

## HOAMCO – Best Practices



### Rule Development – Part One

Definition: A rule is a specific statement of required behavior whose violation carries a penalty (sometimes called a sanction). An architectural guideline is a rule that applies to the appearance of an owner’s lot or the exterior of his or her unit or improvements.

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In a community association, rules and guidelines outline expected behavior, identify limitations, and govern the community in three areas:

1. The use of both common property and individual lots or units. Rules and guidelines are developed in this area to promote conformity and harmonious living.
2. Changes in the architecture, the construction, or the appearance of lots or units. Rules and guidelines are developed in this area in order to:
  - Establish and preserve a harmonious design for a community
  - Protect the value of the property
3. The behavior of residents (owners and tenants), guests, and other visitors. Rules are developed in this area because of the possible impact one person’s behavior may have on another person.

To give you an idea of the scope of rules and guidelines, here are some typical areas of rule making:

Rules may address:		Architectural guidelines may address:	
Pets	Noise	Fencing	Exterior materials
Children	Garbage and trash	Decks/patios	Color of ext. surfaces
Parking	Use of common areas	Exterior Lighting	Outdoor equipment
Solicitation	Renting/leasing	Landscaping	Window treatments
Maintenance of units		Doors	Location of improvements on lots

Rules are established by means of resolutions or other motions. In the hierarchy of authority, the rules and guidelines may not contradict or be in conflict with the legal sources that take precedence over them. Although rules and architectural guidelines are lower in the hierarchy of authority for community associations, they may *clarify and expand* a community’s governing documents – but may not conflict with the other governing documents.