

**Amended & Restated Briarwood VI and  
Briarwood VI Phase 2 HOA Rules and  
Regulations**

**November 14, 2023**

Briarwood VI HOA is a self-managed association for the betterment of our community. The Board of Directors have developed a set of Rules and Regulations for the management of the HOA.

**I. General Rules and Regulations**

1. All property owners are members of the Association and governed by the CC&R's, By Laws, and these Rules and Regulations.
2. The Board of Directors will hold monthly meetings except for July and August. Notices of the meetings with agenda, time, date, and location will be posted on the mailboxes 48 hours prior to the meeting. Members are encouraged to attend the meetings.
3. The annual meeting of the Association will be held in the first two weeks in March at a location to be determined in Scottsdale. A notice of the meeting with agenda, minutes, financial statements, budget, and ballot for election of directors will be mailed to all homeowners prior to the meeting.

The organization meeting of the Board will be held within two weeks of the annual meeting. The Board elects the President, Secretary, Treasurer and Vice President. The Committee Chairpersons are appointed by the Board.

5. The Association's address is Briarwood VI HOA, 7218 E. Echo Lane, Scottsdale, AZ 85258. This is a P.O. Box and not a residence.

4. City of Scottsdale provides trash service weekly. Tuesday is pick-up for regular garbage (black container) and Thursdays is for recycling (pink container). Please place the container at the curb and not on the sidewalk with lid opening toward the street. Container can be put out the night before pick-up and removed after pick-up. Containers should be stored so as they are not visible from the street or by neighbors. Bulk collection is held monthly, usually the second week of the month (schedule printed in City utility bill). Please place bulk collection material on the street next to curb the week of the pick-up.

5. No signs in front yards except for those allowed under our CC&R's.

6. Off-street parking of a motor home is only permitted for 24 hours for guests of Owner, with approval of Board. No motor home, boat, recreational vehicle, trailer, or camper shall be occupied, stored, or maintained upon the property or street.

7. City code requires all dogs to be on leash. Owners are responsible for picking up the dog's poop and disposing in a trash container. Violators will be reported to the City.

8. Homeowners shall back wash their pools onto their own property or in the sewer outlet in front of their homes per City code. No back washing into common areas or streets. Violators will be reported to the City.

9. Garages shall be used for parking vehicles and storage purposes only and cannot be converted into living quarters. Please keep your garage doors closed when not in use to prevent loss of property.

10. Holiday lights may be lighted from November 15<sup>th</sup> - January 31<sup>st</sup>. Pool and Patio Lights should not shine into a neighbor's windows or patios.

11. Outdoor recreation activities should be limited to the backyards. No hockey goals, basketball hoops or soccer goals are allowed in driveways.

12. The Association Directory will be distributed by the Outreach Committee members when it is published. All new residents will receive one when they move in. Additions and corrections should be addressed to the Outreach Chairperson or by emailing [info@briarwoodvi.com](mailto:info@briarwoodvi.com)

## **I. Assessments Procedures**

1. The Treasurer is responsible for collecting the annual and/or special assessments yearly. The Board approves the annual budget in November and sets the annual assessment for the coming year.

2. The Treasurer sends an annual assessment notice in December for the coming year.

3. The annual assessment is due on January 1<sup>st</sup>. To assist our owners, the Board of Directors have approved that the annual assessment may also be paid annually, semi-annually, quarterly, or monthly. If paid annually monies are due January 1<sup>st</sup>. If paid semi-annually the monies are due January 1<sup>st</sup> and July 1<sup>st</sup>. If paid quarterly the monies are due January 1<sup>st</sup>, April 1<sup>st</sup>, July 1<sup>st</sup>, and September 1<sup>st</sup>. If paid monthly the monies are due the first of each month.

4. If an account becomes past due 60 days a late fee of \$15 will be assessed. An additional \$15 late fee will be assessed for each additional 30-day period that the monies due are not paid. The HOA has the right to put a lien on your property for past due assessments.

## **II. Architectural Rules and Regulations**

1. Architectural Committee consists of three regular members and one alternate appointed by the Board. The Chairperson will be a Board member.

2. The committee is responsible for developing rules and regulations for the community subject to the approval of the Board.

3. The Architectural Committee is responsible for the approval of any exterior structural changes to your home. This includes design, materials, lighting, etc., for any portion of the home that is visible from the street, or from neighboring/adjacent back yards. The Architectural Committee shall review all proposals to install or remove pools. Both the Architecture and Landscape Committees routinely coordinate on requests that involve proposed changes that affect both committees' responsibilities.

4. A homeowner must submit plans, specifications, drawings and/or photos, along with the Proposed Change Plan and a Disclosure Verification form, to the Committee for approval. These forms are available on the Association's website: <https://briarwoodvi.com>.

5. The homeowner must notify adjacent neighbors of the proposed change plan, and either obtain neighbors' signatures on the Disclosure

Verification form or submit a copy of letters or emails sent to those neighbors, so all parties are aware of the project.

6. Upon receipt of the complete documentation, the Architectural committee will review the change plan and will reply in writing within 30 days.

7. The Architectural Committee is responsible for approving all exterior paint colors, stone and roof tiles and smooth stucco used within the community. The Committee chair has samples of the approved colors and stone, and images of approved paint colors and stacked-stone options also shown on the

Association's website: [www.briarwoodvi.com](http://www.briarwoodvi.com). Please submit a Paint, Stone and Stucco Agreement (also available on the HOA website) with your request. A written response will be made within 30 days.

8. The committee is responsible for oversight of the community paint project, under which all homes are painted every seven or eight years. However, a homeowner can, at his/her cost, paint the exterior of an individual home at any time, using any of the approved paint and/or stone options that are shown on the website.

9. Homeowners are responsible for trimming plants or shrubs in their backyards before painting their homes.

10. Owner must request approval from the Architectural Chairperson for placing a trash dumpster on the property during construction and/or remodeling project.

### **III. Landscape Rules and Regulations**

1. The association is responsible for the maintenance of the front yards and all common areas. This includes the cutting of grass and the trimming of bushes and shrubs. The HOA's arborist determines the trees to be trimmed annually.
2. The association will seed, fertilize, and weed the Bermuda and Rye grass as needed.
3. The association is responsible for the repair of the front yard sprinkler system. If you see a leak or problem, please contact Horizon Landscape at 480-600-2772 or any member of the Board.
4. The association will replace any dead or dying tree with a new 15-gallon tree. We will contact the owner when it is necessary to replace a tree. The owner can request a larger tree and will pay the difference between a 15-gallon tree and the larger tree.
5. The HOA landscaper has an approved list of plants and trees to assist homeowner in selecting appropriate plantings.
6. The homeowner may change the landscaping in the front yard. The owner must submit a request to the Landscape Committee for approval, including the plans and drawings describing the plants, materials, and lighting. A decision will be made and communicate in writing or by email within 30 days after receiving the complete application. The cost of re-landscaping is paid by the homeowner.
7. The homeowner is responsible for all the maintenance in their backyards. This includes trimming the bushes and trees, so they do not infringe (over hang the wall) the neighbor's property. The palm trees bloom in late May so they must be trimmed by the 1<sup>st</sup> week in June.

Also, all citrus trees must be gleaned in February so we can control roof rats in our community.

8. All trash and debris must be placed in the City's trash containers and not dumped into neighbors' yards or the common areas.

Homeowners must make sure their landscapers' haul away all their trash and debris.

9. The homeowner must maintain water and electrical service to their home so the HOA can maintain their front yard.

10. The association will not pay for "Acts of God," but will pay for plants and shrubs lost due to frost damage. The HOA will clean up storm damage in the front yard and common areas.

11. If a tree from the common area falls into a homeowner's property the HOA will pay for the removal and repair to the common wall.

12. If the HOA must replace a tree on the property line between two homes, both homeowners will be advised.

13. The HOA is responsible for the removal of beehives from the outside common walls and any other places in the common areas.

14. All trees in the front yards are the owner's trees and responsibility. Damage done to driveways, sidewalks or patios is the owner's responsibility to repair.

15. Homeowner is responsible to repair the wall when damaged by a tree on their property.

16. The committee will use the lot number when referencing landscape issues for reporting purposes, if possible.

17. The Landscapers' Annual Holiday Fund consists of voluntary contributors by homeowners. These contributions are gathered in November and then presented to the landscapers in December. The annual contributor list is confidential and will not be published.

#### **IV. Rental Property Rules and Regulations**

1. The owner must complete the Briarwood VI HOA rental registration form that provides the contact information for the rental property.
2. Prior to renting the home the owner will provide the association the name(s) and contact information for the adults occupying the home: the time period of the rental, including the beginning and ending dates of the tenancy; and a description and the license plate number of the tenant's vehicles. If the owner uses an Agent, it is the owner's responsibility to make sure the Agent provides the above information. The association shall charge a fee of \$25 per each rental. The above information and fee are authorized under the new State law. If the association does not receive the above information within 15 days of the commencement of the rental, the association shall charge a late fee of \$15.
3. It is the responsibility of the owner to provide the tenants with current copies of the CC&R's, By-laws, and Rules and Regulations. The Association will notify the owner of any violation of these documents and the owner must correct the situation.

4. The renter must be a single family as defined in the CC&R's and rent the entire property. The renter may not sub rent the property to a third party.
5. If the owner purchased the property after January 4, 2019, the minimum rental term must be at least 60 days. If the owner purchased the property after March 13, 2025, the minimum rental term is 180 days.
6. The renter must agree not to conduct a business out of the property, except as authorized by the CC&R's.
7. It is recommended that owners operate an external security monitoring system.

## **V. Sales of Property**

Pursuant to Article III, Section 1 and Article IV, Section 2, The Board hereby adopts and ratifies the Transfer fee to be charged on the sale of homes in the amount of \$300. The Board shall yearly review this amount during their regular budgeting process and may adjust as they see fit. No transfer fee amount shall be greater than allowed by State Statutes.