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# *WILLOW HAVEN COMMUNITY ASSOCIATION*

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December 2009

Re: Parking Permit Guidelines

Dear **WILLOW HAVEN COMMUNITY ASSOCIATION RESIDENTS**

The Association has spent a considerable amount of time investigating the parking issue. The Board has collected input from homeowners that represent views in support of, and against the current CC&R's. It is the consensus of the residents and your Board of Directors that there is limited available parking. This problem remains a high priority. To relieve this problem in a fair manner, your Board of Directors has placed certain rules in place and hired a private patrol company, NORDIC SECURITY SERVICES, to consult on the problem and to enforce the rules.

NORDIC SECURITY SERVICES has been charged with the enforcement of the association parking rules in general and specifically to issue and track decals.

It is the Board's obligation to enforce these CC&R's and in doing so; they have drafted the following supplemental procedures:

## **WHAT NEEDS A DECAL?**

All resident vehicles parked on site and outside a garage.

Residents must register a vehicle for each of their possible garage spaces prior to being issued a decal authorizing them to park outside. Garaged vehicles, although registered, do not require a decal be affixed to them.

## **HOW DOES THIS PROGRAM WORK?**

All parking, other than garage, is Guest parking. Residents **MAY NOT** park in guest parking unless PROPERLY displaying a valid decal.

## **NOTES AND PROCEDURES:**

1. Vehicles parked in garages DO NOT require a Parking Permit.
2. Parking Permits will only be issued when the resident has provided information which indicates he / she has used all garage Spaces appropriately before being issued a Parking Permit for a 3rd vehicle.
3. Residents who require a 2<sup>nd</sup> permit for a 4<sup>th</sup> vehicle must submit their request to the Board of Directors in writing. This request should be forwarded to the Management Company, who will then forward it to the Board for consideration.

**If any vehicle in a household requires a Parking Permit, Nordic Security Services will need the following information (copies of all registrations are necessary as well as copies of all drivers license).**

1. *Completed application. (Please see attached)*
2. *Something that proves the resident lives on site.*
  - a. Current vehicle registrations showing resident name and address on site.
  - b. Utility or other bill showing name of resident and on site address.
  - c. California Drivers License showing on site address.
  - d. Lease agreement showing the name of resident and on site address.
3. *Something that proves the vehicle(s) belongs to the resident.*
  - a. Current vehicle registrations showing resident name and address.
  - b. Letter on company letterhead showing resident name and authority to have care custody and control of vehicle.
  - c. A letter from the registered vehicle owner explaining why the resident has a vehicle not registered to the resident. For example: A letter from a grandparent authorizing a grandchild to use their car.
  - d. If a recently purchased new or used vehicle, a copy of the top of the Sales Contract (yellow) showing:
    - I. Resident's name and on site address.
    - II. Vehicle VIN number.
    - III. If vehicle has a license plate write it on this form.
4. *A unique number attached to the vehicle.*
  - a. License plate number.
  - b. VIN number.
5. *Designation of which vehicle(s) will be issued Parking Permits.*

**In determining whether or not a permit may be issued, the following vehicle types are not acceptable as legitimately Garaged vehicles:**

- Motorcycles, less than 1,000 cc.
- Vehicles out of current registration.
- Vehicles with current registration but registered as non-operating.
- Vehicles, which are registered but not street legal (off road vehicles).
- Commercial vehicles (see definitions in this document).
- Recreational vehicles (see definitions in this document).

**Nordic Security Services will accept registrations with off site addresses if supporting documents show the reason for off site address for example:**

1. Company vehicle (include something on company letterhead so stating).
2. Contract or other supporting documents for a “care-giver,” nurse, nanny, etc.
3. Statement that the vehicle owner is soon to be a permanent resident.

**Oversized Vehicles:**

The association requires a garage inspection of all cases where the resident contends the subject vehicle does not fit safely into the garage or Reserved Space. Nordic Security Services will provide a garage inspection for \$25.00 per inspection. The resident must call Nordic Security Services and schedule an appointment for such inspection. The resident will pay the Nordic Security Services officer \$25.00 in check or money order at the time the officer arrives to facilitate the inspection. Please note the following:

1. The fee for the appointment is due whether the vehicle passes or does not.
2. The association requires the vehicle fit “safely” in the garage, not necessarily comfortably.
3. Garages, which have been modified so as to preclude the safe parking of a vehicle, will not be granted a Parking Permit.

**Commercial vehicles 1 ton and under MAY be issued parking permits.**

Any Commercial vehicle with any of the following attributes will **NOT** be eligible for issuance of a parking permit.

1. Any vehicle greater than 22 feet in length or greater than 8 feet in width (Any vehicle found to be in violation of this length and / or width requirement, will automatically have their permit revoked and be subject to an immediate tow).
2. More than two axles.
3. Vans or buses designed to carry more than 10 persons.

**Recreational vehicles will not be issued parking permits.**

Recreational vehicles are defined as but not limited to vehicles like the following:

1. Motor homes
2. Personal watercraft
3. Trailers of all types
4. Unlicensed vehicles
5. Boats
6. Aircraft
7. Cab-over campers

**All Parking Permits will be serialized and generic in nature (no logos, etc.).**

**CAN THE DECAL BE PLACED ON A CARD AND DISPLAYED WHEN OUTSIDE OR CAN I ROTATE MY GARAGE VEHICLES?**

No. Each decal is serialized and issued to a specific vehicle. Decals must be affixed to the proper vehicle.

**WHEN WILL THIS PROGRAM START?**

The enforcement of this new procedure will begin at 12:01 A.M. January 1, 2010. Please be sure to contact Nordic Security Services in advance, if you have more than (2) vehicles or an oversized vehicle that requires a garage inspection.

**HOW DO I GET DECALS OR ARRANGE FOR A GARAGE INSPECTION?**

Residents MUST provide the following documents:

- Parking Permit Application along with a check or money order made payable to **Willow Haven Community Association in the amount of \$75.00. (Please note, a separate check or money order will need to be paid to Nordic Security Services in the amount of \$25 if a garage inspection is required to obtain a parking permit for an oversized vehicle on the date of the inspection.) Total cost for permit is \$75 - \$100.**
- Copy of all vehicle registrations and designation of which vehicle will be parked outside.

Initial application and decal fees will be collected from Nordic on site at the pool during the scheduled dates and times. Permits will be issued by Nordic Security Services.

**IMPORTANT:** Don't forget to designate which vehicle(s) will be garaged and which will be parked outside.

**To be valid, your permit MUST** be affixed to the inside, **rear window, lower driver's corner** and be clearly visible from outside the vehicle.

If you have **heavy tinting or a convertible** the permit needs to be affixed to the inside, **front window, lower driver's corner** and be clearly visible from the outside of the vehicle. Permits behind heavy tint are difficult to see at night and this should avoid an unnecessary citation.

**LOST** or **STOLEN** decals will be replaced by NORDIC SECURITY SERVICES for \$25 payable to Willow Haven Community Association. However, those reported to be lost or stolen will immediately be HOTLISTED and any vehicle displaying them will be subject to immediate tow.

To arrange for a garage inspection, please call **(800) 883-3880**

### **WHAT ARE THE RULES FOR GUEST VEHICLES?**

One guest pass will be issued to each residence that has registered their vehicles. These permits will assist the officers in the identification of approved vehicles. If you have an additional guest staying past 10:00 p.m., you must place their vehicle on the Safelist. You can obtain a Safelist Confirmation number by using the online safelisting tool on Nordic's website at [www.nordicsec.com](http://www.nordicsec.com), or you may call Nordic Security Services at 800 883-3880. You will find that using the website is much faster and more convenient.

### **SAFELISTING PROCESS:**

1. Resident calls Nordic Security Services at (800) 883-3880 (anytime, 24 hours a day)
2. Operator asks for:
  - a. Resident's name.
  - b. Address.
  - c. Vehicle description.
  - d. Vehicle license plate.
  - e. Number of days requested to be Safelisted.
  - f. The caller will receive a confirmation number and be asked to place it on their guest's dash.

Guests are allowed maximum (10) overnights in a (60) day rolling window. If your GUEST is staying longer than the maximum allowed days, you **MUST** request a variance through the Board or the Management Company.

### **IN CONCLUSION:**

This program may seem complex and burdensome to you. Please trust that your Board, the Management Company and NORDIC SECURITY SERVICES have worked diligently to make it as simple and effective as possible. The Board of Directors authority and obligation of enforcement of this procedure is derived from the covenants, conditions and restrictions, specifically, the CC&R's state that "...The Board may establish additional restrictive parking regulations regarding parking areas not assigned to Condominiums, including designating "parking," "guest parking," and "no parking" areas; may establish reasonable regulations for parking areas assigned to

Condominiums; and may enforce all parking and vehicle use regulations applicable to the Neighborhood. Enforcement actions the Association may take include removing violating vehicles from the Neighborhood pursuant to California Vehicle Code Section 22658.2 or other applicable laws. ....” To this end, the Board has approved the parking amendments as written above.

The Board of Directors thanks you for your patience, understanding and anticipated cooperation with this program. Should you have any question, please call your Management Company or Nordic Security Services.

**PLEASE NOTE:** While a Notice or citation will be placed on vehicles in violation of association rules, these notices are provided as a courtesy only. The Association or Nordic Security Services will not be responsible for any vehicle that has been towed for violation of this Policy, whether or not a notice or citation was received on the vehicle.

Should you have questions, please feel free to call Nordic Security Services at:

**800.883.3880**

Or, visit our website at:

[www.nordicsec.com](http://www.nordicsec.com)

**Thank you for working with us to provide a quality parking program for all the resident of Willow Haven Community Association.**

***Sincerely,***

**On Behalf of the Board of Directors,  
Willow Haven Community Association**

***Adopted by the Board of Directors on December 15, 2009***

**REGISTRATION FORM/REQUEST FOR PARKING PERMIT**

All items in this application must be completed in full. Failure to complete every line of this form completely will result in denial of the application. Any untruthful statements made on this application will result in forfeiture of parking privileges. Permits are only available for licensed drivers living in the Unit. Two vehicles must be parked in the garage. Thus, permits are only available for 1 vehicle beyond what your garage holds. Copies of DMV registrations for each vehicle reflecting Willow Haven address must be submitted with all Parking Permit applications.

Number of Permits Requested: \_\_\_\_\_

Unit Owner's Name \_\_\_\_\_  
Address \_\_\_\_\_ Murrieta, CA 92563  
Day Phone \_\_\_\_\_ Evening Phone \_\_\_\_\_

**I REPRESENT THAT THE FOLLOWING VEHICLES WILL BE PARKED IN MY GARAGE:**

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Color: \_\_\_\_\_ State / Lic: \_\_\_\_\_  
Make: \_\_\_\_\_ Model: \_\_\_\_\_ Color: \_\_\_\_\_ State / Lic: \_\_\_\_\_

**I HEREBY REQUEST A PARKING PERMIT FOR THE FOLLOWING VEHICLE:**

Vehicle Owner's Name \_\_\_\_\_  
Make: \_\_\_\_\_ Model: \_\_\_\_\_ Color: \_\_\_\_\_ State / Lic: \_\_\_\_\_

All vehicles parked outside of the garage must be equal to or less than 22 feet in length and 8 feet in width. Any vehicle found in violation of the size requirements will have the permit revoked and be subject to immediate tow. Length: \_\_\_\_\_ Width: \_\_\_\_\_

The undersigned Owner ("Owner") does hereby attest that the statements made on this application are true and accurate, and agrees to be bound to all of the terms and provisions set forth on this Application and the attached Parking Permit Agreement. The undersigned Owner further acknowledges that they have read and understand all of the Association's parking rules and regulations and agree to follow them, and that any illegally parked vehicle may be towed as provided by law.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Check Received Date: \_\_\_\_\_ Check # \_\_\_\_\_ Amount \_\_\_\_\_

Received by: \_\_\_\_\_

## **PARKING PERMIT AGREEMENT**

Owner hereby agrees that any vehicle operator shall abide by all Association rules, the CC&Rs and all applicable parking and traffic laws at all times while any permitted vehicle is within the common area of the Association.

Owner further agrees to release and indemnify, defend, and hold harmless **Willow Haven Community Association**, the "Association", its directors, attorneys, officers and managing agents, and each of their insurers, from any and all claims, rights, actions, debts, demands, damages, losses, liabilities, costs and expenses (including, without limitation, attorney's fees and costs) of any nature whatsoever, known or unknown, material or immaterial, suspected or claimed, hereafter becoming known, or accrued or accruing as a result of the parking and/or operation of any vehicle upon Association property, except such damages or injury resulting from the sole negligence or willful misconduct of the Association.

With regard to all matters herein released by this Agreement, Owner hereby voluntarily and expressly waives any and all rights under Section 1542 of the California Civil Code, which provides as follows:

**“A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the Release, which if known by him must have materially affected his settlement with the debtor.”**

Any claim for property damage or bodily injury resulting from use of a vehicle granted a Parking Permit herein which is alleged to have resulted from the sole negligence or willful misconduct of the Association must be accompanied by a police report. Owner agrees to have all such disputes involving this Agreement, or the parking of a permitted vehicle upon the Association's Common Area, determined by binding arbitration, according to the rules established by the Judicial Arbitration and Mediation Service (JAMS), and expressly waives the right to a jury or court trial.

The signature of any one Owner on the Parking Permit Application binds all owners, residents and guests of the subject unit. In the event that arbitration is pursued, then all costs incurred by the prevailing party in preparation for, or attendance at, the arbitration must be paid by the non-prevailing party.