

**Cielito Lindo de Tubac Home Owners Association
PAINTING POLICIES AND PROCEDURES**

The CC&Rs for Cielito Lindo de Tubac HOA address exterior repainting only briefly under Article 3.1(A), (B) and (E). As this is a major, designated HOA expense and responsibility and of critical importance to maintaining the appearance of the neighborhood and value of homes, these Painting Policies and Procedures have been developed to provide guidance to the HOA Board Of Directors and the Painting Sub-Committee of the Design Review Committee.

I. VALUES ADDRESSED BY PAINTING

1. Structural Maintenance – Painting and minor repairs inherent in the process of painting provide protection to exterior surfaces, thus preserving the integrity of our exterior construction elements.
2. Visual Impression – Maintenance of the overall appearance of the neighborhood.

II. REPAINTING SCHEDULE

1. The Board of Directors conducts an annual inspection of homes to determine homes most in need of painting. A detailed process for determining painting schedules of all Cielito Lindo homes is outlined in Section VIII. (PROCESS FOR DETERMINING PAINTING SCHEDULES).
2. Homeowners can expect their homes to be repainted approximately every eight (8) years. The HOA repaints an entire house, not portions thereof.
3. Painted wood ramadas, garage portals, parapets etc. may need more frequent repainting as a result of excessive sun exposure.

III. MAINTENANCE, REPAIR AND REPLACEMENT

1. It should be noted that the CC&Rs (Article 3.1 Maintenance, Repair, Up-keep) state that the HOA “shall be responsible for the maintenance and repainting of all exterior surfaces of dwelling units, and the exterior surfaces of the surrounding perimeter and patio walls which are visible from neighboring property.” (See V. below for more information about areas with customized changes.)

2. *Maintenance of Dwelling Units* shall be defined as: Inspection of the exterior areas that are visible from the ground and identification of areas that require either minor or major repair and/or replacement; cyclical painting of specified exterior areas; and power washing of those specified exterior areas of the building prior to painting.
3. *Repairs* shall be defined as: those "minor" repairs which are consistent with painting preparation, such as filling minor cracks in stucco or removing and replacing failed caulking around windows and doors.
4. *Up-Keep* shall be defined as: regular care of the exterior of dwelling units, perimeter walls, plumbing and sewer, and exterior lighting as specified in Article 3 of the CC&Rs.
5. Maintenance and minor repairs are done at the time of repainting and is limited to the activities as defined above. This is done in order to prolong life and appearance as long as possible; however, there comes a time when such minor repairs will not be sufficient to maintain a positive exterior appearance and major repair or replacement will be necessary. The HOA is not responsible for major repairs or replacements. The HOA is not responsible for any repairs that are needed due to the negligence of the homeowners.

When it is noted by the painting sub-committee, a board representative, the management representative, or the painting contractor that such minor maintenance of an item is no longer sufficient, the Management Representative will notify the homeowner in writing of the necessity of repair or replacement. Notice will be delivered approximately four (4) months prior to painting to allow sufficient time to complete the work requested.

6. If a homeowner is notified that his/her home is scheduled for repainting and major repairs or replacements are needed prior to painting, it will be the responsibility of the homeowner to have those accomplished prior to painting. Such repairs must be completed one month prior to the date of the scheduled painting. If the repairs are not completed within that time, the HOA will arrange for the repairs to be made and the cost will be billed to the homeowner.
7. If replacement becomes necessary and the homeowner wishes to replace an item with one of a different "look", it will be necessary for the homeowner to submit a request for the change to the Design Review Committee.

IV. HOA IS RESPONSIBLE FOR REPAINTING THE FOLLOWING SURFACES:

1. Interior and exterior of pool house and bathrooms.
2. Exterior surfaces of all residences: (See photos below)
 - A. Front, Back, and Side Walls
 - B. Common Walls
 - C. Window and Door Trim
 - D. Soffits and ceilings under porches and balconies
 - E. Chimneys
 - F. Downspouts
3. Exterior and top of stucco patio/garden walls, including both sides of any metal railings. Homeowners are responsible for the interior sides of patio/garden walls. Homeowners may wish to contract separately with the painting contractor to paint the interior surface at the same time the exterior is being done.



4. Exterior of garage doors
5. Wood garage portals
6. Wood and metal railings on balconies
7. Wood scuppers



8. Ramadas
9. Metal gates in garden walls except custom gates. Maintenance of custom gates is the responsibility of the homeowner.
10. Tops and insides of parapet walls. *Note: see V below.

V. HOMEOWNER IS RESPONSIBLE FOR PAINTING, MAINTENANCE, AND REPAIR OF THE FOLLOWING SURFACES:

1. All exterior doors including wood front doors.
2. Any areas that have custom changes, for example, custom gates, non-standard paint colors.
3. Any stained/varnished wood surfaces, including wood ceilings under soffits, porches, and balconies. Painted wood surfaces are HOA responsibility.
4. Parapet wall tops as needed – the HOA will repaint these when the residence is painted. However, since cracks, which could lead to water damage, develop easily in these areas, it is recommended that they be checked annually by the homeowner and repaired as needed between paintings. **Note: Refer to Section IV, above.

VI. COLORIZATION

1. The final authority to approve any changes in house colors and patterns of color lies solely with the Board of Directors.

2. Decisions regarding changes in house colors and patterns of color are determined based upon the following guiding principles:
 - A. Exterior colors of houses will closely match the tint and tone of, and harmonize with, the quiet colors that typify the surrounding Sonoran landscapes.
 - B. A variety of color schemes have been established to ensure a pleasing medley of house colors, thus avoiding redundancy or monotony. To further this objective, no two homes in the same building may be painted the same color scheme.
 - C. Common Walls [Also known as Party Walls are walls built on the boundary line of adjoining properties and shared by both owners.] are painted the color that best visually enhances the architectural integrity of the units within each building.
 - D. The pallet of approved color schemes is displayed in the Pool House and is reviewed at approximately five (5) year intervals.
3. Each unit is assigned a primary and secondary color. The walls, parapets, soffits, and patio/garden walls are the primary color. The window and door trim, accent stripe on the front wall, and chimneys are the secondary color.
4. The color of the metal gates is chosen from the Color Pallet, which includes colors that match the home's metal clad window frames.
5. Downspouts may remain the original metal color or can be painted to match the home's wall color.
6. Homes are painted the same color scheme unless either the homeowner has approval for a color change or the DRC has modified the color pallet.

VII. HOMEOWNER REQUEST FOR CHANGE OF EXTERIOR COLOR

1. Homeowner requests for any color change must follow this process:
 - A. Complete a "Design Modification Request" (available on the website),
 - B. Submit the request to The Management Representative for review,

- C. The request must be approved in writing by the Cielito Lindo Design Review Committee,
 - D. Upon approval by the Cielito Lindo Design Review Committee, the request must also be approved, in writing, by the Master Association Design Review Committee.
2. Generally, only colors on the Cielito Lindo de Tubac official Color Pallet will be considered. However, the Design Review Committee may consider new colors that are compatible with current colors in Cielito Lindo. Such approval may result in the new color scheme being added to the current color pallet.
 3. Once the request has met final approval, The Management Representative will contact the painter to determine the additional cost of the color change and notify the homeowner of the amount.
 4. Any additional cost of the color change will be paid by homeowner.
 5. The homeowner will write a check to the HOA for the difference in cost of repainting prior to the start of painting.
 6. If the above procedure has not been completed by the time of scheduled painting, the home will be painted the existing color and the option of a color change will be moved to the next eight (8) year painting rotation.
 7. If a change in the color of a common wall pattern, (i.e. which home the color of the common wall matches) is desired, this must be specified on the "Design Modification Request." Written approval by both homeowners must be included in the request. In the absence of such an agreement, common walls will be painted the existing wall color.

VIII. PROCESS FOR DETERMINING PAINTING SCHEDULES

1. The HOA Board of Directors sends the annual painting budget to the Painting Sub-Committee of the Design Review Committee when the next year's annual budget has been approved.
2. Once each October a walk-about will be conducted by a group consisting of the following – two (2) Painting Sub-Committee members, one (1) Design Review Committee member, and one (1) member of the HOA Board of Directors. This group will

recommend which residences and pool areas need repainting during the Spring – March/April - painting.

3. The Painting Sub-Committee will prepare a recommended work list, including cost, for the following Spring. They will then proceed as follows:
 - A. The work list will be submitted to the Management Representative who will take it to the HOA Board of Directors for approval.
 - B. Upon approval of the Board, The Management Representative will initiate a bidding process.
 - C. Once a painting contractor is selected, the Management Representative will generate and send a work order to the painting contractor, copying the Painting Sub-Committee Chairperson. S/he will notify, in writing, each homeowner that his/her home is on the schedule for the coming Spring.
 - D. The painting contractor will now do a detailed walk-about with one or members of the Painting Sub-Committee and the Management Representative in order to identify any significant repairs that are required prior to painting.
 - E. The Management Representative will notify the homeowners who have repairs that must be attended to and give them the date by which those repairs must be finished.
 - F. The Management Representative will notify the homeowners on this Spring's painting schedule that they must remove all exterior decorations, plants, furniture and other items that might interfere with the painter's access to the surfaces to be painted. This must be done prior to the painters' arrival. If it is not done, an extra fee will be charged for the time spent by the painters to clear the area, and the painters will not be responsible for returning those items to their original location.
 - G. The painting contractor will then contact the Management Representative to schedule the work.
 - H. The Management Representative will forward the schedule, by both mail and e-mail, to the Painting Sub-Committee and each homeowner on the schedule.

- I. Homeowners will have a minimum of one (1) month advanced notice of their scheduled date.
- J. There will be NO exceptions to the scheduling sequence.
- K. The work will be carried out under the direction of the Management Representative and the Painting Sub-committee, acting in concert.
- L. The Painting Committee and the Management Representative will coordinate with each other and the painting contractor. They will be jointly responsible for assuring that the painting is proceeding on schedule. Upon completion of each job, a member of the Painting Committee and the painting contractor will review the work to assure that the quality of the job is acceptable. If the work is on a residence and the homeowner is available s/he should be included in this review.
- M. On completion of the residence review, the painting contractor will submit his/her bill to the management company. After determining that the job is complete and acceptable, Management will make payment to the contractor.

IX. CONTRACTOR BIDDING

- 1. General bids should be reviewed and rebid, if deemed prudent by the HOA Board of Directors, every 3-5 years in order to find the most cost efficient painting contractor. The bidding process will be done by the Management Representative and submitted to the Painting Sub-Committee for selection. General bids are done by comparing bids from contractors on a sample of several specific houses of different styles within Cielito Lindo.
- 2. Specific costs should be determined annually depending on the projected jobs for the coming 12 month period and the HOA's budget for painting. (See below for more information about this.)

X. COMPLAINTS FROM OR PROBLEMS NOTED BY HOMEOWNERS REGARDING PAINTING OR DAMAGE TO PROPERTY DURING PAINTING

Complaints regarding work or damage should be directed to Management Representative within 5 days of completion of work.

Correction of poor work or damage must be accomplished prior to payment of contractor.

XI. DISPUTES

Disputes arising between a homeowner the DRC (Design Review Committee) will be resolved at a hearing before the DRC in accordance with Section 10.2 of the By-Laws. If a resolution is not achieved at this hearing, the homeowner may request the Board of Directors to schedule a hearing within 30 days.

XII. DOCUMENTATION BY PAINTING COMMITTEE (include sample page of documentation)

The Painting Sub-Committee is responsible for the maintenance of a comprehensive written log of all paint projects. The current log is maintained on an Excel spreadsheet, with all properties listed by lot number, street address, current owner (and renter names if applicable and available), residence color scheme in detail (body and trim, accent stripe, ramada, portal, chimney, downspouts, parapets and gates), and a complete history, by date, of all paint projects completed. The Paint Log is updated annually following satisfactory completion of that year projects. The HOA Board of Directors is provided with the updated Log together with a written request for approval of next year's paint projects.

The above Policies and Procedures have been reviewed, revised and approved by the Cielito Lindo Homeowners' Association Board of Directors on November 24, 2014.