



OPEN SESSION

OPEN MEETING OF UNITED LAGUNA WOODS MUTUAL ARCHITECTURAL CONTROL AND STANDARDS COMMITTEE

**Monday, July 19, 2021 – 9:30AM-11:30AM
HYBRID IN-PERSON/VIRTUAL MEETING**

Laguna Woods Village owners/residents are welcome to participate in all open committee meetings and submit comments or questions regarding virtual meetings using one of three options:

1. Join the Zoom meeting at <https://us06web.zoom.us/j/91432172027>
2. Via email to meeting@vmsinc.org any time before the meeting is scheduled to begin or during the meeting. Please use the name of the committee in the subject line of the email. Name and unit number must be included.
3. By calling (949) 268-2020 beginning one half hour before the meeting begins and throughout the remainder of the meeting. You must provide your name and unit number.

NOTICE and AGENDA

This Meeting May Be Recorded

1. Call to Order
2. Acknowledgement of Media
3. Approval of Agenda
4. Approval of Meeting Report – June 17, 2021
5. Chair's Remarks
6. Member Comments - (*Items Not on the Agenda*)
7. Division Manager Update

Consent:

All matters listed under the Consent Calendar are considered routine and will be enacted by the Committee by one motion. In the event that an item is removed from the Consent Calendar by members of the Committee, such item(s) shall be the subject of further discussion and action by the Committee.

Status of Mutual Consents:

8. Monthly Mutual Consent Report (Attachment 1)

Items for Discussion:

9. Processing Map (Attachment 2)
10. City of Laguna Woods Meeting
11. Manor Alterations FAQs (Attachment 3)
12. Contractor Violations & Policy (Attachment 4)
13. Asbestos Update: SCAQMD & CalOSHA
14. 483-D Update

Items for Future Discussion:

15. News Bulletin Topics
16. In-person Manor Alterations Seminar and Q&A



Concluding Business:

17. Committee Member Comments
18. Date of Next Meeting – Thursday, August 19, 2021 at 9:30AM
19. Adjournment



OPEN MEETING

**REGULAR OPEN MEETING OF THE UNITED LAGUNA WOODS MUTUAL
ARCHITECTURAL CONTROL AND STANDARDS COMMITTEE**

Thursday, June 17 2021 - 9:30 AM-11:30AM
Laguna Woods Village Community Center (Virtual Meeting)
24351 El Toro Road, Laguna Woods, CA 92637

REPORT

COMMITTEE MEMBERS PRESENT: Elsie Addington, Neda Ardani, Reza Bastani, Brian Gilmore, Carl Randazzo, Andre Torng

DIRECTORS PRESENT:

COMMITTEE MEMBERS ABSENT: Michael Mehraïn

ADVISORS PRESENT: Dick Rader, Juanita Skillman, Walter Ridley

STAFF PRESENT: Robbi Doncost, Lauryn Varnum, Gavin Fogg

1. Call to Order

Chair Gilmore called the meeting to order at 9:30am.

2. Acknowledgement of Media

Zoom platform via Granicus.

3. Approval of Agenda

The committee approved the agenda as presented by acclamation.

4. Approval of Meeting Report for May 26, 2021

The committee approved the agenda as presented by consensus.

5. Chair's Remarks

None.

6. Member Comments - (Items Not on the Agenda)

A. Jane Warthen – Reconsider Established Standard (Repair Window with Plexiglass in Lieu of New Double Glazing)



Staff Officer Doncost summarized the member's situation regarding their window being repeatedly broken due to errant golf balls. The ACSC listened to the proposed suggestion of the installation of an outer plexiglass layer and professional caulking with the condition of MA performing an inspection after the work is completed. A motion was raised to allow the installation. The motion passed.

B. Raymond Saidah – Shower Remodel

Staff Officer Fogg summarized the work that occurred at Mr. Saidah's unit thus far, explaining that the permit has been issued, and the work is in the process of being completed. Mr. Fogg explained that the City of Laguna Woods requested to see paperwork during the process which was an unexpected step for the member. Currently, MA expects Mr. Saidah to be able to complete his alteration.

Chair Gilmore commented that further cooperation was needed from the City of Laguna Woods in order to close the loop of asbestos regulations. Director Randazzo questioned why the City of Laguna Woods did not attend the Asbestos Summit, questioned why backer board was being tested, and questioned why the City is changing their requirements.

Mr. Doncost confirmed that until AQMD follows up with legal clarification, MA must adhere to the existing asbestos policies. Mr. Fogg summarized the communications between the city, MA and Mr. Saidah. Director Randazzo and Chair Gilmore commented that the City seems to be duplicating requirements unnecessarily. Mr. Doncost agreed to generate a chart indicating the roles and responsibilities of all involved parties.

7. Manor Alterations Division Manager Update

Mr. Doncost confirmed that the MA office is now open for in-person appointments, the email and phone backlog is completely eliminated, the volume of inspections has increased due to the increase in staff, and while appointments are available, the work done by In-Take staff has led to a small number of appointments, approximately 5 per day. Residents are able to receive information and paperwork without needing to make an appointment and permits are consistently being issued in a timely manner. MA is also contemplating staff promotions to adjust the United Inspector position. Currently it is being covered by the In-Take Sr. Operations Specialist.

Consent:

All matters listed under the Consent Calendar are considered routine and will be enacted by the Committee by one motion. In the event that an item is removed from the Consent Calendar by members of the Committee, such item(s) shall be the subject of further discussion and action by the Committee.

Status of Mutual Consents

8. Current Inquiry Status – Processing Counts

Mr. Doncost presented the status of the Mutual Consents; within May 75 permits were processed and released within United Mutual, while 81 new tickets were generated. Mr. Doncost reminded the ACSC that these reports are generated manually. Director Randazzo requested a more sophisticated color-coding system, and Mr. Doncost pledged to connect once more with the technology division.



Items for Discussion

9. Permit Classification Revision

Mr. Doncost explained the recent updates to the classification system and the assurance that staff is accommodating these revisions. Director Randazzo inquired if members can accomplish same-day alterations, such as a water heater. Mr. Doncost confirmed that MA can accommodate same-day alterations in such occasions, however the delays can occur due to contractors either not being aware of policies or submitting incorrect and/or incomplete paperwork. Director Randazzo inquired what could be done to assist members and their contractors. Mr. Doncost confirmed that members and contractors are given both completed samples of paperwork and instructional sheets for completing permits, but agreed to publish an article within an upcoming Manor Alterations News Bulletin.

10. Variance Moratorium: July Expiration

The United ACSC agreed to allow the Variance Moratorium to expire and not to extend its duration.

11. SCAQMD Follow Up & Next Steps: Cal OSHA Meeting

Mr. Doncost confirmed that multiple requests for responses and participation have been gone unanswered by Cal OSHA, however SCAQMD has received clarification of ownership from VMS. Currently, MA is awaiting a response.

Director Addington recommended reaching out to Federal officials in order to assist in visibility. Chair Gilmore inquired if legal representation could be engaged, or if MA could draft a letter. Director Skillman suggested it may be appropriate to engage with Jeff Beaumont, the attorney, and Chair Gilmore took the action item to connect with United President Margolis.

12. Permitless Alteration Update: Midpoint Evaluation

Director Skillman noted edits to reflect the approval by the United Board, Director Randazzo proposed verbiage edits, and a motion was raised to accept the permanence of the policy. Motion was passed to make the Permitless Alteration Policy permanent inclusive of the edits. The revised Resolution will be now sent to the United Board for consideration.

13. Contractor Penalty Policy & Resolution

Discussion ensued regarding the edits suggested by United ACSC, the feedback received by Third, and the fee structure of penalties. Director Bastani suggested that penalties will be effective, and that additional consideration must be given to reporting violating contractors to the licensing board. Director Randazzo referenced the comments provided previously to MA. Director Addington suggested not providing a "free pass" for first time violations, or increasing the initial fee to a higher quantity. The ACSC members explored the details of the policy, including the structure of temporary suspensions, the compounding penalties, the categories of violations, the desire to avoid members bearing the cost of violations, the need to potentially update the Mutual Consent paperwork to reflect these new policies, and the intricacies of the policy.



Mr. Doncost stated that the discussion was a prime example of how complex and multi-layered this issue was without a secure policy in place, and the intent of the policy was to “weed out” the chronic offenders. Mr. Doncost pledged to create a list of the 5 most frequent violations and to provide counterpoints for the arguments by Third. The goal is to create a cohesive policy which applies to both mutuals and Mr. Doncost confirmed that MA is committed to finding a solution. A new revised policy will be provided for future consideration.

Items for Future Discussion:

14. News Bulletin Topics

Mr. Fogg attested to an article regarding water heater expeditions. Mr. Doncost encouraged all ACSC members to provide feedback and suggest topics. Director Torng inquired about updating some standards for alterations, such as exterior containment for water heaters being updated to plastic or another durable material as opposed to wood.

Concluding Business:

15. Committee Member Comments

Director Bastani requested the ACSC Meeting Reports be circulated within a week of the meeting.

Director Skillman suggested it would be appropriate to escalate the asbestos situation with the city to upper management, and Mr. Doncost recommended creating a comprehensive list of concerns which would be edited by the ACSC, VMS Staff, and others before submission.

16. Date of Next Meeting – July 19, 2021 9:30 AM

17. Adjournment – 11:31 AM

X _____

Brian Gilmore, Chair

Robbi Doncost, Staff Officer

Telephone: (949) 268-2281

ATTACHMENT 1-
MONTHLY MUTUAL CONSENT REPORT

Average Numbers:

Phone in-take: received per day / responded to per day =
 25 – 35 Received per day / 25 – 35 Responded per day
 E-mail in-take: received per day / responded to per day =
 80–95 Emails per day / 80 – 95 Responded per day
 Remote counter: total for March /average per day =
 23 Appointments total for June / 0-3 Appts per day

Average MC Sub process (From a complete application being submitted)

Class I Permits = **2-5 Business Days**
 Class II Permits = **5-10 Business Days**
 Class III Permits = **10-90 Business Days**

Mutual Consents Processed and released June 2021:

United – 75
 Third – 109
 Total – 184

Mutual Consent Tickets generated in June 2021:

United – 91
 Third – 116
 Total - 207

United Mutual	
CLM	1
CM	15
CN	1
CXL	5
FW	2
MC	36
OH	13
PCP	7
POP	1
RQST	0
RV	10
Total	91

Third Mutual	
CLM	0
CM	24
CN	1
CXL	5
FW	4
MC	49
OH	11
PCP	9
POP	1
RQST	1
RV	11
Total	116

Total	
CLM	1
CM	39
CN	2
CXL	10
FW	6
MC	85
OH	24
PCP	16
POP	2
RQST	1
RV	21
Total	207

MONTHLY MUTUAL CONSENT REPORT

Status Code Legend:			
Code	Stellar Description	Manor Alteration Meaning	Responsibility of
CLM	Contact Attempted/Left Message	Called Member/Applicant - Left Message	Applicant
CM	Completed	Completed	N/A
CN / CXL / R	Cancelled	Cancelled by Member/Staff	N/A
DEN	Denied	Denied	Applicant
DOC	Documentation Process	Front Desk Reviewing Application for Completeness	MA
FW	Final Walk	City Permits/Air Clearance provided/Request for Final Inspection	MA
MC	Member Contacted / Work Pending	Complete MC released	Applicant
NEW	New	Application Submitted and Received by MA	MA
OH	On Hold	On Hold for Neighbor Awareness Notices or Common Area Usage Agreement to be provided	Applicant
PCP	Plan Check in Process	Receiving Plan Check by Inspector	MA
PN	Pending	Application Printed for Front Desk Review	MA
POP	Pending Obtaining Payment	Payment Required for Submission	MA
RQST	Requested info from Member	Non technical documents requested by MA (e.g. COLI, Signatures)	Applicant
RV	Being Revised	Revisions to plans/scope of work have been requested by MA	Applicant

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Laguna Woods Village®

CONTEMPLATING A MUTUAL CONSENT?

Follow this mutual consent **PROCESSING MAP** for clear direction for filing and obtaining a mutual consent permit for your alteration.

START

Place new call or email inquiry to Manor Alterations
alterations@vmsinc.org
949-597-4616

Download/obtain application documents from Manor Alterations
lagunawoodsvillage.com

Submit application to Manor Alterations for review

Member can track process at <https://bit.ly/3viJ8qO>.



Obtain contractor information for your scope of work. Contract with quality contractors only. Ensure they are reputable and can provide the necessary insurance.

Required Documents
Application, COLI, floor plan:
<https://bit.ly/2TmdYBE>.

Member will be notified if the requested alteration is not in accordance with an approved mutual standard.

If demolition is required provide separate permit with new improvement work. Asbestos testing and air clearances may be required prior to issuance of new permit work but submit the permits together.

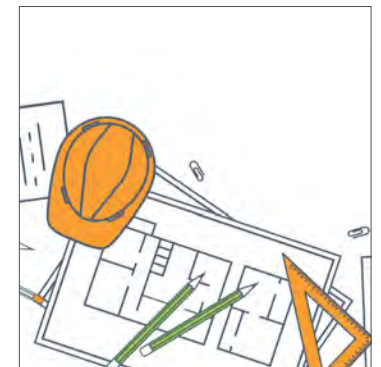
The submittal will be reviewed by staff for conformity to current standards. Member will be contacted if additional information is required or your permit is ready for issuance.

See mutual consent status code processing SOP.
<https://bit.ly/3czu8OV>

Obtain city permit if necessary, perform the work, present city final to Manor Alterations.

Manor Alterations inspects work. Permit is finalized if it conforms to the mutual consent.

FINISH



Submit demolition and construction applications together for simultaneous review. Once both have been approved at plan-check stage, staff will take payment for both applications and release the demolition application to applicant, changing the ticket status to member contacted/work pending (MC), while changing the construction ticket to on-hold (OH) status, noting the ticket is OH until final demolition documents are provided (city demo permit and air clearances). Upon submittal, receipt and completion of demolition documents, the construction application can be released the same day and ticket status changed to MC.

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FREQUENTLY ASKED QUESTIONS MANOR ALTERATIONS

LEGEND

ACM – Asbestos containing materials

CAC – Certified asbestos consultant

Cal/OSHA – Division of Occupational Safety & Health/DOSH

MA – Manor Alterations or HOA Permitting Division

MC – Mutual consent, HOA permit or permit

O&M – Operations and maintenance

Owner – Manor owner, member or shareholder

SCAQMD/SCSCAQMD/AQMD – South Coast Air Quality Management District

1. Can we use the manor owner’s past asbestos testing results?

If you are the current owner who performed the testing and have the CAC report, you may use those report results as long as conditions remain consistent with the prior findings. Contact the CAC to confirm the prior report is still valid.

2. Why doesn’t Manor Alterations have our asbestos testing results from years ago?

MA does not as a rule archive member reporting. Test result reports are specific to the member who owned the manor at the time of the report. In some instances documents that MA did archive were destroyed in the malware attack in 2020. Past archived reports may exist, but not all reports are still applicable. If ownership has changed, past reports are no longer valid.

3. Can a member assume a manor contain asbestos and *not* undergo testing—just have it abated?

Members can assume all the material to be demolished contains asbestos. The 100-square-foot rule is to be clarified by SCAQMD in the near future; currently, there is no minimum square footage of removal allowed by certified accredited workmen.

4. Why do I need an abatement contract if the asbestos point count is less than 1%?

The less than 1% count applies to SCAQMD rules. If the material count is greater than 0.1%, you still must have the work done by certified accredited workmen, as Cal/OSHA worker protection rules govern conditions for workers and containment and regulated abatement procedures are still required. CalOSHA’s requirement is that material contains asbestos if the count is greater than 0.1%.

5. What amount of square footage can undergo abatement using only an operations and maintenance (O&M) worker?

AQMD has not provided a definitive answer as of yet. Debris must fit into a single waste bag to the halfway mark. Generally CACs agree this accounts to no more than 9 square



feet, but this is not a specified measurement from AQMD or Cal/OSHA. A 16-hour O&M certified accredited worker only pertains to minimal disturbance of ACM to perform operations and maintenance, e.g. minor cuts for performing a plumbing repair, or screwing a bracket to hang a wall mounted heater. Visit [osha.gov/sites/default/files/publications/osha3096.pdf](https://www.osha.gov/sites/default/files/publications/osha3096.pdf) for more information.

6. What jobs that can be performed without contractor testing?

Mounting devices to a wall that do not disturb or release ACMs are allowed without a demolition or city permit. However, any work that cuts into the wall to install an outlet, run wiring, etc., requires testing and proper abatement with a mutual consent permit. A city demolition permit also may be required. Anything more than minor O&M but less than 100 square feet can be performed using a 40-hour certified asbestos worker—e.g., less than 100 square feet of drywall cuts in a ceiling for canned lights or removing vinyl tile in a small bathroom. Note: Each layer of ACM material is counted per square foot, e.g., 4 square feet of black mastic and vinyl tile on top is equal to 8 total square feet of ACM.

7. May I “mud over” my popcorn ceilings?

Yes, with proper MC approval. Providing a joint compound over the existing “popcorn” ceiling is permitted with a demolition MC and testing to show the ceiling is negative or positive for asbestos. This will determine if a certified asbestos professional must perform the work.

8. What is encapsulation of ACM material?

Encapsulation is the process of covering ACM surfaces to sufficiently stop the release of asbestos material into the air; e.g., painting an ACM wall will encapsulate it from releasing asbestos material into the air.

9. Do ceiling fans need a demo permit *and* an alteration permit? Or can a mutual consent suffice with the O&M worker license attached?

If the fan installation is attached to the wall surface it does not need any permits as long as no new electrical wiring is run in the walls or ceiling, and no interior wall surfaces are disturbed. The fan can be plugged into an existing outlet. The ceiling must not be penetrated with any screws or fasteners, and all heating elements must be undamaged. The heating element grid is very small and any damage to one element strand damages the entire heating source. A single screw or nail can cause that damage.

If the fan installation involves any wall or ceiling cutting for a new electrical box, wiring, or switch installation then, YES both MC and city permits are required. And, an accredited O&M worker accreditation. certification is needed by the workers. A new heating source will be required if the ceiling is breached for any new installation.



10. Yes, that work may be performed under O&M worker accreditation.

11. Do I need a permit to install electrical outlets?

Yes—see No. 6. You will need an MA permit and a city permit for code compliance.

12. For microwave installation, is there a separate electrical permit needed for a designated circuit?

Members can change out any appliance if they replace the existing appliance with one that is similar to the ampere rating of the original and no other change in electrical is required. If a new dedicated circuit is needed, then both MA and city permits for code compliance are required.

13. Do I need a permit to replace a toilet? What about sinks, faucets and shower heads?

You may change out any of these items without a MC as long as no wall plumbing or finishes are disturbed. Shower stem valves also can be changed as long as no finishes are disturbed.

14. Do I need a permit for a video doorbell or security camera?

Yes, a MC and a variance are required, as these items are attached to the mutual exterior building.

15. May I paint the interior of my unit?

Yes. No permits are required to paint the inside of your manor.

16. May I install a screen door on my front door?

Yes, screen door installation is allowed without a permit, including security screen doors.

17. Do I need a permit for a mail slot in my front or garage door?

No, but this change will make these doors alteration doors no longer maintained by the HOA.

18. Do I need a permit to install a peep hole in my front door?

No, but this change will make your front door an alteration door no longer maintained by the HOA.

19. Do I need a permit to install large appliances such as a dishwasher, microwave, garbage disposal from Manor Alterations?

In United, a like-for-like alteration/permitless alteration is available (replacement only—not new installation). Visit lagunawoodsvillage.com/residents/resident-services#manor-alterations for more information. In Third, a MC is required.



20. Do I need a demo permit or an alterations permit (or both) to replace kitchen and bathroom cupboards, vanities and countertops?

In United, a like-for-like alteration/permitless alteration is available (replacement only—not new installation). Visit lagunawoodsvillage.com/residents/resident-services#manor-alterations for more information. In Third, a MC is required.

21. Do I need a permit to replace a shower enclosure?

In United, a like-for-like alteration/permitless alteration is available (replacement only—not new installation). Visit lagunawoodsvillage.com/residents/resident-services#manor-alterations for more information. In Third, a MC is required.

22. Do I need a permit to retile my shower/bath enclosure?

No, as long as no black mastic, backer board or vinyl tile is disturbed.

23. May I get my garage condensation panels repaired or replaced?

Carport condensation panels no longer allowed as an addition—you may repair them if possible. Replacement panels are not permitted.

24. How do go about getting an electrical charging station for my electric car in my carport?

A variance is required.

25. May I install tile on my patio or replace the tile that is already there?

The patio is common area—no improvements are allowed without a variance. At present, tile installs and changeouts are prohibited. A variance moratorium in United exists until October 9, 2021.

26. May I paint or stain my garage floor/patio?

The garage floor is common area—no improvements are allowed without a variance. At present, painting is prohibited. A variance moratorium in United exists until October 9, 2021.

27. HVAC changeouts Part A: Do I need a city permit for like-for-like HVAC changeout? (The new city rule allows members to decide whether there is a change in amperage.)

In United, a like-for-like alteration/permitless alteration is available. The amperage and all connections must remain the same. Visit lagunawoodsvillage.com/residents/resident-services#manor-alterations for more information. In Third, a MC is required.

28. HVAC changeouts Part B: May I just remove my old packaged terminal air conditioner? What is required?



In United, like-for-like wall heat pump replacements are allowed via the permitless alteration process. In Third, a MC is required.

29. My water heater is totally nonfunctional. May I replace it and get the permit afterward?

Unfortunately, no. Both a MC and a city permit are required; the city wants to see that MA has approved the application work first. The MA permit is available in one day.

30. Member has already replaced the heater/AC/water heater because it wasn't working. Do they have to pay the \$300 penalty?

In United, a simple notification of the changeout is allowed without penalty. In Third, a MC permit must precede the actual replacement or the penalty is assessed.

31. What qualifies a permit to be expedited?

In general, no permits expedited and are processed on a first-come, first-served basis. Some permits require more extensive search and review, may cause variance, room addition and structural change permits to take much longer. Some utilitarian-based permits for a simple water heater replacement or A/C replacement may be issued within a day due to urgency as well as comfort and direct health reasons.

32. Are permits needed to change out flooring?

No permit is required if you can remove the existing flooring without disturbing the original black mastic and vinyl flooring. If the original black mastic and vinyl flooring are disturbed, then CAC testing and demolition permits are required from MA and the city. Third Mutual: Interior Hard Surface Flooring, Resolution 03-10-188; United Mutual: Interior Flooring Policy, Resolution 01-18-115.

33. If I do have to get a demo permit remove the carpet over the vinyl tiles, why do I need an alterations permit to install new flooring?

A MC permit is required to install new flooring. Sound considerations must be reviewed as part of a nondisturbance standard.

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CONTRACTOR PENALTY POLICY

Contractors hired by Shareholders, at times, violate current Mutual rules and regulations. There is currently no standard policy to address offenders or repeat offenders of existing and future established rules and regulations. This Contractor Penalty Policy ("Policy") would strive to penalize those offending contractors to the benefit of the Shareholders, Mutual, and Staff.

Manor Alterations ("MA") would be the representative acting on behalf of the agent (VMS, Inc.) for the mutual ("United"). This Policy will classify the noticing, level of violation severity, penalties, ramifications of disciplinary actions, and remedies relating to the offenses. MA would use the Policy criteria listed herein, to evaluate the contractors' behavior, and administer notices and penalties to the Shareholder Contractors based upon this Policy.

The circumstances for providing a Notice of Violation ("Notice") and the issuance of Violation penalties would be based upon the severity of the offense listed in two violation categories as defined below:

Moderate Violation

1. Any violation of the attached Exhibit "A" – Conditions Rules & Obligations.

Severe Violations

1. Any violation by a contractor performing demolition, or initiating renovation work without all appropriate governmental, and Manor Alterations Division ("MA") approvals inclusive of Mutual Consents issued by MA, and City approvals, and
2. Any Contractor performing work contrary to the work specifically noted on the Mutual Consent issued by MA for the following:
 - a. Performing any structural removal, including but not limited to, the widening the opening of a doorway or window, removal or modification of a structural building element (inclusive of columns, bearing walls, shear walls, foundation systems, exterior mutual owned walls, any work that would have required a Variance approval from the Board, lapse of any insurance coverage so disclosed by the Contactor on the mutual standard Certificate of Liability Insurance or "COLI".)
 - b. Performing any work that is beyond the scope of work as defined by the addition of a renovation scope. i.e. installing a larger quantity of materials than listed on an approved Mutual Consent, amending the parameters, layout, or dimensions of an approved renovation, or utilizing differing materials than the components listed on the approved Mutual Consent.
3. A condition of Mutual Consent ("MC") issuance for specific demolition or improvement work where the Contractor has expanded the dimensional area of that Previously issued MC permitted work without further authorization. Any unauthorized asbestos release contrary to City code, or SCAQMD regulations, or

4. The reluctance to complete the approved scope of work of the Mutual Consent within 90 calendar days of permit issuance, or such reasonable time for the work so described on the Mutual Consent, exempting therefrom, any reasonable extension of time for Force Majeure conditions affecting the timely completion of the work.

Manor Alterations shall be assigned the responsibility to provide the following actions:

1. Substantiate the violations with Notices, notes, and photos keeping archive files to document the violation events and transmitting the violation material to both the contractor and manor owner,
2. Maintain a log of violations and penalties recording at a minimum the contractor's name, address, detail the violation, and include other pertinent information of the event,
3. Notify in writing the manor Shareholder and contractor of all violations and potential for future penalties,
4. Issuance of all Notices of Violations are to be posted on the manor with a description of the items included in the Notice,

Penalties for Contractor Violations

See also the Contractor Penalty Matrix below.

1. Moderate First Violations – Contractor and Owner to be notified of the First Violation. All subsequent Moderate Violations are then considered Severe Violations,
2. Severe Violations – If the first violation is a Severe First Violation (or a 2nd Moderate Violation) a 30-day suspension of all contractor activities is invoked. Under special circumstances in item 3 below shall the Contractor be allowed to continue work. See Contractor Penalty Matrix for further penalties After the 2nd Violation, the Contractor will no longer be allowed to do work within the Mutual. Only after Board approval would the Contractor be reinstated, and allowed to perform contracting work again. Thereafter, any violation would result in permanent suspension from the Mutual.
 - a. The Shareholder is responsible for any supplemental cost to mitigate the actions of their Contractor that might be attributable to the consequences of a damage such including but not limited to, remediation of emergency asbestos clean-up and mitigation, damage to Mutual property, and fines established by governmental agencies.
3. Upon issuance of a Notice of Severe Violation, the Contractor shall not be allowed to submit any new applications and existing applications will be refused and/or the contractor will not be allowed to perform any further work in the mutual. However, the Shareholder shall be allowed, under special circumstances, to continue to use the offending contractor to finish the existing contract at the discretion of Manor Alterations.

Contractor Penalty Matrix

Contractor Penalty Matrix

Moderate Offense

- 1st Violation Notice Only
2nd Violation Notice & Escalation to Severe
Offense. Penalty Assessed

Severe Offense

- 1st Violation Notice & 30 Day Suspension
2nd Violation Notice of Termination
3rd Violation Permanent Termination

Regardless of the Penalty listed above, Contractor and Member maybe subject to damages if it is determined that the Mutual incurs a cost to remedy damage to mutual property.

Contractor's Dispute Remedy

The Contractor's right to dispute the Violation / Penalty shall be as follows:

1. The Contractor has the right to dispute the Violation Notice issued by MA by providing a written request for a hearing ("Hearing Request") to Manor Alterations at the emails of Alterations@vmsinc.org and copy to the MA Supervisor and MA Manager within 7 calendar days of the issuance of the Violation Notice to Contractor by posting at the manor and electronic email to Contractor and Shareholder.
2. Said Hearing Request will be heard by the mutual ACSC at its then next appropriate hearing date.
3. Should the Contractor make a Hearing Request, all conditions of the violation including the suspension will remain in effect until the ACSC provides a final determination.

Exhibit “A” – Construction Rules & Obligations

Both Shareholder and Contractor shall abide by these Construction Rules & Obligations. The Contractor may be held responsible for cost and violation penalties as a result of not complying with these Exhibit “A” Construction Rules & Obligations during the course of working in Laguna Village Woods. Contractor agrees to comply with all rules and regulations, and violation provision as stated in the Contractor Penalty Policy dated July 15, 2021.

1. Mutual Consent Approvals: No improvement shall be installed, constructed, modified or altered at any manor (“Property”) within the **United Laguna Woods Mutual** (“Mutual”) without obtaining the proper demolition and new improvement permits in the forms of Mutual Consent(s) for Alterations made to, and approved, in writing, by, the Village Management Services, Inc. (“VMS, Inc.”), Alterations Division (“Division”), or, in the event of a Variance from the Mutual’s Alteration Standards, the Architectural Control and Standards Committee (“ACSC”) and the United Board. In the event written permission is given for the installation, construction, modification or alteration of any improvement(s) upon the Property, the Shareholder (“Shareholder”) agrees to comply with the Mutual’s Governing Documents and any specific terms or conditions imposed, and that the installation, construction, modification or alteration shall be in strict compliance with the terms of the approval.
2. All costs for maintenance, repair, renovation, replacement or removal of the improvement, present and future, are the responsibility of the Property’s Shareholder and all future Mutual Shareholders. Contractor may be held responsible to repair Mutual property damaged in the course of its work.
3. Parking of contractors or other invitees’ vehicles is prohibited in covered resident parking, open resident spaces, handicapped spaces or fire lanes. Contractors or other invitees must park on the street. To the extent possible contractors’ or other invitees’ vehicles should be limited in number.
5. A City of Laguna Woods permit may be required, which may include the requirement to obtain clearance from the South Coast Air Quality Management District SCAQMD (Asbestos Hot Line at (909) 396-2336). Prior to the issuance of a Mutual Consent for Alterations, the appropriate City of Laguna Woods permit number(s) must be submitted to the Division office located in the Laguna Woods Village Community Center. The City permit must be approved within the prescribed timeframe, and a copy of the final permit must be submitted to the Division.
6. Shareholder hereby consents to and grants to the Mutual, Manor Alterations, and the Maintenance and Construction Department , and their representatives, a right of entry upon the Property at any time to be used to inspect the Property and the improvements thereon and for the Mutual and the Department , and their representatives and contractors to remedy any violation upon the Property, including, but not limited to, removing trash, removing any improvement installed without approval or modifying an improvement to bring the same into compliance with the terms of the approval.
7. Subject to the Contractor Penalty Policy, Shareholder and contractor shall be responsible for all activity by contractors, subcontractors, material suppliers and their employees and agents and any others who perform work on the Property, including any violation of the Mutual’s Governing Documents, including, but not limited to, traffic and parking violations, maintenance of a clean job site at all times, damage to Mutual property, and use of Mutual property for storage of equipment or materials without prior approval. Shareholder acknowledges and agrees that all such persons are his/her invitees. Shareholder shall be responsible for informing all his/her invitees of the Mutual’s Rules and Regulations. Shareholder

shall be liable for any violation of the Mutual's Governing Documents by any invitee, including any fine, assessment or other charge levied in connection therewith.

8. Shareholder and Contractor are responsible for following the gate clearance process (<http://www.lagunawoodsvillage.com>) in place to admit contractors and other invitees.
9. Shareholder's contractors and other invitees shall travel to and from the job site by the most direct route available and are not authorized to use Mutual recreational facilities or other amenities while they are in the Village for performance of work in connection with the Property.
10. All improvements must be installed in accordance with the California State Building Code, and the published Mutual Architectural Alterations Standards, Policies and Guidelines. See <http://www.lagunawoodsvillage.com>.
11. During construction, work hours established by the Mutual and the Noise Ordinance set forth in the City of Laguna Woods Municipal Code must be adhered to at all times.
12. During construction, both the Mutual Consent for Demolition, Alterations and the City Building Permit must be on display for public view at all times in a location approved by the Division.
13. It is mandatory that no waste or materials associated with the construction be dumped in the Village trash bins; such waste or materials associated with the construction must be disposed of offsite by the contractor.
14. A dumpster is approved for placement at the location identified by Security Staff by calling 949-580-1400. All dumpsters must conform to the Policy for Temporary Containers. Dumpsters must be ordered from the approved City of Laguna Woods waste hauler and must be maintained at all times.
15. Dumpsters must be ordered from the approved City of Laguna Woods waste hauler and must be maintained at all times.
16. A portable bathroom is approved for placement at the location identified by Security Staff by calling 949-580-1400.
17. The Mutual Consent for Alterations is expected to be completed within Ninety (90) Calendar days after the date of approval, unless an application is submitted with fees and approved by the Division for an extension. An extension for a maximum of an additional ninety (90) calendar days may be granted at the request of the Shareholder prior to expiration and at the discretion of the Division. The Contractor shall not perform any work beyond this six-month period unless authorized by the Division.
20. Violations of the forgoing conditions or the Mutual's Governing Documents (See <http://www.lagunawoodsvillage.com>), including, but not limited to, unpaid assessments, work outside the approved plans, excessive noise, illegal dumping, or working after hours, will result in disciplinary action, which could result in a stop work notice, loss of privileges and/or severe fines to the Shareholder in and/or the Contractor in addition to the violations and fines noted in the **Construction Penalty Policy**. Such fines left unpaid will result in forfeiture of a portion or all of the Conformance Deposit required above or other legal remedy.
21. Mutual Shareholder shall indemnify, defend and hold harmless United and its officers, directors, committee Shareholders and agents from and against any and all claims, demands, costs, fines, judgments, settlements and any other costs, expenses, amounts and liabilities arising from Mutual Shareholder's improvements and installation, construction, design and maintenance of same.



Laguna Woods Village®

MOST COMMON CONTRACTOR VIOLATIONS

1. Began work without MC and disturbed ACM – 8 occurrences
2. Unauthorized demo/construction – 4 occurrences
3. Unauthorized water heater installation – 1 occurrence
4. Installation of washer/dryer without noting work in MC scope – 1 occurrence

VIOLATING CONTRACTORS

1. Coastal Risk Management – 4 violations
2. Miller & Sons – 3 violations
3. Caleb Construction – 2 violations