

## **BROADMOOR HUNTINGTON HARBOUR RECREATIONAL FACILITIES USE RULES**

1. **Right of Condominium Owners:** The association's Covenants, Conditions & Restrictions provide that only members of the association who own a condominium have the right to use the recreational facilities (Article VI, Section 1). Consequently, R-1 residents on Grimaud Lane, while members of the association, are excluded from use of the recreational facilities.
2. **Delegation of Rights:** A condominium owner may delegate the right to use the recreational facilities to family members and tenants who reside in the unit (Article VI, Section 3). A condominium owner may not delegate the right to use the recreational facilities to any non-resident. It is the intent of the governing documents of the association that use of the recreational facilities be limited to residents of each unit. Whenever a unit is rented to a tenant or otherwise occupied by a person other than the homeowner, the right to use the recreational facilities is deemed delegated from the absentee homeowner to that tenant or occupant. In other words, a condominium owner cannot rent out his unit and retain the right to use the recreational facilities.
3. **Resident Use:** All residents may use the recreational facilities at any time during posted hours. Residents under 14 years of age must be accompanied by an adult at all times.
4. **Absentee homeowners:** Absentee homeowners' rights to use the recreational facilities are limited as follows:
  - (a) An absentee homeowner whose unit is used as a second or vacation home has the right to use the recreational facilities at any time.
  - (b) An absentee homeowner whose unit is regularly occupied by a tenant or other person shall be deemed to have delegated his/her right to use the recreational facilities to that occupant.
  - (c) Absentee homeowners whose rights are deemed delegated to others may not use the recreational facilities at any time, except as a guest of a resident and when accompanied at all times by that resident.
5. **Guest and Public Use:**
  - (a) The recreational facilities are not open to the public or for public use.
  - (b) Resident's guests must be accompanied in the recreational facilities by a resident at all times. For safety and security, all guests in the pool area under 18 years of age must be accompanied by an adult resident at all times.
  - (c) Any non-resident who enters the recreational facilities unaccompanied by a resident will be deemed a trespasser and may be cited under California Penal Code section 602(l).