background check, before their application can be processed. A criminal background check is also required for any guest who will be occupying a unit for more than 30 days.
- G. Leases cannot be for less than three (3) months and units cannot be leased more than two (2) times per calendar year. Occupancy by unit owner(s) immediate family shall not be deemed a rental. For these purposes, immediate family consists of parents, children, grandchildren, sisters, brothers and their spouses.
- H. Purchasers are prohibited from renting their unit(s) for one year from the date of purchase.
- I. Notification should be forwarded in advance to the management company when and if you authorize

immediate family to use your unit when you are not in residence.

- J.** Use and occupancy are restricted to two persons per bedroom and one family per unit.
- K.** Apartments cannot be bought or used for business purposes.
- L.** No corporation or other business entity (except an Institutional First Mortgagee) may hold title to a unit without first submitting the name and address of the proposed occupant(s) of the unit to the Association for review, subject to the conditions provided in the seventh paragraph of Article XI, Section A, of the Declaration of Condominium.
- M.** As allowed in Article XI, Section A, of the Declaration of Condominium, a security deposit required from a potential renter shall be an amount up to \$700.00.

IX – ENVIRONMENT & SANITATION

- A.** The garbage disposal unit located inside each apartment should be used to dispose of most wet food and used frequently to avoid clogs and leaks.
- B.** All other trash excluding items to be recycled (paper & plastics, etc.) must be put into plastic bags tied securely and place in the trash chutes.
- C.** Bulk garbage is picked up on Wednesday mornings. To utilize this service, place bulk items at the end of the walkway next to the trash room on Tuesday evening after 7pm. Do not leave any used furniture or similar items near the dumpster or recycling bins or the adjacent utility rooms.
- D.** Residents are urged to avail themselves of our exterminating service. The monthly visit by the exterminator to your premises is of significant benefit to all. If you want interior service, please sign up in the log book located in pool house.

X – RENOVATIONS

- A.** Renovations or reconstruction of terraces/patios is limited to ground floor units. All renovations must be approved in writing by the Board of Directors. Proper drawings must be furnished by the unit owner and approved by the Building Permit Department with the Palm Beach County when necessary. Before any work is started, a permit and/or approval must be obtained. Furthermore, a letter must be submitted to the D’Este Board of Directors agreeing to hold D’Este Court harmless and free from any liability. With reference to all terrace extensions D’Este Court will not be responsible for any leaks or damage of any nature created by any of these extensions.
- B.** Any required permits and board approval **MUST** be displayed in a visible manner in a front window.
- C.** Installation of hard surface floor covering such as wood, tile, etc. must be approved by the Board of Directors. All installations must contain an insulation layer of minimum STC 55 for noise abatement.
- D.** It is the unit owners’ responsibility to see that **ALL** construction debris is removed from the property and that **NONE** is deposited in the dumpster, dumpster garage, recycle bin area, or storage area.
- E.** It is the Unit Owner’s responsibility to ensure that catwalks, elevators and all common areas are cleaned daily to remove any dirt, powder, etc. generated from their renovations.
- F.** Using the elevator to move materials for renovation requires the elevators to be protected. See Section I, item L on how to get elevator pads mounted.
- G.** All windows, glass panels and sliding doors must be enclosed externally with bronze metal and all exterior patio work must also be of bronze material similar to the color and style prevalent throughout D’Este Court.
- H.** Unit owners are responsible for seeing that all renovation work takes place within each unit from 8:00 A.M. to 6:00 P.M. Monday through Saturday (No Sundays).

XI GRIEVANCES

- A.** Reasonable notice and opportunity for a hearing shall be given before a fine is levied against a unit owner, its occupant, licensee or invitee for failure to abide by any provision of the Declaration, By-Laws or Rules & Regulations of D'Este Court. Per Florida statute and our Declaration of Condominium, fines of up to \$100.00 per day may be levied or the maximum amount allowed by Law, which is, \$1,000.00 per violation. In addition, total loss of bar code privileges and Hotwire services (cable TV and WiFi) may also be levied.
- B.** The party against whom the fine is sought to be levied shall be afforded an opportunity for a hearing after notice of not less than 14 days, which notice shall include:
 - 1.** A statement of the date, time and place of the hearing.
 - 2.** A statement of the provision of the Declaration, By-Laws, or Rules and Regulations, which allegedly have been violated.
 - 3.** A short and plain statement of the matters asserted by the D'Este Court Administration.
- C.** The party charged with the violation shall have an opportunity to respond at the hearing, to present evidence and to provide written and oral arguments on all issues involved and shall have an opportunity at the hearing to review, challenge and respond to any material considered at or in connection with the hearing. The hearing shall be held before a committee appointed by the Board, consisting of unit owners other than Board Members. Decisions rendered require a majority vote.

XII – HURRICANE RULES

- A.** Any resident who will not be present at his or her unit for 72 hours or more from June 1st to November 30th shall be responsible to remove all loose objects on the exterior, including patios, such as flowerpots, chairs, bicycles, etc. that could become potential missiles in the event of a hurricane. All year-round residents should do the same when a hurricane warning is given. Any items left outside within 24 hours of a hurricane is subject to disposal of at the owner's expense.
- B.** Hurricane shutters must be white in color as seen from the outside of the building and must be either roll-up type or accordion shutters. Architectural Approved Forms must be completed and approved by the Board of Directors before installation. Shutters must conform to State and County Building Codes. The cost and expense of the installation, replacement, maintenance and any subsequent damage of such shutters are the responsibility of the unit owners causing such installation to be made and their respective successors.
- C.** All the windows throughout D'Este Court are "hurricane impact rated" and can withstand winds up to 150 mph and must be maintained as such. Therefore, **ABSOLUTELY NO PLYWOOD OR OTHER TEMPORARY COVERINGS CAN BE ATTACHED TO ANY BUILDING**

XIII – MISCELLANEOUS

- A.** Notices of all meetings of the Board of Directors and of unit owners shall be posted on the web site and the bulletin boards of each building in the Condominium Association. Our bulletin boards are located at the front of our buildings next to the elevators.
- B.** If any unit owner should be absent from his or her premises for 24 hours or more, the main water valve (located in the unit's utility closet) **MUST** be shut off, the hot water heater (also located in the unit's utility closet) **MUST** be switched off or unplugged.
- C.** To protect against the development of mold spores, each unit **MUST** maintain a thermostat temperature of 78 degrees or lower.
- D.** The use of fireworks, sparklers or anything of that nature are prohibited.
- E.** Any problems are to be reported to your Building Captain who will attempt to expedite same. In an

emergency, if such person is not available, please call the GRS Resident Services at 561-641-8554, 24/7 or call Security at 561-439-7887.

XIV – RIGHT OF UNIT OWNER TO SPEAK AT MEETINGS

- A. Any unit owner who so desires may speak at any meeting of unit owners or of the Board of Directors with respect to any designated agenda item, subject to the following:
- 1) Such unit owner shall speak only after he or she has been recognized by the officer presiding at the meeting.
 - 2) Such unit owner may speak on the designated agenda item at a Board Meeting only after the Board Members shall have completed their discussion of the item.
 - 3) Each such unit owner’s time shall be limited to three minutes.
 - 4) The officer presiding at any meeting may waive any of the forgoing limitations with respect to any speaker at that meeting.
- B. All other questions and/or comments will be heard after the meeting has been adjourned.

XV – RIGHT OF UNIT OWNERS TO RECORD MEETING

- A. The only audio and videotape devices which unit owners are authorized to utilize at any such meeting is equipment which does not produce distracting sounds or light emissions.
- B. Audio and video equipment shall be assembled and placed in position in advance of the commencement of the meeting. Anyone videotaping or recording a meeting shall not move about the meeting room to facilitate the recording.

SERVICE TELEPHONE NUMBERS

A. SECURITY AND GATE ACCESS

- | | |
|--------------------------------------------------|--------------|
| a. Fountains Condominium Operations (FCO Office) | |
| Monday – Friday 8am to 5pm | 561-964-3600 |
| b. Security 24/7 | 561-439-7887 |
| c. Guest Call-In 24/7 | 561-967-7136 |

B. MAINTENANCE

- | | |
|-------------------------------------------------------------|--------------|
| a. GRS Residents Service 24/7 - residentservices@grsmgt.com | 561-641-8554 |
| b. Work Order – Homeowner Portal on grs.cincwebaxis.com | |

C. MISCELLANEOUS

- | | |
|--------------------------------------------------------------|--------------|
| a. Cable TV – Hotwire | 800-355-5668 |
| b. Exterminator – Marty Bugs | 561-633-2900 |
| (see log book in Pool House for individual service requests) | |
| c. Emergencies | 911 |

Should you experience a plumbing problem, the initial call MUST be made directly to GRS Residents Service 24/7 line. This will ensure that any other affected units will be notified. If you call a plumbing company directly, you may be liable for subsequent charges.