

# *Delray Racquet Club Association, Inc.*

## *Rules and Regulations*

**February 15, 2022**

Pursuant to the authority vested in the Board of Directors of the Delray Racquet Club Association, Inc. (hereinafter referred to as the Association) by the Declaration of Condominium and Articles of Incorporation the following Rules and Regulations have been adopted. They shall apply to all Association members (Unit Owners, Tenants (renters), guest and visitors, with the ultimate responsibility for compliance resting with the Association members.

One set will be issued to all Unit Owners. Unit Owners are responsible for assuring that all Tenants are given a copy of these rules and regulations and that all guests or visitors observe them as well. Failure to do so will make Association members responsible for any infractions along with whatever costs and legal actions that may ensue.

### **ENFORCEMENT:**

All violations of these rules and regulations shall be reported immediately to a member of the Board of Directors, the Association office and / or the management agent. Disagreements concerning violations including, without limitations, disagreements regarding the proper interpretation and effect of these rules and regulations, shall be presented to and determined by the Board of Directors of the Association, legal authority or assigned committee, whose interpretation of these rules and/or remedial actions shall be dispositive. In the event that any person, firm or entity subject to these rules and regulation, fails to abide by them, as they are interpreted by the Board of Directors of the Association, they shall be subject to legal action and/or fines after written notice from The Board of Directors. If the Board of Directors of the Association deems it necessary, it may bring action at law or in equity, in the name of the Association to enforce these rules and regulations. In the event any such action is instituted, and reduced to judgement in favor or the Association, the Association shall in addition be entitled to recover its cost and attorney's fees incurred in enforcing these rules and regulations.

### **ASSOCIATION MEMBERSHIP AND REGISTRATION:**

The Association is comprised of all Unit Owners. Each, Unit Owner upon assuming title to a unit must register with the Association office and provide a Warranty Deed. With this registration all Unit Owners will be assigned a parking space and parking pass /decal. Each Tenant and long-term guest must be registered with the Association. Unit Owners should notify the Association office in advance of such planned occupancy to receive an authorized parking pass/ decal.

By law there is only one vote per unit and that applies only to owner(s). It is the responsibility of each owner to register the voting member at the Association office. Under certain conditions Unit Owner(s) have the right (with certain exceptions such as elections) to appoint a proxy for specific purposes. Clarification on this process may be obtained at the Association office.

# *Delray Racquet Club Association, Inc.*

## *Rules and Regulations*

**February 15, 2022**

### **RENTALS:**

The Delray Racquet Club has been well known as an upscale community where Unit owners can rent units.

The Board of Directors has determined that rentals should be limited to a minimum of 1 month. The City of Delray permits only 6 times per year for short term rental. This appears to be a reasonable criterion and we urge all Unit Owners who rent privately to maintain this standard. Any unit that turns over occupancy more often than six times in any one year shall be presumed to be a transient residential use and therefore prohibited.

In the event the Association should become aware of renters being accommodated for a lesser period, we will reluctantly take steps to ensure compliance with a 1 month minimum.

All Tenants, annual and seasonal who require assistance with a unit, keys, fobs, and internet or general questions must contact the Landlord or Realtor for assistance. The DRC staff cannot help.

### **GUEST POLICY – LESS THAN 30 DAYS**

#### **WITH OWNER PRESENT:**

Guests staying at a residence with the owner / approved tenant present for fewer than 7 days are not required to check in to the Association office unless they need a parking permit. If a parking permit is needed, the guest must check in to the Association office with the owner / approved tenant present and provide an ID and vehicle registration to be issued a parking permit.

The Association office requires written notification from the owner/approved tenant that a guest will be staying at their residence for more than 7 days. Guests staying more than 7 days when an owner / approved tenant is present must check into the Association office upon arrival with the owner / approved tenant and provide a valid ID. If a parking permit is needed, a vehicle registration must also be provided.

Guests staying more than 7 days with an owner / approved tenant present, will be required to check in with the Association office every 7 days. Such guests using a parking pass must renew the pass every 7 days up until 30 days. After 30 days, regardless of whether owner/tenant is present, the guest will now be considered a tenant and must go through the Tenant Evaluation approval process.

Any guest staying more than 30 days within a 60 day period will be subject to the same process as a tenant and must submit an application through Tenant Evaluation so a background check can be obtained for Board occupancy approval or disapproval same as a tenant.

# *Delray Racquet Club Association, Inc.*

## *Rules and Regulations*

**February 15, 2022**

Family members staying longer than 30 days will require Board Approval and/or Tenant Evaluation application process, determined by the Board of Directors on a case-by-case basis.

Family members without car, staying more than 7 days and less than 30 days, with owner/tenant present, will be required to provide contact information to the Association Office in case of an emergency.

**WITHOUT OWNER PRESENT:**

All guests / family members staying in a residence without an owner / approved tenant present must check in at the Association office upon arrival with a valid ID and vehicle registration.

Any guest / family member staying in a residence beyond 7 days must check in with the Association office every 7 days. Any guest / family member staying in a residence without the owner / approved tenant present beyond 30 days will be considered a tenant and must go through the Tenant Evaluation process.

<b>Owner / Tenant Present</b>	<b>Length of Stay</b>	<b>Parking Permit Needed</b>	<b>Action Required</b>
YES	< 7 days	NO	NO Action Required
YES	< 7 days	YES	Check-in at Association Office w owner/tenant upon arrival w ID and Vehicle Registration.
YES	< 30 days	NO	Check-in at Association Office w owner/tenant upon arrival and every 7 days w/ ID.
YES	< 30 days	YES	Check-in at Association Office w owner/tenant upon arrival and every 7 days with ID and vehicle registration.
NO	< 30 days	YES or NO	Notification by owner/tenant and guest check-in at Association Office required upon arrival w ID and every 7 days thereafter. Vehicle registration needed for parking permit.
NO	>30 days	YES or NO	Tenant Evaluation Required. Check-in at Association Office upon arrival w ID. Vehicle registration required for parking permit.

# *Delray Racquet Club Association, Inc.*

## *Rules and Regulations*

February 15, 2022

### **FOR ANY SALE, RENTAL OR LONG-TERM GUEST:**

Any sale or lease must be pre-approved in writing by the board of directors and no occupancy shall be permitted until written approval is provided. A Tenant evaluation.com application can be obtained from our website **www.delrayracquetclub.com** or **www.TenantEV.com**.

There is an application fee of \$ 100/applicant (husband/ wife and parent/dependent child shall be considered one) all others have a fee per person). Application must be completed by all parties.

The board of directors shall be empowered to obtain background checks and/or a financial check

Move in / out hours are Monday – Friday 8am - 7pm Saturday 9am -5pm. No Sundays, No Holidays. You must notify office 7 days in advanced of moving in. Any damage to common areas will be charged to Unit Owner.

All Unit Owners who lease their apartments privately should be aware of the Florida statute which requires all rentals of less than six months to be subject to the levying and collecting of both the sales and bed tax. All Real Estate agents should be aware of this law and they collect and remit this revenue to the state and county. If the agent does not collect the taxes, the Unit Owner is responsible for remitting the taxes.

The City of Delray Beach requires all Unit Owners who rent their unit to obtain a landlord permit. A copy of this permit must be submitted to the office for record retention.

Unit Owners who rent privately should be aware that both the City of Delray Beach and the Florida Department of Revenue have been in contact with our Association and that we may be forced to provide information to them in the future, so please be aware.

### **GENERAL RULES AND REGULATION:**

Unit Owners or their authorized representative may only inspect those official records which are maintained by the Association and which are not exempt from inspection per Florida Statute 718.

Unit Owners or their authorized representative seeking to inspect the official records must provide a written request to the Association and must specify the official records that they would like to inspect by filling out a form provided by management or listing such records and providing it to the Association along with their initial written request or immediately thereafter.

The Association, through its Board of Directors, may designate any buildings and room(s) of its choosing for the inspection of official records and the location of such building and room(s) may be on site in the community, at a location within the County limits or a location not more than 45 miles away from the community, at the sole discretion of the Association's Board of Directors.

# *Delray Racquet Club Association, Inc.*

## *Rules and Regulations*

**February 15, 2022**

The Association may designate an individual or individuals of its choosing to supervise the inspection of official records to ensure that official records are not destroyed, defaced, altered or removed.

Unit Owners or their authorized representative may only have one 8-hour business day per calendar month to inspect the official records. If during the 8-hour business day that they are provided, a Unit Owner or authorized representative should decide to temporarily cease their inspection or engage in other activities they do so at their own peril and will not be afforded any continuation or extension of the inspection during that calendar month.

Unit Owners or their authorized representative may not inspect any official record more than once in 180-day period unless the record has changed for some reason during that time. Otherwise, the owner or their authorized agent may not inspect the same official record until more than 180 days have passed since they last inspected it.

Unit Owners will be charged \$0.25 per page of the official records that they request to be copied by the Association unless the owner or their authorized agent decide to use an outside copy service of their choosing, in which case the owner will pay that company directly. Only legitimate third-party professional copying services approved of by the Association will be permitted to handle the official records. In connection with the Association retrieving the official records requested by an owner or their authorized representative or in connection with the Association copying official records for an owner or their authorized representative, if the time spent by the Association exceeds more than one-half hour then the Association may charge the owner \$20 per hour for personnel costs. Any personnel costs are due from the owner at the completion of the inspection unless part of the personnel cost involves copying of official records by the Association, in which case all personnel costs will be due from the owner when the copying is completed and available for delivery to the Unit Owner. Any costs for copies are due from the Unit Owner at the time the copies are ready and available for delivery to the owner and must be paid (along with any unpaid personnel costs) before the copies will be handed over to the owner or their authorized representative.

### **USE OF COMMON ELEMENTS:**

The Common Elements of the Condominium are for the exclusive use of Association members and their families, Tenants, resident house guests and guest accompanied by a member.

Shopping carts/luggage carts shall be returned to the lobby and not left in front of a unit, on the catwalk or in the elevator.

# *Delray Racquet Club Association, Inc.*

## *Rules and Regulations*

February 15, 2022

### **NOISE:**

All noise, including without limitation, talking, singing, TV, Radio, sound systems, tape recorders or musical instruments, or pets shall be kept at such a volume level that said noise is not audible outside the boundaries of the unit in which it originates and is not harassing or an unreasonable annoyance to other residents.

### **PETS:**

All pets must have board approval.

No pets allowed weighing more than 25 lbs.

No dangerous breeds are allowed. I.e. Pitbull's, Rottweilers, etc.

Dogs must always be leashed when outside the unit.

Dogs must be licensed and inoculated in accordance with both the City of Delray Beach and Palm Beach County requirements.

Dogs are not permitted around the interior of the community. Dogs must be walked through the parking lots and exterior of the community

All dog owners are responsible for picking up after their animals. All waste shall be properly disposed of in the trash dumpsters on the ground floors.

Pets should not be left on an outside patio unattended.

No reptiles of any kind are permitted.

Failure to abide by these Rules and Regulations may result in the issuance of warning and legal action.

A Pet application must be filled out for all owners and Tenants who require an ESA or Service animal.

All real estate agents have been advised of our pet policy. Individual owners who rent privately should include the "pet" policy in any rental agreement. If no rental agreement has been signed owners will be responsible for informing their tenants accordingly and failure to do so will result in legal action by the Board of Directors and the Board of Directors null and voiding the lease.

# *Delray Racquet Club Association, Inc.*

## *Rules and Regulations*

February 15, 2022

### **OWNERS RESPONSIBILITIES:**

If an owner is leaving their unit unattended for a long period of time:

Remove all furniture from patios.

Shut off the water and cover all toilets with Saran Wrap.

Shut off circuit breaker to hot water heater.

Make sure all windows are closed.

Be sure the office has current phone numbers as well as email address in case of emergency.

Be sure the office has a set of keys to the unit should access be needed. Failure to leave a set of keys could result in costly replacement of door locks).

Leave A/C set at - FPL recommended 4 degrees higher than your normal temperature setting.

### **OBSTRUCTIONS/DAMAGE TO COMMON ELEMENTS:**

There shall be no obstruction or cluttering of the Condominium property, including without limitation, driveways, automobile parking spaces, lawns, catwalks, entranceways, stairways, patios, or lobbies or other Common Element areas.

The Common Elements are not to be used as storage areas for personal items. Additionally, patios and balconies shall be kept in a neat and attractive condition.

The condominium property shall not contain excessive clutter, or be maintained in an unsanitary or unsightly condition, as to be determined by the Board of Directors

No appliances, bicycles, drying clothes/towels shall be kept, placed, hung or maintained on any catwalk, balcony, patio, except for appropriate patio furniture.

Unit Owners shall be responsible for, and shall bear any expense, for any damage to the Common Elements.

There shall be no marking, breaking, marring, damaging, destroying or defacing of any part of the Association property. Association members shall be held responsible and shall bear any expense of such damage caused by said member, his family, guest, lessees and/or invitees.

All loose or movable objects shall be removed from balconies, catwalks or patios upon notice of any approaching hurricane or other inclement weather characterized by conditions of high winds. Failure to comply may result in removal of such articles by the Association management at the owner's cost and expense.

# *Delray Racquet Club Association, Inc.*

## *Rules and Regulations*

February 15, 2022

### **ALTERATIONS:**

There shall be no alteration and/ or improvements to the exterior of a unit (including patios and balconies) without the written prior approval of the Board, including hurricane shutters. The Board has the right to determine the quality, style, type and color of such shutters. You can obtain an ARB application from the Association office or on the website.

### **INTERIOR STURCTURAL CHANGES:**

A \$500.00 refundable construction deposit will be required for all projects. Construction hours are Monday – Friday 8am – 7pm, Saturday 9am -5pm. No Sundays, No Holidays. You must notify office 7 days in advanced before start of project.

No structural changes may be made without the following:

Board of Directors approval- ARB form can be found on the website.

Any necessary County and City permits.

Use of a fully licensed and insured contactor.

Any variance from these requirements will result in owners being held responsible for a return to the original plan at owner's expense. Any damage to the catwalks because of construction /negligence will be at owners' expense.

Work can only be done Monday – Friday from 8:00 am - 7:00 pm and Saturday from 9:00am to 5:00pm.

No work is permitted on Sunday.

### **REFUSE:**

All refuse shall be properly and securely bagged, then placed down the trash chute located by the elevator on each floor. Ground floor residents deposit their trash directly in the dumpster. For recycling matter (bottles, plastics, aluminum can, newspapers and magazines) occupants shall place these items directly in the recycling containers located on the ground floor opposite the garbage dumpster. Do not put refuse in the recycle bins or on top.

Do not fill up the dumpster with debris from condo renovations, furniture or bio-hazard waste as these items my jam up the trash chute or cause a danger to residents and employees. Renovation debris, furniture and Christmas trees holiday decorations can be disposed of Monday – Friday 8-4 in the maintenance shed area.



# *Delray Racquet Club Association, Inc.*

## *Rules and Regulations*

February 15, 2022

### **SWIMMING POOLS AND SPA:**

Use of the pools and spa is limited to owners, Tenants guests, and their authorized visitors. Unit Owners are responsible for their Tenants, visitors and guest actions. Be considerate of others. Each pool has a limited capacity. Inviting people from nearby communities may overload that capacity. All persons use the pool at their own risk. The Association is not responsible for any accidents and/ or injuries.

Swimming and use of the Spa is permitted only from 8:00 am to 9:00 PM

Children under twelve (12) years of age must be supervised by a responsible adult. Diapered children must always wear protective pants. Adequate lavatory facilities are available at both condo pools.

NO children under the age of 12 allowed in the spa.

Removal of poolside furniture from the deck area is not permitted. Vacant furniture shall not be reserved for periods beyond 15 minutes. One chair or lounge per person. Furniture is for people and not to be used for storage of personal belongings.

No floats, balls, toys or other objects, except swimming aids attached to the swimmer, are permitted in or around the pools.

No pets are permitted in the pools or pool/deck area at any time.

No running, ball playing, skateboarding, rowdy behavior, or excessive noise shall be permitted in the pool area.

No food or alcohol allowed. Only beverages in plastic containers are permitted in the pool and spa area. NO GLASS.

Persons using suntan oil, lotion or any other similar substance shall not use the poolside furniture unless such furniture is completely covered by a towel or other protective material.

A clear area of three (3) feet around the perimeter of the pool shall be maintained. Do not place chairs or personal belongings within that area.

Pool access key (fob) is required to gain entrance to the pool areas.

No loud music. As a courtesy to others use headphones while listening to music. In addition, cell phone calls need to be in a normal talking voice.

No smoking in pool areas.

# *Delray Racquet Club Association, Inc.*

## *Rules and Regulations*

February 15, 2022

### **SIGNS:**

No signs, nameplate, advertisement, posters or illumination shall be inscribed or exposed on or at any window, door, balcony, or windows of vehicles without the express prior written consent of the Board of Directors.

### **KEYS:**

The Association shall have access to each unit in the event of any emergency to repair or replace any Common Element or to prevent damage to other units. All unit keys will be kept in a secure lockbox. If a member changes existing locks or installs additional locks, duplicate keys must be provided to the Association. The Association office requires a key to each unit in the Condominium. If the office does not have a key and needs to gain access for an emergency the Unit Owner will incur the expense to gain access with a licensed locksmith.

### **FOBS:**

Each Unit Owner is entitled to one 1 fob at no cost.

An owner may acquire a second fob upon the payment of \$25.00, which amount will be held as a deposit and returned to the owner with the return of the second fob.

Unit Owners shall provide all fobs to tenants. A maximum of two (2) fobs per unit. The \$25.00 deposit for the second fob will be held in trust for the Unit Owner only.

Any fob which is lost may be replaced by the payment of a further \$25.00 and this amount shall be held as a deposit and returned to the owner with the return of the fob.

All fob deposits shall be maintained and held in trust by the Association for the benefit of the owner in a separate account.

Upon sale of his/her unit, the Unit Owner shall deliver the fob to the purchaser of the unit.

### **UNAUTHORIZED PARKING:**

All Unit Owners are assigned one parking space. It is for your personal transportation. No trucks, motorcycles, trailers, campers, motor homes or commercial vehicles may be parked in any space without prior approval by the Board of Directors.

Any unregistered vehicles will be subject to tow if they are in an owner or guest spot.

# *Delray Racquet Club Association, Inc.*

## *Rules and Regulations*

**February 15, 2022**

Repair service and delivery vehicles are exempted when performing their services. All parking permits (for Unit Owners, Tenants and guests) shall be issued at the condo office. You must park in your assigned space or a guest space.

Dated permits for short term (under 30 days) are obtained from the Association office.

**UNATHORIZED PARKING WILL RESULT IN 2 WARNING TICKETS, FOLLOWED BY TOWING AT THE EXPENSE OF THE VEHICLE OWNER.**

Parking in a reserved spot that is not yours will be subject to immediate tow.

Except in emergencies, no vehicle maintenance or repair is allowed on condominium property. Also, no vehicles shall be washed on condominium property. Damage to asphalt areas resulting from the above will be repaired at the Unit Owners expense.

### **COMPLIANCE WITH DOCUMENTS:**

All Association members and every Tenant, guests or visitors shall comply with all the terms, conditions, covenants, restrictions and limitations contained in the Declaration of Condominium, the Articles of Incorporation, By-Laws and the Rules and Regulations.

### **RULE CHANGES:**

The Board of Directors of the Association reserves the right to change or revoke existing rules and regulations and to make such additional rules and regulations from time to time as in their opinion shall be necessary and desirable for the safety and protection of the building and their occupants, to promote cleanliness and good order of the property and to assure the comfort and convenience of Association members.

Compliance with the rules and regulations will result in good community living for all parties enjoying residency herein.