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January 6, 2010

All Owners and Tenants
Ypao Garden Condominium
220 Ypao Road
Tamuning, Guam 96913

Subject: General Information and Reminder Notice

To Whom It May Concern,

The letter is presented to inform and remind residents of various Ypao Garden Condominium Homeowners Association issues and to update you on the following concerns expressed by the Board of Directors:

- A) Amendments to House Rules (Pool and Club House Parties) – In the past the board has received complaints and observed abuse, noise disturbance, improper activities and unruly behavior during party's held at the pool and Club House area. For these reasons the board has voted to establish the following policy reference making reservations, cleaning deposit and usage charge for pool and cabana parties:
1. If your party consists of 6 people or less there will be no usage charge, no deposit required and no reservation necessary.
 2. If your party consists of 7 to 12 people – there will be no usage charge however, a reservation must be made and a \$100 refundable cleaning deposit is required.
 3. If your party consists of 13 to 20 people you will be required to pay a \$100 **non-refundable usage charge**, you must make a reservation and pay an additional \$100 refundable deposit to cover cleaning and any damages.

Additionally the board prefers that pool/cabana party reservations not be made for holidays. Resident owners have expressed concerns that they are often not afforded an opportunity to enjoy the pool and cabana facilities when they too are off from work on holidays and want to enjoy the facilities, which they are paying common area fees to use and enjoy without interruption from guests/individuals that do not reside at Ypao Gardens. Acceptance or denial of reservations for the recreational facilities is at the discretion of the Resident Manager and board.

- B) New Acting-Resident Manager – As many of you already know our previous Resident Manager, Charlie Reynolds resigned the position early last year due to increased workload and responsibilities at his full-time position with Triple J Motors. Resident owner, Gary Webber has agreed to serve as the Acting Resident Manager working under a reduced scope of work and salary. Mr. Webber resides in Unit 312 and may be contacted at 777-2685. Please respect his time and only contact him after hours if an emergency situation arises.
- C) Pets and Stray Animals – While the house rules currently allow residents to keep pets (dogs, cats, birds and fish in reasonable number) only indoor pets may be kept at Ypao Garden Condominium. Pursuant to Guam Law, pets must be leashed/tethered and under direct control of their owner while outside in public areas. In other words please do not allow your pets (especially dogs) run loose in the common area. Residents are also reminded to please remove all fecal deposits left on the common area grounds by their pets (again, especially dogs). With regard to stray animals, we are aware that some residents have compassion for the stray cats roaming the property, feed them, give them water and want to keep them roaming at large. Unfortunately, others do not share your compassion and are annoyed by the cats that lay around in the stairwells, landings, underneath and on top of cars (reportedly leaving scratches). These “homeless” cats roaming freely on the property constitute a nuisance. Again, pursuant to Guam Law or the Guam Code Annotated (GCA), Title 10, Chapter 34, (m) “Public nuisance” means any animal that:

- (1) Molests passersby or passing vehicles;
- (2) Attacks other animals;
- (3) Trespasses on school grounds;
- (4) **Is repeatedly at large; or**
- (5) **Damages private or public property;**

Sub-Section 34206 of this same chapter further states “(b) **No person shall keep or permit to be kept any wild animal as a pet.**” Title 10, Chapter 37 of the GCA states “(b) All occupied buildings and the property upon which the building is located shall be kept free from foodstuffs, garbage, forage and other material which may serve as food or as harborage for rodents.” Therefore, we kindly ask that you do not leave food outside in the common areas or attempt to feed the stray animals. We are confident the stray animals do not come around because they “feel the love” but rather because they want some food. If they lose their food source they will instinctively go elsewhere. Your cooperation and understanding in this regard is greatly appreciated.

- D) Reporting Incidents and Damages – During his tenure as Resident Manager, Charlie Reynolds designed an “Incident and Damages” reporting form, which is still being utilized. The Incident and Damage form must be completed and returned to current Resident Manager (Gary Webber) any time you are requesting/reporting maintenance or repair of anything element rationally related to the “common area”. These forms assist the board in addressing your particular situation, keeping track of contractors assigned for repairs, confirming appropriate corrective actions are taken, and establishing a documented history of the various incidents, damages and maintenance request related to the common area. We are in the process of making some minor design changes to the form but again, all residents reporting water

leaks, electrical problems, incidents, etc., must fill out the form accordingly otherwise your maintenance/repair requests might not be addressed.

E) Roof Access – The rooftops of the buildings are considered “Restricted Areas” due to the potential hazard of someone accidentally falling over the edge. The board is aware that from time to time residents have hired air conditioner technicians to service and/or replace air conditioning components. Resident Manager, Gary Webber must be provided prior notification if you have contractors scheduled to do any work on the roofs of the buildings. Additionally please remind your contractors that they are responsible for removing any and all parts related to the work they are performing on the rooftop. There have been instances where old A/C compressors and other miscellaneous parts and materials have been simply abandoned on the rooftops. These items serve as hazardous projectiles during typhoons and storms with high winds. Again, please ensure your contractors are reminded that they are responsible for removing their work related materials and any parts they replace while working on the rooftop.

F) Construction and Renovations – While residents may undertake renovations/remodeling to improve the interior of their units this work may not be done to the detriment or discomfort of other residents or the common area. The board has established the following policies with regard to renovation work being performed:

1. **Building Alterations** - No alterations may be made to the common elements without prior written consent from the board. Please refer to the Declaration of Horizontal Property Regime for description of common elements and limited common elements. A general rule of thumb as it relates to renovations is; you may not punch holes through any load-bearing wall, ceiling or floors. No drilling holes in the exterior walls for split A/C piping, dryer vents etc. No installing or connecting washing machine drainage lines in to any kitchen plumbing lines because these lines are too small to accommodate the high flow of water from a washing machine. Please note if you attempt the aforementioned and cause subsequent flooding, plumbing or electrical problem you will be liable for any and all damage associated with your unauthorized connection or installation. Furthermore written requests to alter any common element for renovation or remodeling work must be submitted to the board no less than one week in advance and must be accompanied by architectural drawings detailing the renovation work being proposed.
2. **Working Hours** - Renovation/Remodeling may only be performed during regular working hours 8:00 A.M. to 5:00 P.M., Monday through Saturday. No Sunday work please.
3. **Material Disposal** - Residents and contractors may not dispose construction or related materials inside the Associations' trash containers/dumpsters. The trash containers provided by the Association are specifically for household trash (please remember to separate corrugated cardboard for recycling). You are responsible for ensuring your contractor disposes construction materials off the site.

4. Elevator Use – The elevator is for passenger use only and may not be stopped, blocked or held by contractors attempting to transport their equipment and supplies.
- G) Planting in The Common Area – The board has recently addressed issues wherein residents have taken it upon themselves to dig up the common area grounds to add and remove soil for installing personal plants. Again, alteration of the common area is not allowed without first receiving the written consent of the board. Please note fruit bearing trees may not be planted in the common area grounds. If you want to grow boonie peppers, egg plant, ginger, papaya or other local fruit plants please use pots which can be kept in the limited common area of your units' lanai.
- H) Ypao Garden Condominium Official Website – We are pleased to announce the successful launch of the Ypao Garden Condominium Homeowner's Association website. The Associations' website address is www.ypaogarden.com. The website is comprehensive and very well organized with copies of everything from Bylaws, Declaration of Horizontal Property Regime, House Rules, to description of the property, some history of the Homeowners Association, contact information, maintenance/incident report forms, pool reservation forms (which can be filled out and submitted online) and much, much more. We encourage everyone to check out the website. There is even a section to leave comments and suggestions and a wonderful link to Century 21 REMCO's own webpage too! Please feel free to extend a special thanks to board member Rhaj Sharma for his expertise in designing and developing the Ypao Garden Condominium webpage. If you like the webpage and are interested in having something like this done for yourself or your business please feel free to contact Mr. Sharma at GuamWEBZ (483-9329 or 483-4826).

We thank you for taking the time to read this rather lengthy letter and for complying with the sections that pertain to you, your tenants and/or activities within your unit. Feel free to contact onsite Resident Manager, Gary Webber or our office if you have any questions or wish to discuss the contents of this letter in more detail.

Sincerely,

Rodney Courtney
Property Manager

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