
Deer Glen Homeowners Association

Handbook for Owners &
Residents, Including Rules and
Regulations

September 2018



Deer Glen Homeowners Association Handbook for Owners & Residents, Including Rules & Regulations

Introduction

This handbook is published to provide information to homeowners (and to tenants) about everyday living in the Deer Glen Community. It is designed to:

- Highlight some of the Declaration of Covenants, Conditions and Restrictions (CC&R's) with which everyone must comply;
- Inform owners & tenants of decisions made by the Board of Directors about what are, and are not, acceptable practices;
- Answer some frequently asked questions; and to
- Provide contact information for the homeowners and tenants.

This handbook is not a substitute for and does not replace any legal documents such as the CC&R's, By Laws, or Plat Maps.

The most current version of this document is always the one published at the KMO website in the Deer Glen Association section that can be found online at:

<http://www.kmorealestate.com/HOA.html#Anchor-deerglen>

What Is The Homeowners Association?

Where Does It Get Its Authority?

The Deer Glen Homeowners Association (HOA) is a formal organization. It is required by law. Its membership consists of all of the owners of homes and lots in the Deer Glen Development. The Deer Glen HOA was created in 2004 when the developer

recorded the Declaration, plat maps, and CC&R's for the Deer Glen Community with Multnomah County.

Any HOA is governed by various types of federal and state statutes and particularly by its own Covenants, Conditions, & Restrictions (CC & R's), its own By Laws, its own adopted Rules & Regulations, and by the plat maps filed with the county.

The CC&R's declare that all properties within the boundaries of the development are bound by those CC&R's. They also designate the Association as the governing body for the development. In addition, the Association governs the development, improvements, use, maintenance and repair of the commonly owned property.

The HOA is led by a volunteer Board of Directors elected by the membership at the Annual Meeting. Article V of the Association's Bylaws outline the Powers and Duties of the Board. They include:

- Making decisions on behalf of the members of the Association, except those reserved for the members themselves in accordance with the Association's governing documents.
- The Association from time to time may adopt, modify or revoke such rules and regulations as it may deem necessary or appropriate in order to assure the peaceful and orderly use and enjoyment of the properties. The Association Board of Directors thereof, shall furnish a copy of the rules and regulations, upon adoption to its members.
- Developing and maintaining Design (i.e., Architectural) Standards, including fees, and appointing a Design (i.e., Architectural) Review Committee.
- Setting the amount of the annual assessment charged to the membership. The assessments must pay for the entire

administrative requirement of the Association as well as allocation of funds for reserves items.

- Developing and adopting an annual budget for the Association.
- Enforcing all rules and regulations.

Homeowner involvement and input are encouraged. Volunteers for Association committees, both standing and ad hoc, are welcomed. Simply contact the Association President or Community Manager. Board meetings are held in accordance with a schedule adopted by the Board. They are open to all HOA members. Current meeting dates are available by contacting the Community Manager.

Annual Dues/Assessments. The HOA's activities and services are funded by annual dues/assessments paid by all homeowners. The amount of the annual dues/assessments is set by the Board each year and the owners are notified. By policy, the dues/assessments are to be paid quarterly. Late fees will be assessed. Billing statements are mailed to each owner in advance of the due date. Remittance should be made to the address shown on these statements. Questions regarding the payment of the dues/assessments should be directed to the Community Manager.

Common Property and Right of Way. There are (5) common tracts (i.e., pieces of land owned by the HOA) within the Deer Glen Community. It is the responsibility of the HOA to maintain these common tracts. In addition, there are several easements which cross individually owned properties. These are identified on (**the Association web site**) and on the map inside the back cover of this handbook. Please report any common area maintenance issues or any damage to the Community Manager.

What Is Kohler Meyers O'Halloran, Inc. (KMO)?

To assist it in dealing with the affairs of the HOA, the Board of Directors employs a management company, Kohler Meyers O'Halloran, Inc. KMO collects the dues/assessments and manages the day to day operations of the Association. KMO assigns a community manager to provide direct assistance to the Board and homeowners.

What Are CC & R's; Why Are They Necessary?

CC & R's (Covenants, Conditions, & Restrictions) are the rules and regulations which govern a planned community such as Deer Glen. They are designed to provide guidance to owners about how they must maintain their home and yard as well as about a variety of other matters that have a bearing on the appearance of the community. CC & R's are necessary to ensure that the quality of life we enjoy in Deer Glen is maintained. CC&R's are also important to maintaining the quality of our neighborhood and the associated equity in our homes.

All property owners in the Deer Glen Community are subject to the CC&R's. This legal document is a recorded lien on each property. Copies of the CC&R's should be given to the purchaser by the Title Company or realtor at closing, but failure of the title company or realtor to deliver those documents in no way absolves the owner of compliance. Renters/Tenants must also comply. Copies are made available on the Association website:

<http://www.kmorealestate.com/HOA.html#Anchor-deerglen>

Some of the most important CC & R's (highlighted in grey), **Rules adopted by the Board of Directors (in bold)**, and *suggestions by the Board (in italic)* are listed below.

- **Animals [Article II, Section 3]** No animals or fowl shall be raised, kept or permitted within the properties, except domestic dogs, cats or other dwelling hold pets kept within a unit. No animals of any kind shall be kept, bred or raised for commercial purposes or in unreasonable numbers. Those Owners keeping

pets will abide by municipal sanitary regulations, leash laws, and rules or regulations promulgated by the Board of Directors. An Owner may be required to remove a pet after receipt of two notices in writing from the Board of Directors or violations of any such laws, rules or regulations governing pets. **Pets shall be confined to the dwelling or rear portion of the Lot and shall not be permitted to run free or otherwise to be a nuisance or a source of annoyance to other residents. Dogs must be walked on leash.**

- **Commercial Activity [Article II, Section 5]** Commercial activities are limited to home office businesses, which do not create heavy customer traffic in and out of the location, and to activities relating to the sale or rental of units. Commercial activities are prohibited by the CC & R's. **No residential dwelling is to be used for the conduct of business or for any commercial purpose. No residence therefore can be used as a storefront. No business or commercial signs or advertisements can be affixed to the residence or on any area of the Lot.**

- **Signs: The following signs are approved for display:**
 - ✓ **One 6" x 24" or smaller sign displaying the name &/or address of the occupant.**
 - ✓ **One sign 18" x 24" advertising the property for sale.**
 - ✓ **One 8" x 12" or smaller sign displaying security company information is allowed in the front yard facing the street.**
 - ✓ **One political sign 18" x 24". Political signs must be removed one week after the election to which they pertain.****No other signs, including those promoting services, are approved for display anywhere in Deer Glen.**

- **Disabled Vehicles [Article II, Section 7]** No Owner shall permit any vehicle which is in an extreme state of disrepair to be abandoned or to remain parked upon any unit for a period in excess of forty-eight (48) hours, unless kept within a garage. A vehicle shall be deemed to be in an "extreme state of disrepair" when in the opinion of the Association, its presence offends the

occupants of the neighborhood. Should any Owner fail to remove such vehicle within five (5) days following the date on which notice is mailed to him by the Association, the Association may have the vehicle removed from the unit and charge the expense of such removal to the Owner in addition to the assessments made upon him in accordance with this Declaration.

- **Exterior Maintenance [Article II, Section 1]** Each Owner shall be responsible for the exterior maintenance, repair and landscaping of such Owner's lot in accordance with usual community standards for high quality single family subdivisions. No Owner shall permit the overgrowth of any plant materials or the growth of noxious or annoying weeds on any lot. **No native vegetation, including trees, shrubs, flowers or other naturally growing plant shall be cut or removed from the Common Areas unless otherwise specifically approved or directed by the Design Review Committee. Decaying woody debris and leaves from native plants are beneficial to the health of the natural areas and should be left undisturbed unless determined to be hazardous to the property.**
- *Garage Doors: Owners are encouraged to keep garage doors closed except when entering & exiting or when the homeowner is present in the garage or yard. Not only does it make the neighborhood look better when garage doors are closed, but it is a security risk to your property to leave the door open.*
- **Garage Sales: Garage sales are allowed in Deer Glen on a limited basis. Signs posted for garage sales must be removed within 24 hours of the conclusion of the garage sale.**
- **Holiday Decorations & Removal The acceptable time frame for winter holiday lights and/or decorations is from Thanksgiving until January 30th. All other decorations must be removed within seven (7) days after the holiday. Exceptions to the rule**

are extreme weather conditions that would make removal of lights and/or decorations dangerous to the homeowner.

No Resident may place holiday lights and/or decorations on any Common Area or on Association Property. Each Owner is liable to the Association for any damage from holiday decorations to the Common Area or Association Property caused by that Owner or his or her Guests, Tenants, Invitees, or any Resident of his or her Unit.

- **Outbuildings [Article II, Section 10]** No outbuilding or garden house, gazebo, storage shed or any other outbuilding or structure shall be constructed on any lot unless the same has received prior approval from the Design Review Committee. Any such outbuilding shall be constructed of the same exterior materials and style as the dwelling on such lot, except as may be waived by the Design Review Committee. **No flag poles, roof, wall, ground or pole mounted antenna of any kind shall be erected without prior written approval from the Design Review Committee. The DRC shall approve the size and placement of any such antenna, including satellite dish antenna. Owners may need to seek approval from neighbors for obstructed or changed views, as requested by the DRC. No satellite antenna may be placed on the front elevation of home unless not technically feasible and approved by DRC.**

Above ground swimming pools, skateboard ramps and any unsightly constructions of miscellaneous materials for play of any sort are prohibited. When not in use, all play items should be stored out of sight and not be visible from any street, neighboring property or resident. Homeowners are expected to maintain the usual standards for high quality single family subdivisions.

Basketball hoops affixed to residences are not allowed. Moveable hoops must be approved by the Design Review Committee. If approved, moveable hoops must be removed from sight when not in use.

Active sports such as basketball, soccer, skateboarding, etc., are never allowed in cul-de-sacs or shared driveways. To avoid offense to neighbors and to respect the tranquility of Deer Glen's native wildlife environment, all active sports play must cease at 8:00 p.m.

- **Refuse [Article II, Section 8]** No part of any unit or any part of the common tracts shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste. Trash, garbage, recyclables or other wastes shall be kept only in containers provided by sanitary service. **All refuse shall be kept in sanitary containers and out of public view. Brush and lawn clippings shall not be dumped in common areas or vacant lots. No burning is allowed.**
- **Trash Collection & Storage:** Garbage and recycling containers must be kept within the garage or in an outside screened area so as to not be visible from any street or neighboring property or residences. Containers should be put out no more than 24 hours before collection time and returned to their storage location as soon as possible after collection. *Remember that your neighbors look at your home and property more than you do. Do not store unsightly objects outside.*
- **Residential Use Outside of Living Areas [Article II, Section 9]** No trailer, van, bus, camper, truck, tent, garage or outbuilding may be used as a residence, either permanently or temporarily.
- **Residential Use [Article II, Section 1]** All units shall be used for residential purposes only. All rental or lease agreements shall be in writing and shall provide that the terms of the lease shall be subject in all respects to the provisions of the Declaration, Bylaws, and Articles of Incorporation and that any failure by the lessee to comply with the terms of such documents shall be a default under the lease. **All tenants must have a lease or rental agreement. Any home occupied by someone other than the**

owner shall be considered a rental. These written agreements must specify to tenants that they are subject to the CC&R's and Rules and Regulations of the Deer Glen HOA. A copy of the lease/rental agreement must be provided to KMO within thirty (30) days of occupancy. A copy of the CC&R's must be provided to the tenant by the residence owner.

- **Nuisances:** No noxious or offensive activity shall be carried on upon any Lot or Unit and nothing shall be done which may constitute a nuisance, annoyance or aesthetic burden to the neighborhood or other residents. It is the obligation of each and every resident and owner to strictly comply with all ordinances, now existing or hereafter enacted or amended, pertaining to public disturbances, noise or any other rule or regulation pertaining to the same. Owners and residents shall be responsible not only for their own conduct, but also for the conduct of their guests and other occupants whether the owner is present or not. *Deer Glen homeowners are expected to respect the privacy and tranquility of their neighbors. Playing loud music is not allowed after 10 p.m.*
- **Streets:** All streets within Deer Glen are public streets owned and maintained by the City of Gresham. Exceptions: There are several private shared driveways within the community which are identified as such in the Covenants, Conditions and Restrictions of Deer Glen. They are the responsibility of the owners or group of owners who use them. Parking along such noted private shared driveways should not restrict ingress or egress to adjacent homes..

The homeowner is responsible for maintaining the curbs, sidewalks and property from the street to their property line. Trees and shrubbery must be trimmed to prevent damage to the street, blocking of the sidewalk, or obscuring street signs, stop signs, and/or street lights. Painting (or markings) with

permanent materials on curbs or sidewalks (e.g., house numbers) is not allowed.

- **Vacant Lot [Article II, Section 11]** Any vacant lot shall be maintained by its Owner in a reasonable, clean, presentable condition, including, without limitation, grass mowing, removal of debris, weeds and the trimming and cutting of hedges, trees, shrubs, plants and lawns.
- **Vehicle Parking [Article II, Section 4]** No dwelling trailers, motor homes, pickup campers, mobile homes, boats or like recreational vehicles shall be parked on the properties except within the confines of the garage or behind fencing in side or backyards, subject to provisions of Article III, Section 14.

1. No boat, motorcycle, ATV, motor home, recreational vehicle, camper, trailer or similar vehicle shall be kept in public view for more than 48 hours, and only for purposes of loading and unloading. Storage or parking of such vehicles in public view is prohibited in Deer Glen.

2. Vehicles shall not be parked in a manner that encroaches onto sidewalks, yards or any areas other than driveways or permitted streets. There is no parking along the West side of Elliott Place and Elliott Drive. Parking is permitted only on the East side of these streets. Cars must be parked in the direction of traffic flow – facing downhill. Residents are encouraged to park vehicles in their garages whenever possible. Parking vehicles on the street for longer than 48 hours is discouraged.

3. Vehicles in shared driveway areas shall not park in a manner that prevents reasonable ingress or egress to adjacent homes. Inappropriate examples include, but are not limited to, any double-parking (side by side) or horizontal parking of vehicles. Overflow vehicles should try to park on SE 29th Street.

What Is The Design Review Process? Why Is It Necessary? How Does It Work?

To protect property values and maintain the high quality appearance of the community, Design (i.e., Architectural) Standards and a Design Review Process (DRP) was developed prior to commencement of construction and remains in force and effect. The HOA Board of Directors oversees the Design Review Process and appoints a Design Review Committee (DRC) consisting of homeowner volunteers who have familiarized themselves with the Design Standards. Those Standards govern the exterior of all Deer Glen homes and properties. The DRC has the authority and duty to regulate the external design, appearance, location and maintenance of improvements and landscaping on the property. Failure to secure approval for making this type of exterior change may result in corrective action being taken by the HOA and/or fines and liens against the property. Appeals of decisions made by the DRC are to be made to the Board of Directors.

For more information on the Design Review Process, go to <http://www.kmorealestate.com/HOA.html#Anchor-deerglen>

Changes to the Exterior of Homes: According to the Association’s Design Standards, “No building, fence, wall, patio, deck or other structure or improvements shall be commenced, directed or maintained upon the property, nor shall any exterior addition to or change or alteration therein be made, nor shall any landscaping of any portion of the property be commenced or maintained until the plans and specifications have been submitted to and approved in writing by the Design Review Committee...” (Article III, Construction Maintenance and Design Standards).

- **Exterior Colors [Article III, Section 15]** All exterior colors shall be approved by the Design Review Committee. Changes to exterior paint color must be approved. Colors proposed for the siding, trim, and roof must be compatible with existing neighboring homes. Approvable body colors are neutral, blending with nature, such as grays, tans, gray-greens, etc.

Colors that are bright and/or garish are not acceptable. Trim and accent colors should harmonize with and compliment the body color, and may be bold colors, but not bright or garish.

Homeowners are encouraged to obtain and review a copy of the Design Review Standards prior to making plans to change the exterior of the home or landscaping.

- **Landscaping [Article III, Section 12]** Not later than substantial completion of a dwelling and before occupancy, plans for front yard landscaping, including sprinkler system, shall have been submitted to and approved by the Design Review Committee. The front yard must be completely landscaped and sprinklered in accordance with such plans within four (4) months following the earlier of initial occupancy or completion of construction of any dwelling. The plans for the rear and side yard landscaping must be submitted for approval within six (6) months following occupancy or completion of any dwelling. The rear and side yard landscaping must be completed within one (1) year of the earlier of initial occupancy or completion of construction.

Landscaping

Lots must be completed in accordance with the Design Review Standards. If you have purchased a home that does not have the required landscaping (including meeting all screening guidelines), plans must be submitted to the DRC in a timely manner after purchase. Changes to existing landscaping must be submitted to the DRC for approval. Bedding plants, shrubs that do not reach a mature height of more than 4' or replacing diseased or dead plants with similar plantings may be completed without approval of the DRC. Contact the DRC Representative if a question arises.

Security

Security and safety is a priority in the Deer Glen Community. The best form of security is you and your neighbors. You should let

them know when you will be gone and ask that they look out for your property.

Your HOA also engages the services of a private security patrol contractor, Community Safety Patrol, for random drive by patrols. Some of the security services include;

- Investigating suspicious vehicle(s) and person(s);
- Reporting street light damage or outages;
- Reporting maintenance and safety matters to HOA;
- Trespassing individuals from common areas & individual lots;
- Responding to residential alarms;
- Vacation Watch & securing packages until homeowner return;
- Responding to noise complaints and animal related calls;
- Resolving parking complaints before police are utilized;
- Daily checking of the mailboxes and common areas;
- Taking any action(s) deemed necessary to protect the safety of the individual security officer, safety and security of homeowners, managers, and guests to maintain community vitality & integrity.

You can assist in ensuring that the level of security in our community is high by doing the following:

- *Removing garbage/recycling containers out past collection time, if your neighbor has not done so.*
- *If you are going to be out of town, ask neighbors to remove your newspaper when you are gone.*
- *Keeping garage doors closed when not in use. Open garage doors invite predators.*
- *Reporting suspicious activity to security and/or the police.*

Contact information for the Association's Security Provider is:

Community Safety Patrol (CSP)

500 SE Butler Road, Gresham, OR 97030

Phone: **503-674-3274**

Manager: Marius Dumitrescu, marius@cspatrol.com

Monitoring of the CC&R's & Compliance with Design Standards

The HOA employs Community Safety Services Inc. (CSS) for Monitoring and Enforcement of community rules, Design Standards and CC&R's. CSS travels throughout the Deer Glen Community on a regular basis to check for non-qualifying improvements, CC&R and rule violations. If CSS observes what may be a non-qualifying improvement, CC&R or rule violation, its representative will make an inquiry with the property owner. If possible, violations are handled informally and in person.

If a homeowner believes a non-qualifying improvement or violation has occurred, a complaint should be submitted in writing to (CSS) Attention: Marius Dumitrescu marius@cspatrol.com or (KMO) Attention: Kerry Ann kerryann@kmorealestate.com in hard copy form or via email. Complaints must be signed by the complainant. Whenever possible, the written complaint should cite the CC & R article being violated.

If it is not possible to handle a violation informally, CSS or KMO will create a "CC&R Violation notice to be mailed to the violating homeowner. The "CC&R Violation notice" shall include a brief description of the violation and a reference to the CC&R's, Design Standards, or other regulation or rule being violated.

Enforcement:

Nonqualifying Improvements and Violation of General Protective Covenants [Article VIII, Section 2] In the event any Owner constructs or permits to be constructed on his lot or unit an improvement contrary to the provisions of this Amended Declaration, or causes or permits any improvement, activity, condition or nuisance contrary to the provisions of this Amended Declaration to remain uncorrected or unabated on his lot or unit, then the Association, acting through its Board of Directors, shall notify the Owner in writing of any such specific violations of this Amended Declaration and shall require the Owner to remedy or

abate the same in order to bring his lot or unit, the improvements thereon and his use thereof, into conformance with this Amended Declaration. If the Owner is unable, unwilling or refuses to comply with the Association's specific directives for remedy or abatement, or the Owner and the Association cannot agree to a mutually acceptable solution within the framework and intent of this Amended Declaration, after notice and opportunity to be heard and within 60 days of written notice to the Owner, then the Association acting through its Board of Directors shall have the right to do any or all of the following:

a. Impose reasonable fines against such Owner in the manner and amount the Board deems appropriate in relation to the violation,

b. Enter the offending lot or unit and remove the cause of such violation, or alter, repair or change the item which is in violation of this Amended Declaration in such a manner as to make it conform thereto, in which case the Association may assess such Owner for the entire cost of the work done, which amount shall be payable to the operations fund, provided that no items of construction shall be altered or demolished in the absence of judicial proceedings or

c. Bring suit or action against the Owner on behalf of the Association and other Owners to enforce this Amended Declaration.

Website

The HOA maintains a web site:

<http://www.kmorealestate.com/HOA.html#Anchor-deerglen> with much helpful information. The web site includes: the CC&R's, Bylaws, Design Review Handbook, Community Map to list a few.

Homeowner concerns and issues should be addressed to the Community Manager at KMO. If your concern/issue is not resolved, please bring the matter to the attention of the Board of Directors. The names and contact information for HOA board members are available on the HOA web site.

Contact information for the Association’s management company:

Kohler Meyers O’Halloran, Inc. (KMO)

15 NE 3rd Street, Gresham, OR 97030

Phone: 503-661-8000

Web site: www.kmorealestate.com

Manager: **Kerry Ann O’Halloran**, kerryann@kmorealestate.com

Miscellaneous Contact Information

- Police/Fire/Medical EMERGENCY**.....911
- Police/Fire Non-Emergency.....(503) 823-3333
- Police – City of Gresham Admin..... (503) 618-2313
- Poison Control..... (800) 222-1222

General

- Animal Control/Shelter Multnomah Co.....(503) 998-7387
- City Hall, 133 NW Eastman Parkway..... (503) 618-3000
- Gresham Post Office, 103 W Powell Blvd..... (503) 665-2663
- Gresham DMV, 1519 NE 181st Ave..... (503) 299-9999
- Gresham Library, 385 NW Miller Ave..... (503) 988-5387
- Persimmon Country Club, 500 SE Butler Road. (503) 667-7500

Utilities

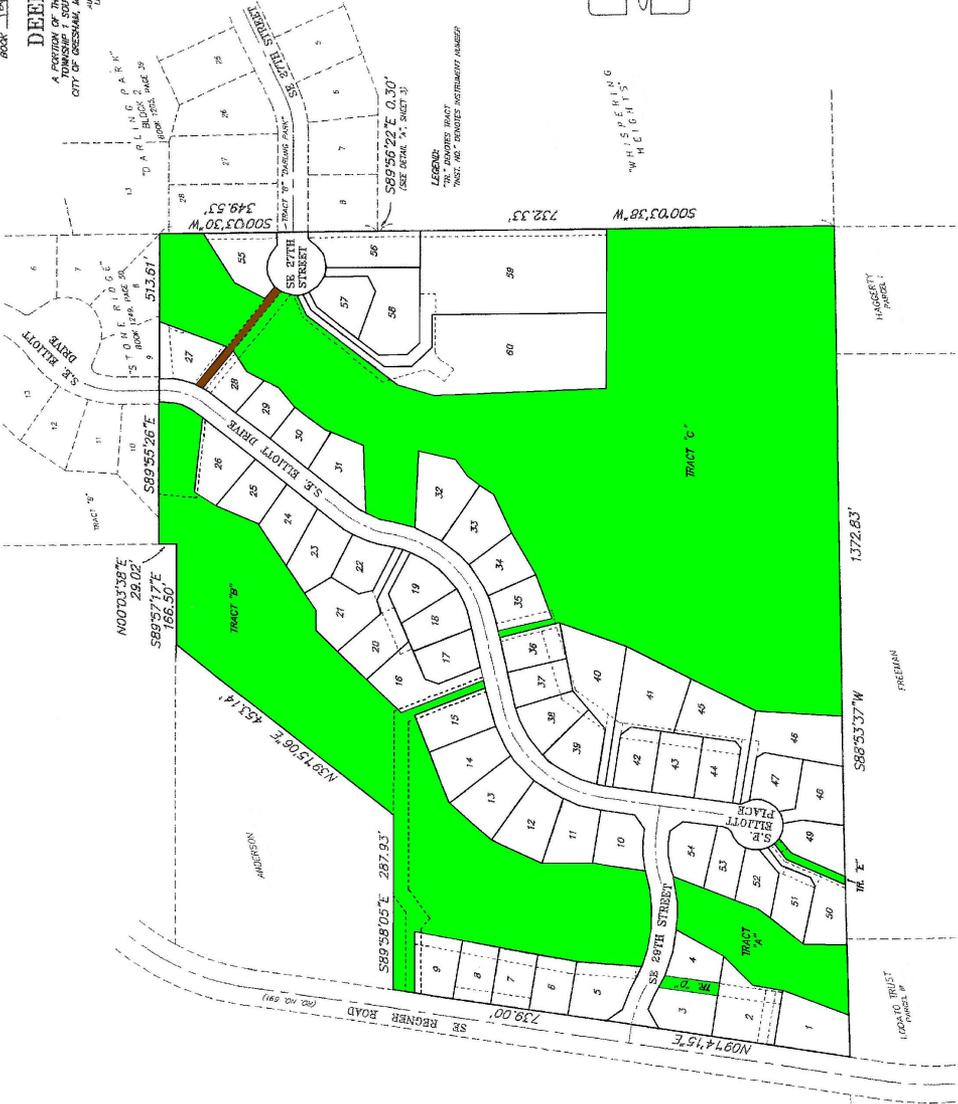
- Comcast Cable.....(888) 824-8264
- NW Natural.....(503) 226-4211
- PGE.....(503) 228-6322
- Recycling Information..... (503) 618-2656
- Verizon..... (800) 483-4000
- Waste Management..... (503) 249-8078
- Water/Sewer..... (503) 618-2373

Community Map – Common Areas in Green

BOOK 1474 PAGE 1070

DEER HLEN

A PORTION OF THE NW 1/4 SECTION 15,
TOWNSHIP 1 SOUTH, RANGE 3 EAST, MAIL,
CITY OF DEERHAM, HILLSBORO COUNTY, OREGON
1000 MAR 2022



SCALE 1" = 100'

REGISTERED
PROFESSIONAL
LAND SURVEYOR
JONAS S. HARRIS
DEERHAM, OREGON
JOHN R. WADE
DEERHAM, OREGON
EXPIRES 09/30/2026

LEGEND:
"X" SHOWNES BOUNDARY
DASHED LINE SHOWNES BOUNDARY

"HILLSBORO"
"M.H.I.S."

HARRIS PAPER 1

FREEMAN

LODGE TRUST PAPER 10