



In-house rules

Homeowners' association



Simon Carmiggelthof 124 - 252 2492 JN, Den Haag

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Article 1 Purpose

In the split up attached to the purchase contract many issues concerning the use of the apartment building and the individual private allotments have already been addressed.

These in-house rules contain a code of conduct for the owners/residents of residential tower B and the urban dwellings F1 and F2, and have the purpose of ensuring optimal living conditions and to increase the joy of living here for both the owners and the users of the apartments in the building.

Article 2 General affairs

In these in-house rules relevant excerpts from the split up deed will be repeated or complemented with rules which are not mentioned in the split up deed itself.

All stipulations in these in-house rules are subordinate to the articles as mentioned in the split up deed, attached to the purchase contract. These being:

- A. The Model Rules (main deed), in rights to apartment, dated January 17 2006
- B. The Model Rules used in splitting deeds of rights to apartment, dated May 16 2006
- C. The Special Rules, drawn up by notary C.M.S. Derks Star Bussman, dated January 11 2007 and confirmed in the splitting deed of the rights of apartment.

For these in-house rules, the following terms will be further defined:

- *Homeowners' association (HOA)*
The owners of the apartments situated in/at 't Hoge Veen, Simon Carmiggelthof, 2492 JN in The Hague, residential tower B and urban dwellings F1 and F2,
- *The Board*
The natural or legal person(s) which has/have been tasked by the homeowners' association with governing the association, in accordance with articles 53 and 54.
- *The Administrator*
The legal person appointed by the 'homeowner's association' to manage the affairs of the HOA with respects to:
 - A. Financial and administrative management,
 - B. Administrative support for the board
 - C. Technical support

When these in-house rules refer to articles, the references are to the relevant article in the split up deed

1. If and when a stipulation in these in-house rules contradicts the split up deed or the law, this will lead to (only) the nullification of said stipulation
2. In all cases in which neither the split up deed nor the in-house rules provide a resolution, the general members' meeting will decide
3. The general members' meeting is the highest authority within the HOA
4. Owners and users should behave towards one another in accordance with the principles of reasonable and fair conduct
5. Every resident has a shared responsibility for keeping the public spaces in the building in good order. The public spaces also include the lifts/elevators, the common terrace and the attached parking garage
6. Each person who, regardless of cause, causes damage or pollution to the public spaces, or who is a witness of pollution or damage being caused, is to report the incident to the Board or the Administrator

7. The costs of repair may be charged to the person/owner/resident/tenant causing the pollution or damage

Article 3 The homeowners' association

1. The homeowners' association is a legal person
2. Every owner of an apartment is a member of the homeowners' association by law
3. The homeowners' association manages and takes care of the maintenance of public spaces, including the common terrace, and all public affairs
4. Within the limits of its jurisdiction the HOA is allowed to represent the owners as a group in and out of court
5. When a member stops being an owner of an apartment, his/her membership in the HOA is terminated by law
6. All owners of apartments have access to the general members' meeting

Article 4 The general members' meeting

1. A meeting is conducted in accordance with a predetermined agenda sent to the members
2. The chairman of the Board is allowed to change the order of the agenda items being discussed
3. The owners of an apartment are eligible to vote
4. Those who enjoy right of use are also eligible to vote (article 47)
5. Persons in service of the HOA, or those working for the HOA, are not allowed to participate in the meeting as a representative of owners. They are not eligible to vote
6. All decisions in a general members' meeting will be taken by the members with an absolute majority of votes cast (articles 50 and 52)
7. In all cases in which neither the split up deed nor the in-house rules provide a resolution, the general members' meeting will decide
8. The balance sheets and the operating accounts of the HOA require the assent of the general members' meeting

Article 5 The Board

1. The Administrator is appointed for an indefinite period of time and will publish an annual report on the state of affairs of the HOA and the policies undertaken by the HOA (article 53)
2. The Board can be suspended or dismissed by the general members' meeting at all times
3. When a vacancy occurs the Board will inform the members within a month of the vacancy occurring
4. The Board can delegate a task partially or fully to the Administrator
5. The Administrator will advise the Board in accordance with its job description. The Administrator is tasked with managing the day-to-day affairs and is accountable to the Board.
6. To be able to take emergency measures the Board has a mandate to spend an amount up to 2500 (two thousand five hundred) euros without needing the assent of the general members' meeting (articles 53-56)
7. The Board is authorised to uphold these in-house rules, as well as to grant an exemption of these rules in individual cases for certain stipulations of these in-house rules
8. Exemptions need to be confirmed by the next general members' meeting
9. The Board may act as a mediator when dealing with (presumed) nuisance complaints
10. The Board is authorised to act in cases of persistent nuisances and/or the violation of prohibitions and is allowed, as mentioned in article 11, to impose a one-off fine of at most 10 times the monthly membership fee per incident.
11. Complaints need to be reported to the Administrator in writing, with a copy being sent to the Board

12. In cases of an emergency it is possible to use a telephone number supplied by the Administrator
13. The Board will form a technical committee which will advise the Board and the general members' meeting on technical issues and issues of maintenance
14. The Administrator will keep a register of owners and users

Article 6 Insurance

1. The main building is insured through the main homeowners' association. The insurance has all risk coverage for water, storm and fire damage, as well as damage from explosions.
2. Concealed/inherent defects in glass are not insured (article 15)
3. In case of damage as a result of storms there is a deductible of 500 (five hundred) euros
4. Damages up to an amount of 3500 euro can be reported to the insurance company directly.

Article 7 Audit committee

1. An audit committee consisting of at least two members will be appointed each year during a general members' meeting (article 58-2)
2. An elected committee can be re-elected for another consecutive year.
3. The audit committee will report to the general members' meeting on the last financial year and the balance sheet and operating accounts produced

Article 8 The use, management and maintenance of public spaces and public affairs (article 16)

1. Changes to the interior or exterior of the building require the assent of the general members' meeting.
2. All entrances and doors in the central stairwell have to be closed after use.
3. For the sake of uniformity door plates/name tags can be requested from the Administrator
4. **It is forbidden to:**
 - a. Allow entrance to the building to people without ID.
 - b. Enter the building with shopping carts.
 - c. Transport motorised vehicles with the lift/elevator. Bicycles and mobility scooters will be condoned but may not be parked in the public spaces.
 - d. Prevent use of the lift/elevator any longer than necessary
 - e. Block evacuation routes.
 - f. Use emergency exits in any other situation than emergencies.
 - g. Leave behind objects, advertisement or other things, in the public and central spaces.
 - h. Smoke
 - i. Position bicycles, motorcycles or other objects in the public spaces.
 - j. Set up permanent planter/flowerpots, chairs, etc.
 - k. Hang objects on walls or ceilings.
 - l. Apply door plates/name tags, banners, planters/flower pots
 - m. Apply parabolic/dish antennae
 - n. Apply protruding objects, air conditioning units and cooling installations.
 - o. Hang the laundry to dry on the exterior of the building.
 - p. Feed birds from the balcony.
 - q. Play in the common terrace of tower B in such a manner as to cause nuisance
 - r. Leave bin bags.
 - s. Deposit bin bags outside of the containers in the container room.
 - t. Organise parties, BBQs etc. without the express permission of the Board.

Article 9 Common terrace

1. The planters/flower pots made of corten steel are part of the common terrace.
2. The common terrace with access to urban dwellings F1 and F2 is divided into a public space and a private space belonging to the urban dwellings as indicated in the cadastral drawing number "splitting up deed 't Hoge Veen, second floor", appended to the these in-house rules and dated December 7 2006
3. The main point in placing windbreaks is that at all times a long side of the planter will remain accessible.
4. The fences/windbreaks need to be furnished in either glass or wood, in the colours of the facade or the window frames.
5. When there is a deviation from the uniform character of the terrace, the Board will issue a binding advice/opinion
6. On the basis of Article 5:49 of the Dutch Civil Code it is determined that a fence, windbreak or other object denoting the boundary between two properties, may not exceed a height of two metres.
7. A fence, windbreak or other object denoting the boundary between two properties may not be attached to the facade of the building.
8. The form, colour and furnishing of awnings, overhangs or window blinds requires the permission of the Board.
9. It is forbidden for residents to remove, damage or alter the vegetation in the planters. It is also forbidden to place new vegetation into the planters.

Article 10 The use, management and maintenance of private spaces

1. Owners can, if they so wish, provide the Board with information on who has been designated to access the apartment/dwelling in case of a calamity.
2. Maintenance of the private property and associated activities are the responsibility of the owner.
3. Applying hard flooring in the private spaces of tower B, with the exception of bathrooms and toilets, is only allowed when elastic material is applied underneath the flooring. The elastic material has to conform to the isolation index as prescribed by the norm 'NEN 5077 soundproofing of buildings' (article 38). A condition of 10 DB(A) is applicable.
4. For the removal of bulky waste residents need to contact the municipal waste removal service.
5. For leaving bulky waste in the container room the Board may charge the resident responsible a removal charge.
6. **It is forbidden to:**
 - a. *Store flammable substances for any other purpose than home use.*
 - b. *Conduct activities that produce contact noise, such as drilling, hammering, sawing, sanding, on workdays between 8 pm and 8 am and in the weekend between 6 pm and 10 am.*
 - c. *Have radios, television sets and musical instrument etc. exceed the volume of normal speech.*
 - d. *Construct open fires or hearths in the apartments.*
 - e. *Throw objects of any size and nature from the windows.*
 - f. *Clean carpets and brooms over the edge of the balcony.*
 - g. *Switch off the central exhaust system in tower B, in connection with the disruption of the system.*
 - h. *Connect a motoric exhaust system in tower B to the canal of the central exhaust system*
 - i. *Visibly hang laundry to dry, or to visibly display advertisement or banners.*
 - j. *Apply objects to the exterior of the building, such as parabolic/dish antennae.*

- k. *Apply protruding objects, air conditioning units and cooling installations to the exterior of the building.*
 - l. *Deposit waste in the private parts of the common terrace. This to prevent attracting vermin.*
 - m. *Get rid of fats, cellulose fibre products, oils , waste from cat boxes and similar things through the drainage system.*
7. Construction work to a part or the entirety of the apartment (with the exception of painting, applying wallpaper and renovating) must be reported to the Administrator and the Board prior to the start of construction.

Article 11 Rules concerning sanctions for not adhering to stipulations

1. After repeated requests for not adhering to stipulations mentioned in these in-house rules have been ignored, the following sanctions will be imposed and communicated to the person responsible as follows:

Report	of	Information through	Action
1 st reminder	Not adhering to stipulations	Written notice	Warning (article 41)
2 nd reminder	Not adhering to stipulations	Registered letter	Warning, including a fine of 75 euros. If there is danger of damage a 100 euro fine.
3 rd reminder	Not adhering to stipulations	Registered letter	Warning, including fine with a maximum amount of 10 times the monthly membership fee per incident
4 th reminder	Not adhering to stipulations	Registered letter	Denial of access to public spaces (Article 39)

- 2. Incurred fines will be added to the reserves of the homeowners' association (article 10)
- 3. In case an apartment is let the owner of the apartment has shared responsibility and liability along with the tenant for adhering to the stipulations of these in-house rules.
- 4. Sanctions imposed will be charged to the apartment owner.
- 5. In case payment is not forthcoming, the Board is authorised to start judicial procedures and/or debt collection procedures at the expense of the person liable to pay.

Article 12 Alienation of the apartment or move to/from the apartment

- 1. In case the owner intends to sell/let the apartment, the owner needs to inform the Board in writing.
- 2. In case of a move, or conversion of the apartment, the owner/user is obliged to take precautionary measures to prevent damage or contamination of the public spaces (including the lifts/elevators) in consultation with the Board.

Article 13 Pets

- 1. It is not allowed to let pets run free in public spaces.
- 2. Owners need to ensure that pets don't cause a nuisance in any way, such as through noise and smell.

Article 14 Disputes

- 1. In all cases these in-house rules do not provide for, the general members' meeting will decide. In urgent matters the Board is allowed to act on behalf the general members' meeting. The decision

must be in accordance with the law and the split up deed. The Administrator may act as a mediator in disputes.

Article 15 Video surveillance (CCTV)

1. The member of the Board are authorised to operate the recording equipment and to look at the video footage.
2. The footage will not be made available to third parties.
3. The recordings will be stored for a maximum of four weeks, with the exception of what is determined in paragraph 4.
4. The footage can only be secured for investigation and looked at:
 - In case there has been a violation of the in-house rules.
 - In case of (suspected) criminal activity.

When there has been a violation of the in-house rules the violator will receive a written warning from the Administrator. In case of vandalism or other criminal activity in the public spaces the Board will report the crime to the police and the footage will be handed over to the police.

Article 16 Conclusion

These in-house rules have been confirmed at the general members' meeting of April 4 2018.