

**SADDLEBROOKE VILLAS ASSOCIATION
NOS. 35/35A, INC.
RULES AND REGULATIONS Re: PEST CONTROL**

A. INTRODUCTION

1. Authority of SBVA. The Villas' Tract Declaration (the "Declaration") does not specifically apportion responsibility for pest control within the Villas Property. However, the Declaration establishes that the SaddleBrooke Villas Association Nos. 35, 35A, Inc. (SBVA) is responsible to maintain and repair the exterior surfaces of the residential units and specified landscaping on the Villas Lots [see Section 2(a) of the Declaration]. SBVA also is authorized to expend Villas Assessments for the common good and benefit of its members [see Section 5(b) of the Declaration]. The rural location of the Villas Property and the desert climate exposes the Villas Lots to infiltration by various pests. The Villas Board has determined that it benefits the Owners of Villas Lots for SBVA to procure certain pest control services as a Villas Expense and as a convenience to the Lot Owners.

These rules and regulations may be modified from time to time by the SBVA Board of Directors. SBVA may engage a property management company and/or a service provider to manage and implement pest control and related services it provides [see Section 3(g) of the Declaration].

2. Purpose of these Rules and Regulations. The purpose of these rules and regulations is to clarify the responsibility for prevention, treatment and repair of damage resulting from pest infiltration. These rules and regulations were duly approved by the SBVA Board of Directors at a meeting on the 24 day of April, 2024, and replaces and supersedes all previous rules and regulations or Board Resolutions pertaining to pest control in the Villas Property.
3. Scope of "Pest Control". For purposes of this document, "Pest Control" is limited to control and remediation of infiltration or damage by termites, bees (wasps, hornets), and pack rats. "Pest Control" includes a remedial treatment program for reported incidents of these specified pests. SBVA may, at its discretion, also provide preventive treatments/actions without assuming any additional responsibility or liability because of these treatments/actions. Treatment for any other pests not listed is not covered by SBVA. Examples without limitation of excluded pests: squirrels, scorpions, bats, bed bugs and other inside bugs, snakes. SBVA may at its discretion treat for excluded pests on a case-by-case basis without establishing a precedent to make future treatments.

SBVA is not responsible for any structural, esthetic, or any subsequent/consequential damages caused by pests, with the exception of maintenance and repair of exterior building surfaces for which SBVA has responsibility [see Section 3(g) of the Declaration].

4. Reporting Pest Issues. SBVA will publish from time to time instructions on how to report pest issues.
5. Lot Owners' Responsibilities.
 - a. If an Owner does not follow the procedures in these rules and regulations, he/she/they may be responsible for any costs related to pest treatment.

- b. The Owner is responsible for any expenses related to loss of use that might occur as the result of pest infestation/treatment.
- c. Owners must allow access to Villas Lots to any contractor hired by SBVA for pest control services [see Section 11 of the Declaration], including the moving of any obstruction interfering with treatment. This right of access does not include the interior of a residential unit. If an Owner refuses exterior access, the contractor will stop treatment of the Lot and will notify SBVA. SBVA will issue written notices of the refusal of access and curtailment of pest control services to the Owner, with a copy of the notice being retained in the SBVA lot file, which may be disclosed to any prospective buyer.
- d. Access to the roof of a residential unit by a non SBVA contractor is not permitted without prior written approval of SBVA Paint & Exterior Committee. If an Owner permits such access without prior written approval, the Owner will be responsible for SBVA's cost for a roof inspection and any needed repair by a SBVA contractor. No modifications to a roof may be made without SBVA approval and approval by the roof mate, if the change impacts the roof mate's side of a roof.
- e. If an Owner hires a contractor or service provider to maintain, repair or replace structural improvements on his/her/their Villas Lot, the Owner is responsible to inform the contractor or service provider of SBVA rules regarding permits or required prior written approval of physical changes or modifications to a Villas Lot. The Owner is responsible for the cost of repair, removal, or replacement of any unauthorized physical changes or modifications his/her/their contractor performs without required SBVA approval.
- f. Any damage to any portion of the residential unit structure by an Owner's contractor or service provider, for which the SBVA has responsibility, will be fixed by a SBVA contractor at the Owner's expense. Examples are roofs or the exterior surface of the residential unit. Any action taken on the inside of a residential unit requiring repair or replacement is the Owner's responsibility.

B. INSECT CONTROL

- 1. EXTERIOR SPRAYING. Spraying of the exterior of the slab of a residential unit for insect control will be provided by SBVA. This is not a treatment for termites. This is a preventative treatment for a wide variety of crawling insects.
 - a. Bi-monthly spraying. Schedule is published in the Villas Voice and available on the Villas website (sbvillas2.com).
 - b. Contractor will spray inside of garage if requested by an Owner at the time the exterior spraying is provided and if Owner is present.
 - c. Contractor will spray the interior of a residential unit at the time exterior spraying is being done if the Owner requests the technician to do so. Owner must be present. Any spraying requested by the Owner (including the garage and residential unit) is at the Owner's sole expense with payment made directly to the contractor.
 - d. Contractor will look for exterior termite tubes at time of exterior spraying and will schedule further inspection, if necessary, and a treatment time if tubes are discovered.
- 2. BEES - TREATMENT AND REMOVAL. SBVA contractor will treat by a method it determines appropriate.
 - a. SBVA will fill gaps in flashing, roof or stucco where bees have entered. SBVA will fill holes made by its contractor on the exterior of a residential unit.
 - b. Clean up and removal of honeycomb/hive, and repair of damage from accumulated honey or other residue is the Owner's responsibility and expense.

- c. Access to honeycomb/hive located inside the residential unit structure should be done through internal access where recommended. Owner is responsible for scheduling and related costs. Access for removal through the roof needs prior written approval by the Painting & Exterior Committee. Owner is responsible for scheduling and costs.

C. PACK RAT CONTROL

1. EXTERIOR. SBVA contractor may place traps/bait in various locations throughout the Villas Property based on reports of presence near buildings. The number and locations of traps is variable from time to time at the discretion of the SBVA Board.
2. INTERIOR
 - a. Inspection for intrusion points and presence of rats will be done by SBVA contractor. This contractor may need to inspect the roof and have access to the interior of the residential unit, including the attic.
 - b. Traps will be placed outside of the residential unit as well as inside of garage, attic, etc. as recommended by SBVA contractor.
 - c. If contractor recommends boring holes for a scope inspection, or removing sections of a wall, the Owner will be asked to sign a permission waiver before contractor will proceed.
 - d. Removing pack rats can be an extended process. Owner may need to provide ongoing access to the residential unit for the contractor.
 - e. Once contractor believes the pack rats are removed, SBVA will patch/repair the intrusion point and holes bored or cut into a wall. The patching does not include any painting or other restoration of interior wall coverings.
 - f. Owners may contract with their own contractor or service provider in which case the Owner is responsible for all costs including any restoration costs. The Owner further assumes any responsibility for damage to the interior or exterior of the residential unit. The SBVA pest contractor will cease treatment at this time.

NOTE: Cleanup of feces, chewing damage to wood or wiring, removal of insulation, and other damage repair is the responsibility and expense of the Owner.

D. TERMITES

1. ANNUAL INSPECTION. The SBVA contractor, accompanied by SBVA resident volunteers, will perform an annual inspection of the interiors and exteriors of the residential units at SBVA's expense. This is a critical inspection and all Owners are asked to participate. The annual inspection is generally early in the year. Owners will be notified of the inspection schedule by email or other means deemed appropriate by SBVA..
 - a. If termites are found during the annual inspection, follow-up treatment will be scheduled.
 - b. The bi-monthly insect spraying technician will look for exterior termite tubes and request service if tubes are detected.
2. OWNER RESPONSIBILITY. Termites can develop termite tubes on the exterior of a residential unit slab overnight. Owners are asked to inspect their foundations for signs of termite tubes on a regular basis. If a home watcher is watching a vacant residential unit, that person should also be asked to inspect for tubes.
 - a. The Owner should also be looking for the presence of termites inside their residential unit.
 - b. If the presence of termites is discovered, the Owners or house watcher should submit a Service Request to the Property Manager. Contact/instruction information can be found on the SBVA website (sbvillas2.com).

3. TERMITE TREATMENT

- a. Exterior treatment will be based on the SBVA contractor's recommendation. Contractor will use treatment based on State of Arizona requirements..
- b. Exterior treatment may require the drilling of holes in walkways, entranceways, patios, or driveways. SBVA is not responsible for repair of any surface coatings. If bricks or other coverings require removal to provide treatment, the Owner is responsible for removal and replacement of said surfaces or coverings.
- c. Interior treatment will be based on the SBVA contractor's recommendation. Generally small holes may need to be bored into a wall/ceiling and a foam solution injected. This may require multiple holes. The contractor will fill the holes with a wallboard patch. The Owner is responsible for painting or restoring the wall finish.
- d. The treatment may include removal of floor, door, or other molding or framing. Owner is responsible for replacement.
- e. Owners may contract for additional termite preventative treatment at their own expense. If treatment includes any modification to a building exterior, including the drilling of holes, the Owner must notify the Paint & Exterior Committee. A SBVA contractor will inspect/repair any modification at the Owner's expense.

4. PATIO COVERING / EXTENSION TREATMENT

- a. SBVA will have its contractor provide the initial treatment of a patio if an extension is being added. A SaddleBrooke HOA2 ALC permit and a SBVA Exterior Maintenance Waiver form are required before work may begin. Owner needs to coordinate timing with its patio contractor and the SBVA termite contractor. Adequate timing is required for SBVA contractor to schedule treatment.
- b. If Owner does not adhere to the relevant SBVA process, the Owner is responsible for the cost.
- c. If Owners choose to replace or repair their patio extension, they are responsible for providing termite treatment. A SaddleBrooke HOA2 ALC permit and a SBVA Exterior Maintenance Waiver form are required before work may begin.
- d. If the original patio is being covered by bricks, or other similar surface, treatment of the existing slab will be done based on the SBVA contractor's recommendation. Holes may be drilled along the wall areas and solution will be injected, or injection may be attempted at the seam between the patio and house slab if a seam exists, or exterior edge may be soak treated.
- e. If future termite treatment is required, the Owner will be responsible for any removal and replacement of any surface covering the original patio slab or the extension. SBVA is not responsible to restore any type of patio surface covering.

NOTE: Not all patio extensions have been treated

E. OWNER PAYMENTS. If an Owner fails to pay costs he/she/they owe to the SBVA pest control contractor, SBVA may pay the contractor and bill the Owner for the monies owed and any applicable late fees, interest, or other related costs. SBVA may avail itself of any remedies available under Arizona law to collect unpaid costs, including cessation of pest control services.