

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

AFFIDAVIT TO RECORD

IN RE: Beachside Tennis Villas Horizontal Property Regime

The attached documents are being recorded to comply with the South Carolina Homeowners Association Act, Title 27, Chapter 30, Section 110, et. seq., South Carolina Code of Laws (1976), as amended.

1. Beachside Tennis Villas Rules and Regulations for the Renovation of Individual Units (February 2, 2023)

Beachside Tennis Villas Horizontal Property Regime

By: 

JOHN R HUMPHREYS
(Printed name)

Its: *Secretary*

SWORN TO BEFORE ME

On this 22 Day of March, 2023.

Kathleen Smith

Notary Public for South Carolina

My Commission Expires:

KATHLEEN SMITH

Notary Public, State of South Carolina

My Commission Expires 10/20/2027

BEACHSIDE TENNIS VILLAS RULES AND REGULATIONS FOR THE RENOVATION OF INDIVIDUAL UNITS

Adopted December 2018

Revised June 17, 2020

Revised June 16, 2021

Revised February 2, 2023

The Beachside Tennis Villas (hereinafter "BTV") Master Deed stipulates that all structural modifications or any interior alterations to a BTV unit require prior written approval of the BTV Board of Directors. This requirement does not apply to routine maintenance or repairs such as appliance repair. It does, however, apply to any modifications that affect any utility, appliance, floor, wall or ceiling. In general, all unit modification work must:

- comply with the provisions set forth in the Master Deed, Bylaws, and Rules of Beachside Tennis Villas; the Covenants and Rules of Sea Pines; and local building codes.
- be limited to the confines of the unit involved and cannot extend to common property or limited common property.
- be undertaken in a manner that is safe, does not compromise the integrity of the building, or adversely affect the enjoyment of other owners.
- the Association Master Deed and Association Bylaws prohibit any modifications or changes that alter the original design of any exterior door, window, vent, flue, deck or balcony. New penetrations of any exterior wall are also prohibited.

A. SCOPE

Plans for any project which involves any renovation, demolition and/or construction within individual units must be submitted to, and approved by, the BTV Board of Directors.

Owners must submit plans and obtain a BTV Renovation Permit for projects which involve:

- Any change in the materials used on the flooring of the unit
- The altering of interior walls or doors
- Major remodeling of kitchens or baths
- Any relocation of heating/AC units or water heaters, and
- Any work which involves in any way the electrical, plumbing and/or structural elements of the unit

Unit owners must obtain a Unit Renovations Permit from the Board of Directors **prior to** undertaking such projects. Projects which require a Town of Hilton Head Building Permit or which involve electrical or plumbing work shall be performed only by a licensed South Carolina general contractor or a licensed South Carolina specialty contractor with commercial classification.

Nothing in these Rules and Regulations shall cause the Beachside Tennis Villas HPR to be liable for any damages caused by any project permitted by the Board of Directors.

Why we need these rules and regulations:

- To provide oversight to work being done on units of non-resident owners
- To protect the common interests of all owners

- ✓ To assume the proper installation sound proofing material when tile is installed onto the concrete floors, causing noise to neighboring units
- ✓ To control work done in a unit which may impact the common property
- To provide for fair and adequate compensation for damages to the common property resulting from the impact of construction or renovation activities, examples of which could include:
 - ✓ Paint, plaster, grouting or other construction materials being washed onto the turf or plantings
 - ✓ Dirt and damage to the elevators and stairwell doors
 - ✓ Damage to landscaping, parking areas, or access venues
- To control the working hours and conduct of workers to minimize disturbing residents and guests
- To control the disposal of construction waste

What you must do before beginning such a project:

1. Read the enclosed rules and regulations in their entirety.
2. For all projects which require a Town Permit and all projects costing \$1,000 or more, an escrow deposit equal to 10% of the project cost which shall not be less than \$2,500 and not more than \$5,000, which must be submitted with the application. The deposit will be returned to you, less any administrative fees incurred, at the conclusion of the project.
3. Complete the Application for Unit Renovation Permit (Exhibit 1, attached) and submit it to the regime manager (name and address is on the bottom of the form) along with a \$750 check to cover the cost of inspections of the work plus your escrow deposit, if required.
4. When your project is approved, you will receive a Permit Agreement (Exhibit 2) which you and your builder must sign, and return it to the regime manager.
5. You will then be given the BTV UNIT RENOVATIONS PERMIT (Exhibit 3) which must be posted OUTSIDE your unit at all times during the project.
6. Give your contractor a copy of the Rules and Regulations and call his/her attention to Section G (CONSTRUCTION SITE REGULATIONS) and the Summary of construction site rules, below. Be sure he/she is aware of the fines and penalties for violations of these rules. Also, be sure he/she is aware of the periods during which construction work is permitted.
7. Should it become necessary to make any changes in the plans during the project, a Project Change Request (Exhibit 4) must be filled out and submitted to the regime manager for approval.
8. Notify the regime manager when the project is complete.

Summary of general construction site rules and regulations:

- The Regime may charge a variety of administrative fees to the unit owner's account for violations of the rules, including the start of any project without a valid permit, working outside the allowed times, unapproved plan changes found, and a variety of work violations such as the failure to properly dispose of waste material, using regime dumpsters and improper behavior by construction workers.

- Contractor work is limited to 8:00AM to 5:00PM Monday through Saturday. Work may not be performed from the Friday before Memorial Day through Labor Day, on South Carolina Holidays, nor the Heritage Golf Week without special approval by the board.
- Workers must pay special attention to the rules concerning the use of the elevators and stairwells and vehicle parking locations.
- Any construction procedure that will generate excessive or extended noise or may cause inconvenience to neighboring units requires approval by the board. The application must include a definition of the procedure, why it is required, as well as the specific times and durations expected for the procedure. The board may elect to restrict the procedure or to limit the times that such procedures are allowed. The owner or contractor will be required to give the Regime Management Company notice of the planned procedure at least three (3) business days prior to said procedure so that neighbors can be notified.
- Renovation projects that require modifications to the telephone riser conduit (which provides telephone service to other units and is considered common property) must provide for a continuous conduit and un-spliced cables supplying units above. "Guidelines for Modifications to Telephone Risers" must be obtained from the Regime Property Manager
- Any replacement exterior door or window must be of the same size, design, and color as the original door or window
- No Construction material or other items can be lifted or otherwise transported up the outside of the buildings without the approval of the Board of Directors
- A Dumpster Permit must be obtained from the Management Company when dumpsters are used and displayed on the dumpsters. The Management Company will approve the size, type, and location of dumpsters and the length of time they can be on site.
- A City Building Permit must be obtained by the Owner or the Owner's Representative, when required, and displayed at the work site.
- A copy of Beachside Tennis Villas – Contractor Rules must be obtained from the Management Company and displayed at the work site.
- Owners are responsible for employing contractors who have the appropriate licenses and insurance for the work involved.

B. APPLICATION FOR BTV UNIT RENOVATIONS PERMIT

The BTV Application for Unit Renovations Permit (Exhibit 1) must be completed and submitted, together with complete plans and/or description of the project, including a waste disposal plan, if appropriate, to the Regime Manager, along with a \$750 check to cover the cost of inspections of the work plus your escrow deposit, if required. Depending upon the scope of the proposed project, the Board may require additional, detailed plans and/or information.

All work must be performed by person with valid liability insurance and a copy of their insurance certificate must be provided to the Regime Manager.

If the application is not approved, a letter citing the reasons for disapproval shall be sent to the applicant by the Board. The applicant may resubmit revised plans which are in compliance with the Board's letter.

C. PERMIT

Upon satisfactory review of the Application for Unit Renovations Permit, together with the complete project plans including a waste disposal plan, if appropriate, submitted by the Contractor, and/or other

required forms and related correspondence, the Regime Manager will prepare a Unit Renovations Permit Agreement (Exhibit 2) containing the conditions of approval. Upon execution of this Agreement by the Board, the Owner, the Contractor, and the Regime Manager, the Board will issue a BTV Unit Renovations Permit (Exhibit 3). The BTV Unit Renovations Permit is the authority to proceed with the project and it must be prominently posted outside your unit, on or next to the entrance door, along with the Town of Hilton Head Island Building Permit, if appropriate, during the entire period of the project. If the Board does not respond to an Application for Unit Renovations Permit within fifteen (15) days of the Board's receipt of such Application, that Application will be deemed to have been approved by the Board.

A complete set of the plans and/or project description, the Application for Unit Renovations Permit, any other required forms and related correspondence, including but not limited to a copy of the contractor's liability insurance certificate, as approved by the Board, will be retained in the Regime Manager's files. These documents are the basis for subsequent on-site, work-in-progress and final inspections by the Board or its representative.

It is the policy of the Board to cause the inspection of each renovation regularly to determine construction progress and compliance with these BTV Rules and Regulations for the Renovation of Individual Units. Also, a copy of each Town of Hilton Head inspection report, if appropriate, must be submitted promptly to the Regime Manager.

If any changes to the approved plans and specifications are desired during construction, documentation of such changes must be submitted to the Board for approval on the Change Request Form (Exhibit 4). No work on a change is allowed until the Board approves the request in writing, amends the BTV Unit Renovations Permit, and the amended permit is posted on the construction site.

D. ESCROW DEPOSIT

For all projects which require a Town Permit and all projects whose estimated cost exceeds \$1,000, an escrow deposit equal to 10% of the estimated cost which shall not be less than \$2,500 and not more than \$5,000, which must be submitted with your application for permit.

During the project, the Board, for valid reason so stipulated, may require deposit of an additional amount in escrow and the failure to pay such additional deposit as demanded within five (5) days shall result in all work being stopped until the additional deposit is made.

The Escrow Deposit will be held by the Regime Manager. The escrow deposit is to assure that the project is completed in accordance with the approved plans and specifications; that the job site is maintained in accordance with these Rules and Regulations; and that any damage to common or limited common property by the contractor is repaired. The deposit will be returned to the applicant upon satisfactory completion of all work, less any Administrative Fees.

E. ADMINISTRATIVE FEES

The Board of Directors shall deduct the following penalties as administrative fees from the Escrow Deposit upon violation of the indicated requirements:

- A. Start of any construction without a valid BTV Unit Renovations Permit or without a required Town of Hilton Head Building Permit up to \$1,000 for each offence. This violation may result in

the expulsion of the offending contractor from any construction work within the regime and/or suspension of construction.

- B. The following violations carry a penalty of up to \$1,000 per incident per day and/or suspension of construction until the appropriate corrective action is taken:
1. Plan change not requested and approved but found during construction
 2. Failure to dispose of waste material according to the approved waste disposal plan.
 3. Putting construction material, including carpeting, in the regime dumpsters.
 4. Paint, plaster, grouting or other construction materials being washed onto the turf or plantings
 5. Failure to maintain a legible BTV Unit Renovations Permit on or next to the entrance door to the unit
 6. Improper behavior by construction workers.
 7. Animals or pets brought on-site by construction workers.
 8. Creating a nuisance such as loud radios or loud profane language.
 9. Failure to remove all dirt, trash, litter or debris from the decks, halls, elevators, stair wells and lobbies of the building, and in the parking areas, leaving them clean at the end of each day.
 10. Creating a fire.
 11. Material violations of any other rules or regulations contained in this document.

Retention by the Board of such administrative charges from the Escrow Deposit shall not in any way relieve the owner and/or building contractor of further liability for damages resulting from non-compliance.

F. CONSTRUCTION SITE REGULATIONS

The contractor, subcontractors, and all personnel and equipment must remain on the job site at all times while within the regime buildings.

Access to Common Elements:

The contractor may use the Common Elements for access, including the elevators, with the following restrictions:

- Elevators must not be held on a floor to unload material while moving it into a unit-take small loads each trip and release elevators immediately;
- Stairwell doors must not be left propped open – take care not to spring hinges;
- The outdoor water taps are not to be used to clean paint cans or brushes or other tools or containers used in painting, plastering, or similar work;
- BTV dumpsters may not be used for disposal of construction debris;
- Other restrictions which may be required by the BTV Regime Manager.
- Location of dumpsters on site will be determined by the Regime Manager

Housekeeping:

- Contractors **MUST** clean daily all common areas, including elevators, corridors, parking lot, grounds, etc. which they use.
- Contractors must provide their own refuse disposal equipment, and may not dispose of refuse in trash chutes, trash rooms, or Beachside Tennis trash containers. Nothing is to be thrown off the corridors or balconies.
- Contractors must obtain a permit for placing approved dumpsters on the property from the Regime Management Company and attach the permit to the dumpster. No port-a-johns are permitted.

Work Rules:

- Contractors may not use balconies, hallways, or other common property as work or storage areas without written approval by the Regime Management Company. Any rigging from the building must be approved by the Regime Management Company.
- Contractors may not interrupt services to other units or otherwise inhibit the use of other units without written approval by the Regime Management Company.
- Contractors must promptly notify the Regime Management Company of any damage to common property and promptly make corrections when possible. This includes paint spills.
- Contractors may not cut into the floors or load bearing elements of the building.
- Contractors may not cut into fire rated ceilings or make changes to elements installed in fire rated ceilings without written approval by the Regime Management Company.
- Contractors may not disconnect or otherwise modify any utility element that is common property without written approval by the Regime Management Company. This includes electrical, plumbing, cable, or telephone feeds installed inside the walls that provide service to other units.
- Renovation projects that require modifications to the telephone riser conduit (which provides telephone service to other units and is considered common property) must provide for a continuous conduit and un-spliced cables supplying units above. "Guidelines for Modifications to Telephone Risers" must be obtained from the Regime Property Manager.
- Contractors must park vehicles and trailers at the rear of the lot and remove them at the end of each day.

Any damage to Common Property caused by contractor or subcontractor personnel or equipment must be repaired and restored to its original condition at no expense to the regime. The owner will be responsible for all such damage whether or not the owner is indemnified by the contractor.

G. INTERIM AND FINAL INSPECTIONS

During the course of construction, the Board (or its representatives) will inspect the site to determine construction progress and compliance with BTV rules and regulations for the renovation of individual units and to ensure that construction site requirements are met.

When the applicant has completed the project in accordance with the Unit Renovations Permit, the applicant shall submit a letter to the Board signed by the owner and the builder, certifying that all permitted work has been completed in accordance with the plans and specification, and any amendments thereto, as approved by the Board. A copy of the Town of Hilton Head Island final inspection report, if appropriate, must also be submitted to the Board.

If the Board finds that the permitted work was not in compliance with these BTV Rules and Regulations for the Renovation of Individual Units, or if the project has caused damage to the common areas of the buildings, the Board will issue a letter to the applicant stating the reasons for non-compliance and/or corrective actions which must be repaired. The applicant must correct the deficiencies and resubmit a letter certifying completion.

After the Board concurs that all permitted work has been completed in accord with approved plans and specification, and any damage caused by the project to the common areas has been repaired and restored to its original condition, the Escrow Deposit, less any administrative fees assessed and less any

costs required by the regime to repair damaged caused by the project to the common areas which are not corrected by the owner or contractor, shall be returned to the applicant.

EXHIBIT 1

**BEACHSIDE TENNIS VILLAS
APPLICATION FOR UNIT RENOVATIONS PERMIT**

DATE: _____ PROPERTY IDENTIFICATION - UNIT # _____

OWNER INFO:

Name: _____ Phone: _____

Address: _____

Email: _____

ARCHITECT/DESIGNER INFO:

Name: _____ Phone: _____

Address: _____

BUILDER/CONTRACTOR INFO:

Name: _____ Phone: _____

Address: _____

1. APPLICATION IS FOR: [Check all that apply and describe briefly]

Changes to flooring: _____

Change to wall coverings: _____

Interior painting/wallpapering: _____

Plumbing and/or electrical work: _____

Work requiring a Town Permit*: _____

*A complete description of the work to be undertaken must be attached, including and drawings or blueprints of the planned renovations and a waste disposal plan by the contractor.

Town Permit # _____ (If appropriate) Town Permit Fee \$ _____

Estimated cost of project \$ _____ Escrow Deposit enclosed \$ _____

In submitting this request, the undersigned acknowledge that they have read the Rules and Regulations for Renovations of Individual Units of BTV and are aware that:

- Contractor work is limited to 8:00AM to 5:00PM Monday through Saturday. Work may not be performed from the Friday before Memorial Day through Labor Day, on South Carolina Holidays, nor the Heritage Golf Week without special approval by the board.

Owner's Signature

Date

Builder

Date

SUBMIT THIS APPLICATION WITH ALL REQUIRED ATTACHMENTS TO:

Beachside Tennis Villas Regime Manager
2 Corpus Christi Ste. 302
Hilton Head Island, SC 29928

EXHIBIT 2

**BEACHSIDE TENNIS VILLAS
UNIT RENOVATIONS PERMIT AGREEMENT**

DATE: _____

UNIT #: _____

OWNER: _____

BUILDER: _____

- i. Permission is granted for construction in accordance with your plans and specifications, as approved by the Board of Directors of Beachside Tennis Villas on _____.
- ii. The owner and owner's builder certify that they have received and read the current Beachside Tennis Villas Rules and Procedures for the Renovation of Individual Units and accept and shall abide by all its procedures, requirements, and regulations.
- iii. The Board of Directors of Beachside Tennis Villas hereby acknowledge receipt of an escrow deposit in the amount of \$ _____.
- iv. The following special conditions are granted/imposed:

_____.
- v. Work will begin on or about _____ and completed on or about _____.

NOTE:

Contractor work is limited to 8:00AM to 5:00PM Monday through Saturday. Work may not be performed from the Friday before Memorial Day through Labor Day, on South Carolina Holidays, nor the Heritage Golf Week without special approval by the board.

Owner's Signature

Date

Builder/Contractor

Date

Regime Manager

Date

Board of Directors

Date

EXHIBIT 3

**BEACHSIDE TENNIS VILLAS
UNIT RENOVATIONS PERMIT**

Owner: _____

Beachside Tennis Villas Unit #: _____

Builder/General Contractor: _____

- DEMOLITION/REMOVAL PERMIT #: _____

Board of Directors

Date

- CONSTRUCTION PERMIT #: _____

Board of Directors

Date

APPROVED PLAN CHANGES

No. ____ Approved _____
Board of Directors

Date

No. ____ Approved _____
Board of Directors

Date

No. ____ Approved _____
Board of Directors

Date

No. ____ Approved _____
Board of Directors

Date

No. ____ Approved _____
Board of Directors

Date

No. ____ Approved _____
Board of Directors

Date

**THIS PERMIT MUST BE POSTED ON OR NEXT TO THE FRONT ENTRANCE OF THE
UNIT AT ALL TIMES DURING THE RENOVATION PERIOD**

