

GOLDMINE HILL HOMEOWNERS ASSOCIATION

*c/o Chandler Properties
2799 California Street
San Francisco, CA 94115
Ph. - (415) 921-5733 Fax - (415) 921-0841*

NOISE POLICY

This new policy supercedes all previous noise policies as defined in the Rules and Regulations. Residents shall not make or permit any disturbing noises in their condominium or elsewhere on the premises, including balconies and patios. Radio, television, alarm clocks, stereo or musical instruments shall not be played so as to disturb neighbors between the hours of 10:00 PM and 8:00 AM. Residents shall not operate vacuum cleaners, dishwashers or other noise producing appliances between 11:00 PM and 7:00 AM.

All homeowners, tenants, and guests will be required to sign a statement verifying that they have received a copy of this policy.

NOISE COMPLAINT POLICY

Many noise problems can be easily solved by a friendly talk with your neighbor, but occasionally a problem is so severe that additional measures are necessary. The following procedure is designed to offer residents experiencing noise problems with their neighbor(s) a swift and easy solution to the problem, while also providing the resident(s) accused of violating the GMH Noise Policy a forum to respond and/or refute the accusation. The fine schedule for noise complaints is separate from any other fine schedule.

Any resident with a noise complaint should:

1. Notify the resident in violation of the Noise Policy immediately, either in person, or in writing. Gold Mine Hill Security may also be called, if the resident does not feel comfortable confronting their neighbor.
2. The following day, the resident initiating the complaint should notify Chandler Properties, either by letter or email, and list the date, time and description of the noise violation, as well as what action was taken. The resident in violation of the Noise Policy must be contacted and made aware of the problem before Chandler Properties is informed.
3. Chandler Properties will respond to the resident's complaint by forwarding a copy of the GMH Noise Policy and notifying the resident in violation of the Noise Policy that there is now a written record of the complaint on file. A description of the fee schedule for future violations will be attached to the GMH Noise Policy. If the resident in violation of the Noise Policy is a tenant, the owner of the unit will also be notified. Chandler Properties will send this response within forty-eight hours of receipt of the complaint.

4. If there is a second occurrence, the process outlined in “2” is repeated: the Noise Policy violator is notified, followed by written notification to Chandler Properties.
5. After the second violation, a fine of \$50 will be imposed.
6. After the third violation a fine of \$100 will be imposed
7. After the fourth violation a fine of \$200 will be imposed.
8. If the problem continues to occur, the resident should contact the Board of Directors and the Board will turn the matter over to an attorney.
9. Any residents, who have a formal noise complaint lodged against them and believe they have not violated the GMH Noise Policy, are encouraged to contact either Chandler Properties or the Board of Directors to request a hearing in Executive Session to mediate the dispute.
10. At any time, the affected tenant has the right to call the non-emergency number of the **San Francisco Police Department 553-0123**
11. All fines levied are payable within ten days.

EXHIBIT A (notification of initial complaint)

Should be rewritten to say “**Notice of Alleged Violation of GMH Noise Policy**”

“Please be advised a violation of the Gold Mine Hill Noise Policy has been lodged against you. On _____, at (time), you are alleged to have (description of noise)_____.

The GMH Noise Policy states, “.....” We are requesting you take necessary steps to comply immediately with the GMH Noise Policy. Failure to do so will result in monetary fines (see attached fine schedule)

If you believe the complaint against you is in error, you are invited to dispute this complaint within ten days of this notice, by contacting _____, either in writing (list address) or email (give email address).

Thank you.

EXHIBIT B (notice of 2nd complaint and levy of 1st fine)

Date:
To:
From:

On _____ you were notified in writing of a violation of the GMH Noise Policy. We have received a second complaint and a fine of \$50 is hereby levied against you, payable by _____. A copy of the initial notification is attached.

If you would like to appeal this fine, please contact either Chandler Properties or the GMH BOD. To request a hearing on this issue. If we do not receive a request from you for a hearing within five days of this notice (on _____), we will expect your payment of \$50 no later than _____.

If, after the hearing, the Board determines you are in violation of the GMH Noise Policy, the fine will stand.

EXHIBIT C AND D will be for the 3rd and 4th fines.

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Balcony Policy

There shall be no use or occupancy of any balcony. No one shall stand, sit, cook, barbecue, serve food or beverages, or engage in similar activities on the balcony. Repairs will be charged to the owner.