

Tall Pines-Kirkville, LLC  
7700 DeVaul Rd  
Kirkville, NY 13082  
Office: (315) 656-9590

## **Rules and Regulations**

The following are the Rules and Regulations for Tall Pines-Kirkville LLC. 7700 DeVaul Rd. Kirkville, New York, as set forth by Tall Pines-Kirkville LLC.

The purpose of these Rules and Regulations is to provide the homeowners and their families with a pleasant, wholesome environment in which to live. Adherence to these rules and regulations will also help assure other park residents of the same peace and tranquility.

These rules and regulations are to be effective from this day forward and until such time as they may be amended. Any future amendments will be provided to the homeowners in writing and will allow sufficient time for compliance.

All previous statements of rules and regulations or policy are null and void.

### **REGISTRATION, RENT**

a. All homes in Tall Pines-Kirkville, LLC. must be duly registered and accepted by the Park See Management prior to moving a home in, or in the case of a pre owned home, prior to the new buyers closing on the sale.

b. All prospective tenants must complete an application form from the Park Manager. No individual will be permitted to move into the park without management approval.

c. Rent is due and payable on the first of the month. Payments are to be mailed to KDM Development Corp. -Tall Pines 1080 Pittsford Victor Road Suite 202 Pittsford, New York 14534. Any payments received after the tenth (10th) of the month will be assessed a 3% late fee. Tall Pines-Kirkville LLC. Is not responsible for late mail. Any check returned for insufficient funds will be assessed a \$20.00 fee.

### **OCCUPANTS - VISITORS**

a. The names of all occupants must be listed on the Registration Form signed at initial occupancy. The Park Office must be notified of any changes.

b. Occupants of the home who are not listed will be considered visitors.

### Visitors

- a. Visitors are allowed on a temporary basis, long-term visitors must be registered at the Park Office by the homeowner.
- b. Visitors are expected to comply with Park Rules and Regulations.
- c. Management may, at its own discretion, limit the number of visitors at any given time or limit the length of stay.
- d. Visitors who do not abide by the Rules and Regulations set forth here may be required to leave the Park at once. They are considered trespassing if they return and will be arrested on site.

### SUBLETTING

Statute: NYS Real Property Law Section 233(t)

Anyone wishing to sublet must first get Park Management's written permission to sublet. Tenant must provide Park Management with sub leaser's name and address, the terms of the sublease, tenant's new address during the term of the sublease and a copy of the sublease, with sub leaser's signature on it consenting to and acknowledging the sublease. Park Management reserves the right to approve the sub leaser.

If Park Management requires additional information regarding the sub leaser, management will ask for same within ten days of receipt of request to sublet. After Park Management receives the additional information, management will, within thirty (30) days, notify the tenant of approval or disapproval of sub leaser. If disapproval, management will state the reasons why in writing.

Homeowner of the property agrees to pay the rent to the Parks mailing destination, (KDM Development Corp -Tall Pines 1080 Pittsford Victor Rd. Suite 202 Pittsford, NY 14534 the sub leaser pays rent to the Homeowner. If the home has any issues, it is the Homeowners responsibility to make the necessary repairs. Homeowner is responsible to go over the park rules & regulations with their sub leaser. Should the sub leaser not adhere to the rules and regulations, the Homeowner will receive the violation or violation fees and they must correct the violation with their sub leaser. If an eviction is necessary, sub leaser (s) and Homeowner (s) will be evicted. Should Homeowner wish to have the sub leaser evicted for damages or non- payment of rent to the Homeowner, the Homeowner is responsible to get an attorney and start the proceedings. Management must have address and phone number of the Homeowner.

Management must be aware if Homeowner is going to take legal action against sub leaser.

## CARE OF GROUNDS

Snow Removal: Tall Pines-Kirkville LLC. will plow and sand all roads to the best of its ability to make travel within the Community flowing, travel slow & careful. We will do sensible salting. DRIVE SLOW, Walk carefully.

No parking on the roads. Roads must be kept clear for emergency vehicles.

Upkeep of the yard around the house must be kept neat & tidy at all times, winter months included. Nothing left unattended. Violations will be noted to the Homeowner, Fees will apply if ignored and fees become a part of the rent due.

1<sup>st</sup> offense \$25.00, 2<sup>nd</sup> offense \$50.00 and 3<sup>rd</sup> offense file for eviction.

- a. In order to keep up with park standards, all superfluous materials must be removed or stored out of sight.
- b. Firewood must be neatly stacked behind the house.
- c. Play Gyms, toys, etc. Kiddie pools must be kept in an orderly manner preferably behind or to the side of the home.
- d. Lawns - Maintenance will mow and trim the common areas. Resident(s) are responsible for their lot and ditches. Grass should be mowed when it reaches 4" high. Trimming should be done every time the lot is mowed. Homeowners may contact a lawn service to mow/trim and fertilize. Homeowners must rake up leaves and dispose of them properly. Fines are as follows: 1<sup>st</sup> offense \$25.00, 2<sup>nd</sup> offense \$50.00 and 3<sup>rd</sup> offense file for eviction. Charges will be added to the rent account and become a part of the rent due.
- e. Ornamental shrubberies and trees beyond what may have been provided with the home are permitted. Only trees and shrubs which are dead may be removed without managements permission. All others must be approved by management. If the tree or large shrub is on the Homeowners lot then it becomes the Homeowners responsibility to trim or remove it. Management must be made aware of the removal before it is removed. No digging before contacting UDig-dig safe call 811. To not cause to you or your neighbors' utilities. If you do any damage to the underground lines, you will be responsible for the repairs.
- f. Flower and vegetable gardens are permitted so long as the size of such gardens do not exceed reasonable residential limits. 1' high x 12' length  
**(Gardens cannot consist of cannabis plants.) Not permitted in the community.**
- g. Clotheslines: The umbrella type (folding) clotheslines are the only lines permitted. These should be placed behind the home and kept folded when not in use.

- h. Swimming Pools: Are not permitted in Tall Pines-Kirkville LLC. except for small-temporary pools which do not exceed 18" in depth. Fines are as follows: 1<sup>st</sup> offense \$25.00, 2<sup>nd</sup> offense \$50.00 and 3<sup>rd</sup> offense file for eviction.
- i. Signs: Are not permitted anywhere on the home or on the home site, except for a Homeowner's (For Sale Sign, 18x24.) Located in the window or on a porch railing. May be in front of the home by the skirting as well.
- j. (No high post, not posted by the road side within the community.)
- k. Home Site Inspections: Tall Pines-Kirkville LLC. Management reserves the right to inspect any exterior/lot site or the extension of any exterior home during daylight hours to confirm compliance with the rules and regulations. Not the interior of the home. Should the site be out of compliance, Tall Pines-Kirkville LLC. MHP will send a violation notice and give 10 days to correct the necessary violation. If more time is needed that will be at the discretion of the Manager. Fines will apply and become on the rent account. 1<sup>st</sup> offense \$25.00, 2<sup>nd</sup> offense \$50.00 and 3<sup>rd</sup> offense file for eviction. You can purchase a \$25.00 dump card from Kirkville any time.
- l. Satellite Dishes: Satellite dishes are allowed only if on a in ground on a post. 36" in diameter and no larger.

m. UTILITIES

In Tall Pines-Kirkville LLC. two of the costliest expenses are the water & septic bills. Because it is impractical to have each lot metered separately, management must require that all residents follow certain rules concerning water usage and sewer use.

- a. Water Lines: Plumbing must be left in good repair to avoid creating health hazards and to avoid unnecessary water waste. Leaky faucets, running toilets, or malfunctioning faucets, must be repaired as quickly as possible by calling a licensed plumber. The contractor you hire must bring their insurance to manager (Liability and Compensation) to work on the property. Other water leaks outside of the home not caused by the homeowner's neglect or abuse, will be repaired by Tall Pines-Kirkville LLC. Tall Pines-Kirkville LLC. management reserves the right to monitor water usage at each home. In the event that minor leaks are detected, the homeowner will be duly notified. If major leaks are discovered, Tall Pines-Kirkville LLC. reserves the right to shut off the water supply to the home until the problem is solved.
- b. Lawn Watering: - Car Washing: Careless waste of water can become a threat to all residents. Therefore, car washing is prohibited at all times at Tall Pines-Kirkville LLC.

- c. Watering of lawns and gardens must be limited to one half hour per day.
- d. Please store the hose properly when not in use. Do not leave laying on the ground.
- e. Laundry: The laundering of clothes, etc. must be limited to items belonging to the home occupants only.
- f. Septic System: The septic systems at Tall Pines-Kirkville LLC. can process normal sewage, but cannot accept sanitary napkins, paper towels, disposable wipes, disposable diapers, etc. Flushing garbage, cat litter, fat or other non-soluble substances in the toilet or in any drain is strictly forbidden. These and similar practices can cause a serious backup and clogging which would threaten the well being of all residents. The company we use has modern detection methods to reveal the source of the sewer problems, right down- to the individual home involved.
- g. Homeowners who are responsible for septic problems: because of a failure to adhere to the above-named requirements will be subject to all costs necessary to repair or replace the affected portions of the septic system.  
Please report any problems with your septic system to the Tall Pines-Kirkville LLC. Manager. Tall Pines assumes the responsibility for the repair of any water line or septic system which may be faulty below ground the level, unless, such a problem has developed because of homeowner (family and guests) negligence.
- h. Fuel Tanks: Heating with oil, propane and other fuel tanks shall be installed in accordance with applicable state and local codes. In any case shall be installed a minimum of five (5') from the home, at the rear of the home. A lot shall have a single tank. Designed for heating the home. Converted 55-gallon oil drums are strictly forbidden.
- i. Electrical Services: Breaker box fails, if you see smoke or flames leave the house immediately and call 911. Let the manager know of the incident. You will need to call a licensed Electrician for the repairs. They must show the manager their insurance before the work begins. (Liability and Compensation) to work on the property.

Pets:

One dogs (25lbs or less) are allowed per household at the Tall Pines-Kirkville LLC. Community. By law we accept Service Animals and Emotional Support Animals. Must show documentation from a professional practice, license from the Town and immunization shots up to date. Follow up yearly with the manager, bring all documents to the manager. Should the pet pass away and another pet is brought in to take its place, the Homeowner must bring all the necessary documents to the manager. Should the person vacate the property that the service animal or emotional support animal was meant for, the animal must go with said person or be removed from the property.

Cats are permitted. Two (2) domestic cats per household. However, cats which roam from the owner's property habitually will be considered strays and will be subject to being picked up by the SPCA.

Other house pets: Other house pets which do not disturb other residents that are approved, fish, small caged birds, small caged reptiles, caged lizards.

#### Motor Vehicles:

Unregistered/Unsuspected or Inoperable motor vehicles of any size or type are not permitted in Tall Pines-Kirkville LLC. Residents will be given a twenty-four (24) hour violation notice. If the vehicle is not moved off the property it will be towed at the Homeowners expense. The charges will be added to your rent account and become a part of your rent due.

Each home is limited to two (2) registered vehicles in drivable condition. They must be registered with the office. If a vehicle is replaced it must be registered at the office.

Vehicles must be parked in the driveway not on the grass. Any damage to the lawn it is the homeowner's responsibility to make the repairs and plant grass seed.

Residents are allowed to make minor repairs or adjustments- change a tire, replace a battery, add windshield washer fluid. All other fluids like oil, transmission fluid or anti-freeze are not allowed. These fluids will contaminate the property and the homeowner will be responsible for the expensive clean up. Remove the soil and replace with new soil and seed.

Dispose of old battery properly (take to an automotive store) in a plastic bag.

**HOW TO RETURN A BATTERY TO AUTOZONE** To return batteries to AutoZone, fill out the Return Form and include it with the product in its original packaging and/ or box. Whether you have to recycle batteries, oil, or just need to find a great deal on a new car battery, stop by your local Auto Zone for more information.

Speed Limit: The Park speed limit is 10 MPH ignoring the speed limit, could result in termination of the lease.

All-terrain vehicles and or snowmobiles may be owned but not driven on the property.

Motorcycles-Motorbikes Registered for highway use are allowed. Must be driven by a licensed driver in a responsible manner that minimizes noise while driving in the community.

#### HOME OCCUPATIONS - BUSINESSES

While Tall Pines-Kirkville LLC. is designed primarily as a residential community, business, enterprises are not allowed. Babysitting and Childcare: Babysitting or daycare of children who are

not residents of Tall Pines MHP is prohibited without prior permission of management which reserves the right at its own discretion to grant or deny such permission. Must be State Certified to open a Daycare: Bring a copy of the Day Care License to the Manager of the Park.

### CONDUCT OF RESIDENTS

#### a. Compliance with Laws:

Residents and their household members/guest, are expected to comply with all local, state and federal laws. The owner of the home is responsible for the conduct of any co-tenants, family members or guests. Noncompliance of the rules and regulations by residents, co-tenants, family members or guests is grounds for eviction from the park. Ignores of these rules and regulations is not a acceptable.

#### b. Noise:

Loud parties, loud musical instruments, radios, TV's or any other offensive noise is prohibited. Noises of any kind within the park which in any way disturbs the peace and tranquility of the residents is strictly forbidden.

#### c. Alcoholic Beverages:

Consumption of alcohol inside a resident's home is a personal matter and will be unabridged unless such drinking results in the disruption of the peace and tranquility of any park resident. Consumption of alcoholic beverages elsewhere in the park is strictly prohibited.

#### d. Disorderly Conduct:

Such as quarreling, threatening, fighting, immoral or illegal conduct profanity, or rude, boisterous, objectionable language or conduct is prohibited.

Verbal harassment or abuse of the Community Owner/Operator, their employees, family members, representatives or agents will not be tolerated under any circumstance, the resident (s) lease will be terminated.

#### e. Not allowed:

Family members and guest are not allowed to play on Town roads, near any service facility, mailbox stations, etc. Restrain from playing on other resident's property unless you or your family member/guest has specific permission to do so from the affected homeowner. Homeowners will be held responsible for any acts of vandalism as well as the behavior of their family members/visitors.

f. Firearms and Harmful Weapons:

Firearms of any kind may not be carried or fired in the Community. All firearms must be kept unloaded at all times. Must be in a gun carrying case to and from the vehicle. This includes Beebe guns, Bow-N- Arrows, Axes, Swords etc.

The threatening use or display of knives/swords of any kind, firearms of any kind, baseball bat/large sticks and other similar instruments is strictly prohibited if the intended use is to threaten or cause bodily harm.

g. Smoke Detectors & Carbon Monoxide Detectors:

Smoke detectors & carbon monoxide detectors must be working at all times. This is a fire code. Knowing who lives in the home should a fire breakout, we can let the Fire Dept. know how many people live in the home. How many pets are in the home as well? When the profile sheet is sent out from the Corp. Office once a year, you should update your information so it is in the Office and on file at the park. You may have changed your vehicle; people move in and out all the time.

h. Property:

Residents are responsible for their own property weather on their own lot or elsewhere in the park. Management assumes no responsibility for lost, stolen, or damaged property of residents. If a resident, his/her household members, a guest is responsible for damage to the park or another homeowner's property, by any means, the resident (family member or visitor) causing the damage will be held responsible for the costs necessary to repair or replace the property. Such costs will be payable within ten (10) days after demand to the Tall Pines-Kirkville LLC. designated Office.

CONDITION OF HOMES IN THE PARK

This section of the rules is designed to ensure the peaceful enjoyment of the park for the residents. The condition of your home is important to you, your neighbors and the community in which you have chosen to be in. The following standards are applicable at all times to all homes in the park.

These rules will be invoked whenever management has reason to believe that an insecure condition may exist. In order to ensure that homes have been maintained where the structure is compliant with the additions and alterations and they meet the standards. Permit is required by the Town. Management may inspect these the home to determine if these standards are being met. Owners whose homes do not meet these standards contained herein will be given reasonable opportunity to correct any deficiencies in order to meet the standards. If the home is not brought up to these standards, management may require that the home be removed from the park. Tall Pines-Kirkville LLC. management takes no responsibility for the safety of any home or of its occupants nor do we certify that a home has met these standards.

For identification purposes for National Grid, Fire Departments, Ambulance and Police all mobile homes in Tall Pines-Kirkville LLC. must have their lot numbers visible from the road.



a. Exterior Coating or siding:

The original or replacement siding must be safe and secure condition, without holes, rust or substantial dents, scrapes, patching or fading.

b. Windows-Doors:

Window, storm windows, screens, and exterior doors must be fully operable and must not be in a deteriorated condition. There must be at least one (1) egress window or door in each bedroom. Each such window shall have a minimum clear opening of at least five (5) square feet, the smallest dimension of which shall be not less than twenty-two inches (22") and the bottom of which shall be not more than thirty-six inches (36") from the floor. There shall be at least two (2) exterior doors in the home, and each shall have an exterior light adjacent to it and stairs.

c. Plumbing, Heating and electrical Systems

Plumbing, Heating and Electrical Systems: The plumbing system must be properly functioning with no leaks and must be designed and installed to accommodate the pressure of the water supply system to which it is attached. Any additions or alterations to the original factory-installed plumbing system must be of durable material, free from defective workmanship and so designed and constructed as to perform satisfactorily with reasonable life expectancy. The component parts of the Heating system, especially the stack, tank-to- burner connections, flu, chimney and heat compartment, must be fully and safely operable. Any additions or alterations to the original, factory-installed heating system must be of durable material and free from defective workmanship. They must be designed, constructed and installed in a manner appropriate to their use. The location, installation, and condition of fuel tanks must comply with applicable local and state standards. All wood stove installations including stove, flu pipe and chimney, must be inspected by a local or state fire official and be certified to management by such official in writing as being in compliance with applicable state and local safety standards. Permit is required. The electrical service and wiring, must be in accordance with specifications of the edition of the National Electrical Code in effect at the date of manufacture of the home, if built on or after June 15, 1976, to the specifications of the HUD Code in effect at the date of the manufacture of the home. There must be no electrical shortages, or other unsafe conditions, and any aluminum wiring must be installed in accordance with present standards of the National Electrical Code, or for homes built on or after June 15, 1976, to the HUD Code. All fixtures must be safe and suitable for which they are used. The service entrance must be adequate for the electrical load imposed by the manufactured home and for any additions, given its number of occupants and the type and number of electrical appliances. Management, in its sole discretion, may require the homeowner or occupant to obtain written certification from an appropriately licensed trades person that the plumbing, heating and electrical systems are safe and fully operable, and meet or exceed all applicable state or local standards. Contractor must have proper insurance. (Liability and Compensation)

**d. Skirting Requirements:**

Skirting is required around all homes. Skirting must not display any deterioration and must enclose the area between the home and the grounds. If the skirting is replaced on existing homes, the new skirting must be approved by the management. Skirting shall be installed in accordance with the Manufacturers installation instructions. It shall be secured as necessary, to assure stability, to minimize vibrations, to minimize susceptibility to wind damage, and to compensate for possible front heave. Use wind guard rods to secure skirting from blowing out. Order them from Blevins's 315-453-0636 or Amazon.

**e. Steps, Handrails, Porches, Decks, Windbreaks, Fences or Other Additions:**

All must be constructed in accordance with applicable local building codes. Prior to construction, the homeowner must consult with management and must receive written approval from management of the design, color, materials, and location of said construction. Existing steps,

Fences of any kind are not permitted, invisible pet fencing in not permitted.

handrails, porches, decks, windbreaks or other additions to the home and exterior structure, and storage sheds must not be in a deteriorated state or condition and must be properly constructed and safe for all proper purposes. Storage sheds may not exceed 10 x 12 feet, must be painted or stained, and their height may not exceed that of the home on the same lot. Only one storage shed is permitted on one lot. In no case may particle board, chipboard, tar paper or plastic be used as an exterior finish or cover to any home or accessory structure. Metal sheds are not acceptable. Texture III is acceptable as a vinyl siding. Decks may be any color of the person's choice but should try to blend into the home and neighborhood, usually natural, redwood, cream, white or color of home. Loud and exotic colors are not to be used. Plans for decks must be submitted to the manager's office for approval. Then, a permit must be obtained from the Town of Sullivan Code Enforcement Office.

**f. Other Aspects of the Structural Safety or Soundness of the Home:**

The manufactured home must be mechanically sound and structurally safe. There must be no weakness or defects in the manufactured home affecting its safety, or the potential health or safety of its occupants and their guests.

g. Selling your Home & Right to first Refusal:

Give a written 30-day notice to vacate to the Park Manager. Your Prospect must be Park Approved before accepting an offer, by filling out a park application with all the documents needed. See the Park Manager for application(s) and the criteria.

Tall Pines-Kirkville LLC. has the right to first refusal. When you get an offer and you would accept it. You must present the offer to the Park Manager and they have 72 hours to purchase for that price or let it go to your buyer. You would add a 72-hour contingency on the offer to your buyer for this reason.

All complaints, must be submitted in writing to the manager's office. If not in written form, the complaint will not be addressed. Must give a full description of the complaint, address, name of person(s) involved. Time and date of incident, the complainer must sign and date the form. One complaint per form. See manager for forms.

***Residents/Homeowners' Rights and Responsibilities under New York State Real Property Law  
Section 233***

- a) **The right to be free from retaliation if you make a complaint or join a resident/homeowner association;**
- b) **The right not to be evicted except upon court proceedings;**
- c) **The right to a copy of park rules and regulations and a written statement of all fees at the commencement of occupancy;**
- d) **The right to have rules and regulations applied uniformly to all homeowner/residents;**
- e) **The right to be free from unreasonable, arbitrary, or capricious rules and regulations;**
- f) **The right to a thirty-day written notice prior to any change of rules or regulations;**
- g) **The right to a ten-day period in order to correct a violation of park rules or regulations;**
- h) **The right to a ninety-day written notice prior to increases of fees, charges or assessments;**
- i) **The right to have your security deposit held in trust in an interest-bearing account and to know the name and address of the bank;**
- j) **The right prior to occupancy to sign a lease for at least a one-year term;**
- k) **The right to annual lease renewal(s) to all homeowner/residents in good standing;**
- l) **The right to post a For Sale sign on any manufactured home;**
- m) **The right to reasonable notice of any planned disruption of services;**
- n) **The right to purchase a manufactured home from whomever you wish, as either a current or prospective homeowner/resident;**
- o) **The right to have essential services always furnished;**
- p) **The right to choose whomever you want as a service person;**
- q) **The right to refuse to purchase equipment from the park owner;**
- r) **The right to be free from occupancy restrictions in park rules or leases;**
- s) **The right to sell your manufactured home without the requirement that it be moved from the park;**
- t) **The right not to pay a sales commission or fee to the park owner unless the park owner acted pursuant to a written agreement and signed.**
- u) **The right to a livable, sanitary and clean park under Warranty of Habitability.**

**Disregard for the Enforcement of the Community Rules & Regulations:** If the Homeowner/Resident is in violation of any lease term or rule or regulation established by the Community Owner/Operator pursuant to this section, and has continued in violation for more than ten days after the Community Owner/Operator has given written notice of such violation to the Homeowner/Resident setting forth the lease term or rule or regulation violated and directing that the Homeowner/Resident correct or cease violation of such a lease term or rule or regulation within ten days from receipt of said notice. Upon the expiration of such period should the violation continue or should the Homeowner/Resident be deemed a persistent violator of the lease term or rules and regulations, the Community Owner/Operator may serve written notice upon the Homeowner/Resident directing that the Homeowner/Resident vacate the premises within thirty days (30), sixty days (60) or ninety days (90) of the receipt of said notice. This will depend on the length of tenancy at Tall Pines-Kirkville LLC.

**Maintenance of Site:** All residents shall keep their site neat, clean, and free from yard waste, dead brush, garbage, and other refuse. Must be bagged and placed in your garbage tote. Lawns must be well kept, cut, trimmed and free of weeds and yard debris. Lawns exceeding five (5) inches in height; shrubs with new growth exceeding four (4) inches and untrimmed or unkempt yards will be fined. Vehicles must be registered and operable at all times. Inoperable vehicles may not be stored on site. Will be towed at the owners expense.

1<sup>st</sup> offense \$30.00

2<sup>nd</sup> offense \$50.00

3<sup>rd</sup> offense notice to vacate

The Owner/Operator (Manager) has the sole discretion of the interpretation of these rules and regulations set forth for the Community of Tall Pines-Kirkvills, LLC set by the Owners of the park.

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Resident Signature	Lot #	Date
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Resident Signature

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Manager Signature

Tall Pines-Kirkville LLC.  
Revised Rules and Regulations- February, 14, 2025

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