

GIONI HOMES

ESTATE MANAGEMENT BYE-LAWS

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Article 1

Introduction

- 1.1 In furtherance of the provisions of the Purchase and Sales Agreement ("the Agreement) between **OwolabiAdejonwo Property and Investment Company (OAPIC) T/A Gioni Homes** and the respective Purchaser/sub-lessee to make bye laws and regulations from time to time to deal with the administration of **Gioni Estate**, Gioni Homes ("the Developer"), hereby publishes the following Bye Laws, to ensure the welfare, safety and security of residents/property owners, to promote peace, order, and social harmony in the estate, maintain infrastructural facilities, protect architectural integrity, sustain basic social amenities/utilities, enhance property value, prevent environmental pollution, sustain an acceptable quality of life in the Estate and effectively manage the Estate.
- 1.2 The Bye Laws shall apply to all purchaser/sub-lessee their residents, family members, tenants, occupants, agents, visitors, employees and guests; and shall be enforced by the Developer either directly or through its appointed representative.
- 1.3 The Bye Laws may be modified, repealed, amended, supplemented at any time by the Developer when deemed necessary in the best interest of property purchasers/residents and the Estate, and in all cases shall not be inconsistent with the provision of the purchase and sales Agreement/Deed of sub-lease.
- 1.4 The Developer through Sloane Properties Services Limited, is the Estate Manager referred to as such in the Bye Laws and the reference shall be accorded its full meaning and recognition within the spirit and letters of the Purchasers and Sales Agreement/Deed of sub-lease. The term "Estate Manager" in the Bye Laws shall include any person or entity, natural, corporate or non-corporate, acting pursuant to the directions, appointment and authority of the Estate Manager.

Article 2

Services

The services covered include but not limited to:

1. Security
2. Waste disposal
3. Sanitation
4. Landscape maintenance
5. Power installation maintenance
6. Street lighting
7. Civil works
8. Weeding and cutting down of bushes
9. Water provision
10. Postal Services

Article 3

General Rules and Regulations

- 3.1 These are the general rules and regulations of the Estate. Exceptions of these rules may be granted only by a written notice from the Estate Manager.
- 3.2 Any damage to common facilities including buildings, grounds, roads, or equipment by any owner, resident, tenant, guest, family member or pet shall be repaired at the expense of the house owner. This charge may be assessed in addition to any other penalty imposed or that could be imposed by any other appropriate authority.
- 3.3 House owners are fully responsible for the actions of their tenants, family members, guest and pets, and shall be held accountable for any damage done to the property.
- 3.4 **Lawns, walkways and Drainage cover:**
The lawns, , walkways and drainage cover shall not be used for storage or parking or be obstructed in any way.
- 3.5 **Unlawful and Disturbing Noises/Practices:**
No person shall make or permit any unreasonable noise that will disturb or annoy other residents, or permit anything to be done which will interfere with the rights, comfort and convenience of other residents.
- 3.6 **Trash and Garbage:**
- 3.6.1 Trash and garbage shall be kept in receptacles which shall be placed in locations approved by the Estate Managers.
- 3.6.2 Arrangements for the removal of bulky items such as mattresses, furniture, appliances, construction materials e.t.c must be made with Estate Manager's office and shall not be placed outside earlier than the day before the schedule pick-up day.
- 3.7 **Play Areas:**
- 3.7.1 Play is permitted in only areas designated by the Estate Manager provided that such play is not of a nature that is destructive or potentially destructive of property.
- 3.7.2 Also, such play or use should not violate the provisions of any other clause of this Bye Law. Except in designated recreational or other areas designated by the Estate Manager, no playing (including ball playing) shall be permitted. Violators shall be subject to appropriate disciplinary measures.

3.8 **Barbecuing:**

Barbecuing is permitted in the area designated by the Estate manager or in safe place preferably in the back of each house only and should be conducted in a reasonable manner to ensure it does not constitute annoyance, disturbance, or inconvenience to other residents.

3.9 Signs Notices and Defacing of Property:

3.9.1 Every person shall comply with signage policy made from time to time by Estate Manager.

3.9.2 Signs, notices, advertisements, or any alteration of exterior surfaces shall not be placed, inscribed, or exposed on any window, door, gate or other exterior parts of any house, or property in the Estate.

3.9.3 The Estate Manager may allow seasonal decorations that are reasonable and inoffensive.

Article 4

Rental Property

All house owners who rent, to any person shall: (1) provide the tenant with a copy of the By-Laws, (2) include in the tenancy agreement a provision that the tenant shall abide by the by-laws, (3) notify the Estate Managers in writing that the house is tenant-occupied, giving the name(s), address and phone number of the occupants, and (4) provide to the Estate Manager the name of any agent retained by the house owner to manage the house for him/her. The house owner is responsible at all times for the enforcement of the established guidelines.

4.1 **Vandalism:**

All or any act of vandalism of prohibited and all house owners/residents, tenants, and guest shall not deface, remove, or destroy, or permit the defacing, removing or destruction of the Estate including but not limited to the common areas, facilities, horticulture, plants, equipment, or any part thereof.

Article 5

Use of Houses

5.1 **Residential Use:** All houses within the Estate shall be used for residential purposes exclusively, except the areas specifically designated in the Estate for any other purpose.

5.2 No noxious or offensive or commercial activity shall be carried on within any house or property in the Estate or any part thereof.

Article 6
Insurance

Nothing shall be done or maintained in the Estate or any part thereof, which may increase the rate of insurance or result in the cancellation thereof on any house in the Estate.

Article 7
Violation of Law

Nothing shall be done or maintained in the Estate or any part thereof, which is in violation of Law.

Article 8
Animals and Pets

- 8.1 The maintenance, keeping, boarding and/or raising of animals, livestock or poultry of any kind, regardless of number, shall be and is hereby prohibited within the Estate or any part thereof, except that this shall not prohibit the keeping of small dogs, cats, and/or caged birds as domestic pets, provided that are not maintained, kept or bred for commercial purposes and provided further that the keeping of small dogs, cats and/or caged birds will not constitute noxious or offensive activity.
- 8.2 All pets shall be leashed and under the control of their owner whenever they are outside the house, and shall not be allowed to run free or unleashed at any time, or to otherwise interfere with the rights, comforts or convenience of other residents and must be cleaned up after.
- 8.3 Pets may not be walked on grassy areas.
- 8.4 Pets must be vaccinated and kept in accordance with the relevant laws and regulations. Any person owning pet, dog or animal shall keep all relevant documentation pertaining to its care and health and shall produce same upon request by the Estate Manager.
- 8.5 Pet/Animal owners must inform the Estate Manager's office in writing of the existence of any pet/animal in the house any incident.
- 8.6 Owners are responsible for all damages caused by their pets. Owners or any resident shall immediately report any incident including but not limited to attack, injury, damage caused by or involving any pet, animal or dog in the estate or any part thereof to the Estate Manager.
- 8.7 Owners are responsible for the immediate removal from the estate of any Pet/animal that is reported or observed, or found to be dangerous, harmful or pose any danger of whatever nature to any person or property in the Estate.

- 8.8 The estate manager reserves the right and absolute discretion to immediately deal with including (but not limited to) putting to sleep, removing or banning from the estate, any stray, unattended or unleashed pet or other animal in similar circumstance or any dog/pet/animal reported, observed, or found to be dangerous, harmful, disruptive, destructive, or posing or likely to pose any danger or threat of whatever nature to any person or property in the Estate with or without any note to the owner of such pet, dog or animal.

Article 9

Vehicular Control

9.1 **Entry of vehicle/junk or unattended vehicle:**

No vehicle shall be permitted into the estate without due clearance as to its mission and purpose in the estate. No junk vehicle, machine or item of whatever description shall be kept in the estate or any part thereof.

9.2 **vehicle repairs:**

No repair or extraordinary maintenance of automobiles or other vehicles may be undertaken outside the house or on the road. Minor vehicles repair work shall be permitted in emergency cases only, provided that the area is cleaned after repairs have been completed.

9.3 **parking policy:**

9.3.1 Vehicles shall be prohibited from parking upon any road in the estate

9.3.2 **Resident parking:**

Each house shall have parking spaces therein. House owners, upon acquiring their house, shall call the management company to register their vehicles and request parking stickers.

9.3.3 **Visitors parking:**

Each house may upon, notification to and direction of the estate manager, improvise parking space for guest visiting for few hours or less where parking spaces in the house is filled so however that such improvised parking does not constitute any obstruction to the use of the roads in the estate.

9.3.4 **Removal of vehicle:**

The estate manager reserves the right to remove any vehicle parked in violation of this Bye laws or causing any obstruction in the estate. The cost of such removal shall be borne by vehicle owner and/or the property owner/resident on whose account such vehicle was allowed into the estate or parked or left in violation of the Bye Law.

9.3.5 **Speed Limits**

Vehicular traffic shall be guided as follows;

Main road (..... Avenue): 35 km/h

Others: 20 km/h

9.3.6 **Car Stickers**

All residents should obtain the estate car stickers for their vehicles. The estate manager may refuse to allow a car without the stickers in the estate.

Articles 10 **Building Control**

- 10.1 No construction, addition, charges, removal or alteration of any building or land in the estate shall be commenced or conducted, or continued or concluded except in strict compliance with the approval process of the developer and upon the written clearance of the estate manager.
- 10.2 It should be noted that approval of any projects does not preclude subsequent adoption of more restrictive or more liberal standards where deemed necessary to maintain or improve overall architectural standards and harmony.
- 10.3 Buildings must be supervised during construction by relevant qualified professionals.
- 10.4 Written approval must be obtained from the estate manager for both the “setting out” and “foundation” stages of the building construction.
- 10.5 The plot owner must be in possession of a valid and subsisting work permit issued by the estate manager in respect of the building
- 10.6 Any building constructed in contradiction of this rule will be demolished at the expense of the plot owner and the entire plot will not be connected with any services (water and electricity) until all contravention have been rectified.
- 10.7 Installation of concertina wires on plot perimeter fence is not allowed, except on the estate perimeter fence.
- 10.8 Enforcement of all guidelines, stipulations and conditions governing building construction shall remain vested in the estate manager who shall uphold and enforce all regulations relating thereto and may take all steps deemed appropriate to ensure compliance with same.

- 10.9 Relevant parties shall comply with all provision and covenants relating to building construction and general usage as contained in the purchase and sales agreement/sub-lease granted by Gioni Homes Plc.
- 10.10 No work is allowed on construction sites on Sundays and public holidays.
- 10.11 All building material must be offloaded and properly stored on the plot not on the street.
- 10.12 The building site must be cleared of all debris and construction wastes during and after construction.
- 10.13 The estate manager reserves the right to inspect construction sites from time to time.

Article 11

Human Access Control

11.1 Identification

Any person entering the estate shall be subject to identification verification. As such, all residents including domestic servants (whether or not live in) must possess at least a picture identification document approved by the estate manager.

- 11.2 No building or any other contractor, licences, shop-owners, shall be allowed into the estate unless same and its workers/staff are duly registered with and identified by the estate manager and in possession of a valid entry permit.

11.3 Visitors/Licences

Residents shall make advance arrangement to receive their visitors by giving adequate notice to the estate manager.

11.4 SERVANTS/STAFFS/WORKMEN

- 11.4.1 Residents/House owners are fully and vicariously responsible for the whereabouts, acts, omission of and violations of the Bye law by their domestic servants/staffs/workmen (whether or not same are live-in).
- 11.4.2 Residents should contact the estate manager for the clearance, procedure and requirements with respect to same before hiring and upon firing such servants/staffs/workmen.
- 11.4.3 The estate manager may issue temporary clearance/identification papers in prescribed form for domestic servants/staffs/workmen upon set terms and conditions.

Article 12

Packing into and out of the Estate

- 12.1 Relevant parties must obtain due clearance from the estate manager before moving into the estate.
- 12.2 Residents who are relocating or moving out personal effects from the estate will not be able to obtain the requisite exit pass from the estate manager until all outstanding payments have been made.

Article 13

Recreational Facility/Park within the Estate

Only the areas designated as such can be used as recreational facility/park within the Estate .

Article 14

Security Measures

- 14.1 Residents are required to take the following security precautions:
 - a) Report suspicious criminal activities to the estate manager or the security personnel
 - b) Security lights on buildings should be put on at night
 - c) Buildings by the estate perimeter fence should install and put on at night halogen light towards the estate perimeter fence.
 - d) The perimeter fence of buildings should be maintained always
 - e) Call security/emergency numbers when in need of help
 - f) Any other necessary security precautions not in violations of these bye laws and approved by the estate manager.

Article 15

Environmental Matters

- 15.1 **Sewage cleaning**

Sewage of individual houses should be cleaned regularly and should not be allowed to flow into the estate drainage

15.2 Fumigation

Residents are encouraged to fumigate their houses periodically using qualified professionals and appropriate products

15.3 Hawking and Soliciting

Hawking and Soliciting within the estate is prohibited.

15.4 Kiosk and Temporary Structures

Kiosk and Temporary Structures unless permitted in writing is strictly prohibited in the estate.

15.5 Street Parties

Street Partying or function is strictly prohibited in the estate

15.6 Noise pollution

15.6.1 The persistent hooting of horn is prohibited

15.6.2 Resident are required to keep reduced to such level as would not to interfere with the quiet enjoyment of other resident in the estate any noise or sound emanating from any source in or around the house including human, pet, dog, animal, appliances or equipments including but not limited to generator/inverter, musical, electrical, mechanical, video, audio or audio visual device or any other machine, devise or contraption or whatever design or description.

15.7 Keeping surrounding tidy

15.7.1 Residents should always ensure that their surroundings are kept clean at all times and are expected to use the waste bin type approved by the estate manager.

15.7.2 Hanging of advertisements banners, boards e.t.c on house is prohibited

15.8 External painting of Houses

House owners/residents, tenants should carry out external painting of their houses including fence, as and when due and also on the advice of the estate manager.

15.9 Sidewalk/Flower Bed in front of houses

15.9.1 Only Portharourt grass and Figo plants or any other grass or plants approved by estate management are allowed on setback in front of houses excepton the dual carriage section of Goini Avenue where trees are planted.

15.9.2 No person shall remove, damage , or otherwise interfere with or alter the flower, plants, flower beds, sidewalk or space in front of each house.

Maintaining these parts is the responsibility of the estate manager.

Article 16

Electrical Installations

And Equipments

- 16.1 Electrical equipment within the estate should not be tampered with
- 16.2 All external electrical faults are to be reported to the estate manager for immediate action and **Repairs.**
- 16.3 The estate managers shall carry out periodic inspection and monitoring of all installed electric and water meter on the estate. Residents found to be engaged in tampering and bypassing to effect theft electricity/water are liable to the following:
- a) Immediate disconnection
 - b) Payment for loss of revenue
 - c) Payment of a minimum penalty fee of ₦50,000 and the prescribed reconnection fee
 - d) Prosecution in the law court

Article 17

Budget, Service Charge, Fees and Financial Responsibilities

- 17.1 For provision of services to be rendered for proper functioning and efficient management of the estate, the estate manager shall before or at the start of each year, prepare a budget of expenditure and income for the year.
- 17.2 The budget shall take into consideration cost of all services proposed to be provided.
- 17.3 The estate manager shall render periodic account with respect to the fund collected pursuant to the budget.
- 17.4 Each resident/house owner shall pay all the service charges assessed against it based on the budget and on demand by the estate manager.
- 17.5 Residents/house owners relocation out of the estate must obtain service charge payment clearance from the estate manager.

Article 18

Annual Sinking Fund

- 18.1 There should be provision of annual sinking fund in the service charge to replace obsolete equipments, items of plant and machinery including electrical and water installations.
- 18.2 The annual sinking fund shall be ten per cent(10%) of the total annual budget for service charge
- 18.3 The sinking fund shall be invested in government bonds only.

Article 19
Enforcement Measure

- 19.1 Believing that the enforcement procedure is required for better community awareness, to promote reasonable conduct that all house owners and resident have the right to expect from each other and to serve the overall interest of the estate and all the resident/house owner including even the violator, a system of enforcement is hereby established to ensure compliance with the provision of the bye laws.
- 19.2 If the violator is not a house owner, the owner may be provided with copies of all correspondence pertaining to the violation and any ensuing enforcement steps and hearings where applicable. The house owner may be ultimately responsible for all charges and expenses incurred for redressing, addressing and removal of violations.
- 19.3 The estate manager may adopt any of the following measures as may be appropriate taking into account the circumstance, nature and seriousness of the violation, against any house owner/resident/person for violations of any provision of the bye law:
1. Notifications in writing otherwise to cease and desist from and/or correct the violation within a reasonable time.
 2. Taking reasonable, firm and affirmative steps to remove the violation or address the situation promptly/immediately and if the estate manager incurs any cost or expense in removing the violation, such cost and expense including reasonable attorney's fee, expert, professional, court fees and cost relating to any legal or other proceedings, if any, shall be assessed against the violator and shall become due and payable as additional service charge against the account of the violator.
 3. Commencing action for damages or injunctive relief, or both, by the estate manager. The cost and expense including reasonable attorney's fee, expert, professional, court fees and cost relating to any legal or other proceedings or other professional services involved shall be assessed a assessed against the violator and shall become due and payable as additional service charge against the account of the violator.
 4. Assessment and charges for readdressing a violation will be applied to the house owner regardless of whether the offender is the house owner, a tenant, a guest, or a household

member. The payment of an assessment or charge does not relieve the offender of the obligation of correcting the violation where applicable.

5. A lien may be placed against the house of the violator. This means that the house cannot be sold unless the lien is satisfied and all associated expenses in filing the lien are paid, and the lien has been removed.
6. Disconnect all or any services to erring resident/house owner and the house being occupied by the resident/house owner.
7. Removal of violator from the estate and prohibition of such violator from entering the estate except for the purpose of redressing or removing the violation.

These Bye laws contain rules and regulations developed for and used for the administration of the estate.

These Bye laws may be cited as Gioni Homes Bye Laws, First Edition.

GIONI Estate Sample Document