

Compiled set of R&R at LHLB (15.03.2020)

Dear resident, dear guest.

Welcome to our Condominium which is a privileged place where owners, tenants and renters reside side-by-side.

Be informed that this is NOT a hotel nor a motel or a hostel which is forbidden in a condominium by Thai laws under the Condominium Act and the Hotel Act.

Hereafter please find a compiled set of Rules&Regulations (R&R) at Laguna Heights Long Beach Condominium (LHLB) consisting of:

1. **Initial basic Internal Rules R&R** (approved by AGM on 12.12.2015)
2. **Addendum to R&R** (approved by AGM on 14.12.2019) including:
 - a. **Swimming pool and surrounding recreational areas** - Specific Rules Attachment
 - b. **Gym/Fitness room** - Specific Rules Attachment
3. **Underground parking** Specific Rules (re-confirmed by AGM on 14.12.2019)
4. **Illegal short-term rental** (re-confirmed by AGM on 14.12.2019).

We strongly advise you to read them carefully and respect them strictly.

If all follow the R&R, a harmonious “living together” in LHLB is ensured.

For those few who do NOT comply, be warned that **escalating fines and penalties will be inflicted** by Management in case of violation of R&R.

We wish you a nice and relaxing stay at LHLB.

Naklua March 15, 2020

List of rules in addition to the existing ones

“Rules and Regulations at LHLB condominium” (R&R) (approved by AGM on 14.12.2019):

Hereafter are listed rules in addition to the existing “Rules and Regulations at LHLB condominium” (R&R, see Attachment 1.). These additional rules are necessary to better manage our condominium and protect the interests of owners, tenants and employees.

General considerations and rules:

- Mutual respect for others is expected to be the norm. It is recognized that cultures vary and offence may be taken when none is intended.
- Violent behavior or threatening will NOT be tolerated and offenders will be invited to leave LHLB. Eventually, Police will get involved.
- All parties are expected to treat the LHLB assets with care and respect. Parents of children are particularly requested to ensure their proper behavior. Unsupervised children cause the greatest amount of damage to LHLB property. Any repair costs attributable to persons causing damage will be chargeable against the responsible parties/parents.
- Smoking is prohibited in ALL communal areas including reception, public toilets, elevators, parking facilities, corridors and stairwells, gym, swimming pool and surrounding recreational areas, etc... Smoking is permitted ONLY within accommodation apartments and on balconies with owners' permission and under the condition that neighbors are not disturbed. Care and consideration should be shown when disposing of cigarette ends.
- For the swimming pool and the surrounding recreational areas specific rules apply (see Attachment 2.: Swimming pool and surrounding recreational areas - Specific Rules). Unacceptable behaviors likely to cause offence as well as rules are detailed on the information board at the swimming pool recreational area and must be complied with.
- Alike, in the Fitness room (or Gym) specific rules apply (see Attachment 3.: Gym/Fitness room - Specific Rules). Unacceptable behaviors likely to cause offence as well as rules are detailed on the information board at the Gym and must be complied with.
- Please note that all corridors are classed as “emergency evacuation routes” and are required to be free from any and all items. This includes shoes, toys, bikes, prams, etc. Shoes and other items left in corridors will be collected by staff and a fine will be payable prior to their return.
- Littering is not allowed. To prevent unpleasant smells and to reduce the risk of rodent infestation, make sure garbage is properly bagged, sealed and placed in the bins within the stairwells with care and putting the bin cover. When bins are full, additional garbage has to be disposed in the collection bins in front of the entrance.
- The balconies shall NOT be used as an extension of bedroom, kitchen or laundry.

- Due to limited number of parking slots in the underground parking, specific detailed rules have been approved by the AGM and apply (see Attachment 4.: Underground parking - Specific Rules). These rules have to be complied with, otherwise penalties will be inflicted by Manager.
- Attention is drawn to the “Thai Condominium Act” stipulating a minimum rental stay of 30 days (see Attachment 5.: Illegal short-term rental).
- All persons registering at the Reception are subject per stay to a one-time administration fee.
- In addition, renters shall pay a non-optional daily fee per person for access to and use of communal areas and facilities. The amount will be payable on arrival, with a minimum 30-days-charge applicable.
- Renters have access to defined communal facilities ONLY at management discretion (swimming pool, recreational areas and gym). Access to these areas is a right ONLY for owner- occupiers.
- For all and every incident or violation of rules, one single warning shall be given without a fine. Afterwards, a penalty will be inflicted – penalties range from "token amounts" to "reasonable, but substantial amounts" in severe and/or cases. The fine amounts will be determined by Management, in consideration of the specific nature of the violation.
- Unpaid fines or fees shall be charged against the apartment owner and these will attract additional interest for late payment or non-payment (according to the rate of 12% per year as per Thai laws).

N.B.: In the context of the R&R at LHLB, it should be noted that 3 groups of occupiers are defined as: 1. owners of units (and their direct 1st degree relatives or family members) 2. tenants (those who have contracted a unit from an owner for 1 year or longer) 3. renters (those who have rented a unit from an owner, for a period of at least 1 full month up to 12 months).

SWIMMING POOL & SURROUNDING RECREATIONAL AREAS: SPECIFIC RULES (update approved by AGM on 14.12.2019)

- Respect for others in these areas is the first and most important rule.
- Opening hours: from 07.00 am until 10.00 pm.
- The swimming pool (SwP) and the surrounding recreational areas (Rec) around it can ONLY be used by residents of the condominium.
- The entire area on the 8th floor (including SwP and all Rec) are strictly non-smoking.
- Children under the age of 15 must be supervised and guided/instructed at all times by an adult.
- No climbing, jumping, diving or other disturbing activities are allowed.
- Swimwear must be worn at all times (in SwP and all Rec).
- All areas must be kept clean, all trash/garbage needs to be put into a waste bin.
- Do not touch the decoration stones or use any other deteriorating object in SwP and at Rec - Do not damage anything.
- Foods and drinks are strictly prohibited in the swimming pool. No breakable glassware is allowed in the swimming pool and at the recreational areas.
- No music is allowed in the areas.
- Do not enter the corridors or elevators with dripping wet swim wears.
- It is not allowed to reserve sunbeds, chairs, tables in advance (by any means).
- Report any deterioration/damage to the Reception. Any damage or any deterioration will be analyzed by the Manager (and investigated through CCTV camera recordings) and those having caused it will be fined and have to pay for the costs of repair.

Laguna Heights Long Beach condominium (LHLB) cannot be held responsible/liable in any way for any accident, incident, adverse event or similar instance occurring in the swimming pool or at surrounding recreational areas.

FITNESS ROOM / GYM: SPECIFIC RULES **(update approved by AGM on 14.12.2019)**

- Respect for others in this area is the first and most important rule.
- Opening hours: from 07.00 am until 10.00 pm.
- The Gym can ONLY be used by residents of the condominium.
- The entire Gym area is strictly non-smoking.
- Use all equipment strictly according to the written instructions available at Manager`s Office or from staff.
- Do not cause damage/deterioration to anything (equipment, floor,...).
- No children under the age of 15 are allowed in the Gym.
- No climbing, jumping or other disturbing activities are allowed.
- Do not cause the floor to get wet/slippery.
- Appropriate clothes must be worn at all times.
- The entire Gym area must be kept clean and all trash/garbage needs to be put in a waste bin.
- No breakable glassware is allowed in the Gym.
- No music is allowed in the area.
- Report any deterioration/damage to the Reception. Each and every damage or deterioration will be analyzed by the Manager (and investigated through CCTV camera recordings) and those having caused it will be fined and have to pay for the costs of repair.

Laguna Heights Long Beach condominium (LHLB) cannot be held responsible/liable in any way for any accident, incident, adverse event or similar instance occurring in the Fitness Room (Gym).

Underground parking – Specific Rules (approved by AGM on 15.12.2018, confirmed by AGM on 14.12.2019)

The 79 LHLB co-owners have equal rights to access the 27 available car parking spaces on a fair and equitable basis. As there is a shortage of 52 parking spaces to enable each co-owner to have a dedicated parking space, it is necessary for LHLB to create and implement a set of rules to govern the use of these limited underground parking facilities:

1. All vehicles (cars, motorbikes) parked in the underground parking must exhibit the dedicated LHLB parking sticker (secured by RFID). The sticker shall be visible for inspection at all times and shall be protected from tampering as far as reasonable. It shall mention the brand and plate number of the vehicle as well as the name and unit number of the co-owners condo. (for cars, it should be placed in the front windscreen; for motorbikes, on the wind shield or seat). The LHLB parking sticker is provided solely by the Manager to the co-owner upon request and upon presentation of an ID proof and the registration of the vehicle intended to be parked in the underground parking. It is not allowed that the co-owner hands the parking sticker over to someone else directly, without passing through the Manager (f.ex. to a tenant, to a friend,...).
2. Likewise, garage gate remote control is provided exclusively by the Manager to the requesting co-owner. It is not allowed that the co-owner hands the remote control over to someone else directly, without passing through the Manager.
3. Each and every violation of the rules governing underground parking is considered to be an incident. In such case, a penalty will be applied without any exception. In addition, vehicles violating any of the parking rules (eg. not displaying the LHLB parking sticker) will be clamped.
4. When registering, entitled users of the underground parking shall sign a form, acknowledging that they are familiar with current underground parking rules and they agree to strictly abide by them.
5. Entitled users of the underground parking must conduct themselves in a careful and safe way. A strict speed limit of 10 kmh is applicable in the parking area. All users of the parking shall be responsible for their own risks. Condominium Juristic Person, the Manager and the co-owners' Committee, will not be responsible for any loss or damage of vehicles, components, accessories or contents of vehicles or accident or injury of any persons either the co-owners, which occur directly or indirectly, in connection with the use of any parking lot, except in case of their intention or severe negligence. Nor will they be responsible for any occurrence resulting from the use of the parking by anybody; LHLB hold themselves harmless against any loss or damage that may occur whilst the vehicle or motor bike is in the underground parking facility. Users of the parking facility do so completely at their own risk.

6. Storage of flammable materials is not permitted in the underground parking. The changing of lubricant or other fluids is strictly prohibited. If done nevertheless, the Manager may instruct the co-owner to do the clean-up. If such clean-up is improperly done, the Manager shall hire professional cleaners for such clean-up and costs charged to the co-owner.
7. In principle, one vehicle is allowed per one unit in the underground parking. Only cars and motor bikes registered in the name of a co-owner (or a tenant, if applicable) shall have access to the underground parking and be parked there.
8. Access to the underground parking is based on "priority". In principle, priority is calculated by the Manager based on: status (co-owners have priority over tenants), seniority (time since condo. was purchased) and residency in the condominium (yes/no). Therefore, many constellations exist, ranging from "high priority" (a co-owner who bought his unit when construction of the condo. just was finished and who is living in the condo.) down to "low priority" (a tenant who recently has rented a unit). In other words, absolute priority is given to co-owners with long duration ownership in residence. Notably, co-owners who do not reside at LHLB condo. are not entitled to use the underground parking. In general, tenants have no right to use the underground parking (although exceptions may be granted at the discretion of the Manager).
9. Cars and similar vehicles are to be parked only within the marked parking slots. Vehicles in excess of 5 m long are not permitted access to the underground parking facility.
10. Motorbikes are to be parked exclusively in the marked areas, reserved for them.
11. Long term parkers (vehicles intended to be parked for more than 30 days without moving) shall inform the Manager. Long term parkers shall leave keys of the car before leaving with the Manager, who will arrange for outside parking in a secured facility at the expense of the owner of the car (if need arises). The Manager will make sure that those vehicles will have their battery loaded, be cleaned and be available when the owner returns. A penalty of 1 000 THB per week of violation will be applied for breaking the long term parking rules.
12. Offenders of the parking rules will be fined with a penalty of 2 000 THB per incident or 1 000 THB per week of violation, whichever is greater and their vehicle will be clamped. Owners of vehicles violating the rules repeatedly or act in a dangerous way will be penalized with 5 000 THB per incident or 5 000 THB per week of violation, whichever is greater and their vehicle clamped. In case of relapse or fraud, offenders will be banned temporarily or indefinitely by the Manager (inactivating their electronic key tag and/or putting a clamp). If necessary, the Manager has the authority to move or remove a vehicle at the expense of the co-owner.
13. Penalties and expenses related to rule violations are added to the monthly bill. In case of persistent non-compliance and/or non-payment, the Management has the legal right to cut the water supply of the co-owner's apartment. Interests will be added to the bill for each month of non-payment at a rate of 12% per year.

Only if ALL at LHLB strictly follow these rules and show respect for their fellows, good and fair use of the underground parking is guaranteed.

Short term rental at LHLB

(confirmation by AGM on December 14, 2019 of the Interdiction of short-term rental at LHLB)

INFORMATION LETTER

Dear co-owner at Laguna Heights Long Beach (LHLB) condominium,

Short term rental (renting out a unit for less than 1[one] month in a row for payment or equivalent) has been discussed several times at our Annual General Meetings (AGM). A formal decision has been taken at the AGM on December 12, 2015 confirming that SHORT TERM RENTAL of LHLB units is NOT PERMITTED in our condominium. Consequently this was enshrined within our LHLB “Condominium Rules and Regulations” (R&Rs).

It is known, and confirmed by legal council, that R&Rs developed by due process are enforceable by protection of Thai laws. Additional laws are applicable to LHLB, e.g. the Hotel Act and especially the Condominium Act [Act B.E. 2542 (A.D.1999)] and its update.

Nevertheless, we continue to observe violation of our R&Rs by a small minority of co-owners. As a result, we have recently taken legal advice from a lawyer related to the types of occupancy observed at LHLB and our related legal obligations and liabilities. As a result of this legal advice, we are writing to you to ensure that you are fully aware of the existence of the mentioned R&Rs and Thai laws in respect of the Condominium Act and decisions taken at AGM, the highest authority in a condominium.

We hereby inform you that starting April 1st, 2018, the R&Rs set out for our condominium by the majority of participants at the AGM WILL BE FULLY IMPLEMENTED.

In case, our Management observes that a unit is/has been rented out for less than one month in a row, a penalty of 1,000 Baht per day of violation is applied and added to the monthly bill of the concerned unit. In case of repetition, the penalty will be increased progressively by our Management, according to our R&Rs. In addition, our Management will cut off water supply for the illegally rented unit.

We trust that we have your support and understanding concerning LHLB R&Rs, our legal obligations on this matter, the need to protect our condominium from infringement of rules and laws and also from potential liabilities.
