

Baywood Shadows Deed Restrictions FAQs

The information contained in the document below is to be used as a quick reference guide for homeowners and in no way do any of the answers to the questions below, should they contradict the actual language in the Deed Restrictions, over-ride or change any part of the original language in the Deed Restrictions!

This will not cover every area where there are questions but hopefully it will help everyone to understand what the HOA deems to be the basic guidelines set out by the Deed Restrictions to keep our neighborhood beautiful, growing and continuing to be one of the most sought out neighborhoods to live in the Pasadena area. Remember the good neighbor policy: *good neighbors create great neighborhoods*, so get to know your neighbors and ask yourself, “Would I want to live next to me?” Your HOA tries to be as “liberal” as possible with the Deed Restrictions but “legally” the HOA has a duty protect our residents by enforcing the Deed Restrictions to help protect property values in the Baywood Shadows subdivision.

Architectural Control Committee

This committee is composed of three (volunteer) members who review home improvement requests and answer questions predominantly regarding the exterior of the homes. This mostly would be in regards to any type of construction, maintenance and or remodeling that could alter or change the home in either a positive or negative way. The duty of this committee is to attempt to preserve the value and integrity of every homeowner’s property by enforcing the Deed Restrictions as they are written to the best of their ability. The Deed Restrictions state that the committee is to assure as much as possible that *“any and all improvements keep the conformity and harmony of external design with existing structures in Baywood Shadows.”* For more specific information, refer to the Deed Restrictions for your particular address/section on the Documents page of our web site or send questions to our email address: baywoodshadows@gmail.com.

(1) What needs to be sent to the Architectural Control Committee for approval?

ANY exterior changes or improvements to the building, cement surfaces, additions, outbuildings, roofing, paint, fencing – etc. This is not a complete list as it would be almost impossible to list every item, use common sense and rely on the word “ANY” in capital letters above to be your main guide. The above would include but not be

limited to paint colors and roofing materials and colors. Paint and roofing materials and color guidelines are listed under the PROCEDURES section on the Documents page of our website.

(2) If I use one of the colors or materials listed on the web site do I still need approval?

Yes. We respectfully ask that you please notify us before you start any of the above to get formal approval as not getting approval could result in unnecessary compliance issues.

(3) Isn't my contractor responsible for making sure any improvements or maintenance meets the HOA guidelines?

No! You, not your contractor, are responsible for making sure improvements meet the HOA guideline! An ethical contractor would not try to work around HOA compliance, as they would be putting you at risk of serious issues, expenses and possible liens on your home. Also, be aware the HOA will be going after contractors who are working without obtaining approval of the Architectural Control Committee (ACC), or are working without posted permits. The city will be called in situations that involve permit requirements.

(4) Is a permit required from the city for improvements and if so why?

Yes and no. Not every maintenance item or construction project you do requires a permit or inspection. We will try to name most of the items that require a permit, but homeowners AND contractors are responsible for knowing permit requirements. Your HOA has nothing to do with city permits other than we want to see them posted on items when required.

Most items requiring permits (this list may not be a complete list):

Electrical: Most electrical work requires permits from a licensed electrician registered with the city: i.e., new panel boxes, new circuits, remodeling that requires adding additional electrical service to an area and such. As a general rule, things like putting up a fan, changing out light fixtures and minor maintenance items will usually get by without a permit being required, but call the City of Pasadena Permit Department if you are in doubt. The HOA recommends that you use a "real" electrician for even the small stuff for your own safety and that of your family and neighbors.

Plumbing: A permit by a licensed electrician registered with the city is required if it is a major item: i.e., re-plumbing of a house, broken water lines, sprinkler systems, water heaters, almost anything dealing with gas. These are items that can create real problems if not done correctly, tested and inspected. Again, small items such as water faucets, stopped

up sewer lines, replacing toilets – etc. probably don't need to have a permit but if you are in doubt, call the City of Pasadena Permit Department.

Roofing: All Roofing requires a city permit by a contractor registered with the city and HOA approval. The only exception to this is a small roof repair (less than one square 10"X10" area). This is one of the most abused items for not getting permits. Letting a contractor do a roof for you without getting a permit is a huge liability on your part. The city requires a liability policy from all contractors working within the city to protect you and your neighbors. Roofing contractors are also one of the worst trades about not coordinating with your HOA for material and color compliance, so you might have to remove and replace your roof at your own expense to be in compliance with the Deed Restrictions. A professional and ethical roofing company would not work this way. Contrary to what you may have been told, it isn't saving you any money in the end; it is simply someone trying to cheat the system ... or you.

Replacement Windows: All window replacements require a permit by a contractor registered with the city and HOA approval. Again, the city requires a liability policy from all contractors working within the city to protect you and your neighbors. Requiring permits for windows is for all the same reasons as roofing – it is to protect you. The city requires replacement windows to have a number of specific requirements – some are even federally regulated. Windows installed in the city must meet a specific energy code requirement (this is a good thing, you want your windows to save you money). Some windows must have tempered glass in specific areas, and windows in bedrooms must meet specific fire egress (escape) rules. If you are using a contractor that tells you that you are better off not getting a permit, you may want to consider another contractor, as you may risk future liability issues or problems selling your home.

Air Conditioning and Heating: All replacement and some repairs require a licensed HVAC Contractor/Company to pull permits and be registered with the city. Again, this is for your protection and energy efficiency. Safety and code compliance inspections are completed by the city. Bad gas connections or inefficient units are risks that you want to avoid.

Patio covers, pools, room additions, and new fencing: All of these improvements require permits from contractors registered with the city and HOA approval. No permit is required if replacing an existing fence using the same materials as the original.

Concrete: Driveways, sidewalks, and patios require a permit and HOA approval. Driveways cannot exceed more than 33 1/3 % of the front footage of your lot per Deed Restrictions and city code.

Painting, landscaping, general repair such as siding, gutters, doors (entry and garage): These items are generally considered maintenance and do not require permits; however, they may require HOA approval. Please send us an email if you have any doubt: baywoodshadows@gmail.com.

The best rule to go by is that if you are doing something that requires the use of a contractor and you are not sure about the need for a permit then call the City of Pasadena permit department. The City of Pasadena is constantly changing their rules on permits, code enforcement, and general safety requirements. The above guideline sheets are to help our residents stay one step ahead of “questionable contractors” and to have a better understanding of the Deed Restrictions as they may apply to these common improvements.

Part 2 of Question 4 -- Why are permits required?

Permits are required to protect the residents and their neighbors from “questionable contractors” by having a third party inspect the work performed in our homes. In addition, the city requires all contractors working in the city to register annually with them and furnish a liability insurance certificate to the city to protect you and or your neighbors if something should go wrong. They also have all the contact information on that contractor should you or your representatives need to find that contractor. Our HOA and others are working to get the city more involved to assure that contractors become as responsible as the homeowner for complying with city codes, HOA guidelines and Deed Restrictions. Ethical contractors should be willing to comply with all of these requirements.