

SHERMAN GARDEN APARTMENTS TRUST  
RULES AND REGULATIONS  
April 15, 2016

PREFACE

These Rules and Regulations of the Trust, dated April 15, 2016, replace all previous editions; in case of conflict with any previously dated rule or regulation, this version governs.

SGA is owner-occupied only. Residents are responsible for reading the Trust Agreement, the Lease Agreement, and the Rules and Regulations, and are assumed to have read and understood these three documents. Monthly newsletters, periodic e-mail or written notices are published to provide current information. Questions or requests for clarification may be addressed to Management or Trustees.

ABSENCES

1. Residents must notify a neighbor, Building Coordinator and/or maintenance staff if resident will be absent from an apartment for more than two weeks.
2. During an absence, a resident must use a post office mail forwarding card or a stop delivery order, or must arrange with a neighbor to pick up both first and second class mail.

AIR CONDITIONERS

1. Each apartment is provided with two to three metal sleeves for the installation of air conditioners. All such air conditioners must run on 110-volt service (a 220 line may be installed at resident's expense) and must be flush with the outside wall. The standard sleeve was installed to fit the GE "J" series, but a few apartments have the original sleeves from earlier models. The resident is responsible for determining the model that is the appropriate fit. Any updating of the sleeve must be done at the expense of the resident.
2. Residents should remove the filters and clean them at least once a month during the cooling season.

ASSESSMENTS (RENT), DELINQUENCES

1. Make assessment checks payable to Sherman Garden Apartments Trust (SGAT). They may be hand delivered through the mail slot in the Trust Office in the entryway of the 1856 building or mailed c/o Heil, Heil, Smart & Golee (HHS&G), the management company. Coupon books are provided annually.
2. Residents wishing to pay by electronic transfer of funds should contact HHS&G.
3. Assessments not received by the 15th of any month will, as of the 16th, begin to be charged a 1.5 % (18 % per annum) interest, assessed until such time as the account is current. An administrative fee will be charged for any check returned for insufficient funds.
4. Any resident's account found to be three months in arrears will be referred to the

Trust's attorney who will take appropriate action. The resident will be responsible for all legal fees and costs accrued by the Trust.

#### BALCONIES

1. Outside balcony woodwork must be maintained with a uniform dark mahogany wood stain covered by an exterior spar urethane (semi-gloss) seal. The color is "Red Mahogany." Residents are responsible for maintenance thereof.
2. Balcony rail glass is to be maintained by the resident. Heil, Heil, Smart and Golee can provide the vendor contact information in order to assure uniformity if the glass must be replaced.
3. Ceilings of balconies are maintained by the Trust and will always be painted off-white using outdoor masonry paint.
4. Articles hanging on balconies or balcony railings are limited to plants and flowers planted in window boxes fastened by brackets. The brackets are specially made for our balconies. Contact maintenance for information for purchasing these.
5. Birdfeeders are permitted but residents are responsible for regular and frequent clean-up. Failure to clean up will result in rescinding this permission. City of Evanston ordinance permits one birdfeeder per residence.
6. On United States national holidays, flags may be displayed.
7. No shades or window guards may be used on balconies unless first approved by Trustees.
8. Balcony floors are not to be covered. Residents are responsible for preserving the waterproof seal of balcony floors which are updated periodically by the Trust. Heil, Heil, Smart and Golee can provide information should residents have concerns about the waterproof seal.
9. Balconies are not to be used for storage.

#### BARBEQUE/GRILLING

Grilling outdoors on patio, balconies or anywhere else on Trust property is forbidden.

#### BICYCLES

1. All bicycles, strollers, skateboards, scooters etc. must be stored in the designated area in the basement of each building. Any such item stored elsewhere is subject to removal and disposal. Hover boards are not to be stored in the basement storage due to fire hazard.
2. A rack, located at the west end of the property next to the tool shed, is provided for temporary outdoor bicycle parking. Use of the rack is for temporary parking only.
3. Bicycles are not to be attached to any part of the exterior of the buildings or grounds of SGA, including railings and trees. Bicycles so attached will be removed and disposed of.
4. Bicycles are to be brought in and out of the building through the back entrances/exits only.
5. Bicycles, scooters, skateboards, roller skates, etc. may not be ridden in the courtyard.

#### BULLETIN BOARDS

1. The bulletin board in the entry hallway is to be used for Trustee approved business

only.

2. Each building has a bulletin board in its second-class mailroom. Residents must obtain permission from Building Coordinator or the Trustees before posting or removing an item.
3. Notices should not be taped to walls, glass, elevators or any surfaces other than the bulletin boards.

#### BUSINESSES

By terms of the Lease and this rule, no apartment or common area may be used as a boarding or lodging house; as a school or a studio; for any trade, business or profession entailing visits from clients, delivery or shipment of goods to or from the Sherman Gardens Apartments; or for the posting of advertisements.

#### CERTIFICATE OF BENEFICIAL INTEREST

The Certificate of Beneficial Interest is evidence of ownership and should be located in a secure place. If the certificate is lost, the certificate holder must pay for its replacement. Transfer of the Certificate of Beneficial Interest may only take place based on the approval of the Trustees.

#### CIRCUIT BREAKERS

Circuit breakers are located in the hall by the service elevator on each floor. There is one box for 110 circuits and another for 220 circuits. For questions regarding fixing of breaker overload, call maintenance for assistance (847-864-6887). Approval of the Trustees and proper permits must be obtained prior to upgrades to the electrical service.

#### CURTAINS AND WINDOW COVERINGS

Any window coverings (blinds, drapery, curtains, etc.) must be either white or light solid color; drapes must have a white or off-white liner. Residents may not use sheets, blankets or other materials as window coverings.

#### DECORATING AND FLOORING

1. The Trustees' approval must be obtained prior to installation of hard surface flooring. When installing hard surface flooring, underlayment must meet the minimum of the following: Impact Insulation Class (IIC) rating of 22 and Sound Transmission Class (STC) of at least 67. With radiant heat the recommended materials are engineered wood, vinyl, ceramic or porcelain. Solid wood tends to swell and shrink with radiant heat and laminate tends to echo.
2. The hard surfaces are only allowed if neighbors are not disturbed by noise. If neighbors are disturbed by noise, carpeting or area rugs must be used to cover the hard surfaces. Residents must use discretion in activities to control noise transmission.
3. Structural alterations, electrical and plumbing changes require the Trustees' approval prior to initiation of the modifications. Contractors must be licensed and bonded. Residents are responsible for any required permits.

## DELIVERIES AND MOVES

1. Residents must notify maintenance (847-864-6887), or by note in black mail box in 2nd Class Mailroom, at least 24 hours in advance when expecting delivery OR removal of furniture or other large items to or from resident's apartment, including moving in OR moving out, in order to pad the elevators. If elevators will be unavailable for an extended time, residents must notify the Building Coordinator and are responsible for posting notice of the work on the bulletin board of the building affected, at least twenty-four hours in advance of the activity.
2. Deliveries and removals, including moving into an apartment OR moving out, must be made between the hours of 8:00 a.m. and 6:00 p.m. on weekdays or no earlier than 10:00 a.m. nor later than 6:00 p.m. on weekends.
3. Resident will pay for all damages to buildings caused by the moving or removing or carrying of furniture or other articles.
4. Anyone moving in or out of a building must pay a \$200 deposit to the SGA Managing Agent (Heil, Heil Smart and Golee). If there is no damage, the deposit will be refunded within thirty days of the move.

## EMERGENCIES AND EMERGENCY ACCESS (See also RIGHT OF ENTRY, below)

1. Trustees or Management or maintenance staff will enter an apartment or storage locker if an emergency situation is deemed to exist. Prior notice will be given to residents if possible, or if not possible, after such entry.
2. Residents will bear all responsibility for damages or other costs resulting from forced entry to apartments or storage lockers if they have not provided keys to management (see KEYS, below).
3. Residents must supply Management and the Building Coordinator with a list of emergency contacts.

## EXTENSION CORDS

To avoid fire, hazards, residents should minimize use of extension cords. All such cords must be of the appropriate type for their use, and must be regularly checked by residents for nicks or cracks.

## EXTERMINATOR

1. The Trust will hire a vendor to exterminate any areas of the buildings where vermin problems are suspected. This includes apartment interiors, without prior notice or permission.
2. All buildings will be treated on a regular basis. Residents may request monthly preventative service. Residents should notify maintenance to be added to the schedule.

## FINES, FEES, OR PENALTIES

The Trust will assess fines, fees, or penalties if and when there is a violation commensurate with the severity of the violation.

## FIRE ALARM AND DOORWAYS

1. When the building fire alarm sounds, residents are to leave the building by using the

stairways and the courtyard or street doors. Apartment doors are to be left closed but not locked. Residents are responsible for damages and repairs if doors have to be forced open. Keep sidewalks clear for firemen and/or rescue personnel.

2. Door closing mechanisms are required by City Ordinance for all doors from the apartments to the common areas such as hallways, service areas or stairwells. Residents are responsible for installing and maintaining functional mechanisms. Any fines associated with violation of the City Ordinance are the responsibility of the resident.

#### GARBAGE, WASTE, AND RECYCLING

1. Residents are encouraged to remove garbage from apartments at least every other day.
2. Foul smelling garbage should be placed in the dumpsters behind 1862.
3. Garbage should be placed in a tightly closed plastic bag and either place the bag in the trash can near the service elevator or carry it to the dumpsters.
4. Residents must take large items to the dumpsters located behind the 1862 building. Do not place items next to trash cans, or otherwise block access to stairways or landings. Call Heil, Heil Smart and Golee to arrange pick up of items such as furniture or appliances. Residents are responsible for the cost of special pick-ups.
5. Do not place refuse not originating on SGA property into or at the dumpsters.
6. Do not place hazardous waste into the dumpsters. Contact maintenance for instructions.
7. Bins for the recycling of paper, glass, plastic, and tin are located in the basement and are to be used only for the items posted as acceptable for recycling.
8. Do not throw or empty anything out of windows or balconies, and do not leave items in common areas.
9. Residents are responsible for the removal of refuse from remodeling, which may not be placed in the dumpsters (see REMODELING AND REPAIRS, below).

#### GARBAGE DISPOSALS

Garbage disposals are not allowed: plumbing is not suited to their use.

#### GARDENS

The gardens are planted and maintained by volunteers. Interested parties are encouraged to contact the garden committee to help or support them by donating money.

#### HALLWAYS

1. Do not sweep or throw dust, rubbish, or litter into any of the halls or entryways of the building.
2. Nothing may be stored in the hallways, all of which are to be kept clear as fire exits.
3. Hallway door mats are prohibited due to a tripping hazard.
4. Maintenance of residents' hallway doors are the responsibility of the residents. Painting or refinishing of the doors must be consistent with other doors on the hallway.

## HEAT

1. The thermostat in each apartment partly controls heat distribution to the floor above as well as the unit in which it is located. All thermostats should remain on medium or lower setting. We encourage interaction between neighbors with respect to heat and to thermostat settings. Consult with maintenance if adjustments do not result in comfortable temperatures. Building Coordinators and/or management may assist if there are ongoing issues.
2. Radiant heating systems have a tendency to 'float' when encased in concrete. The Trust cannot guarantee location in the floors and ceilings of the building. Drilling into floors or ceiling is strictly prohibited. ANY PIERCING OF A HEAT PIPE WILL BE RESIDENT'S FINANCIAL RESPONSIBILITY.

## INSURANCE

1. Residents MUST purchase basic liability insurance for any problems they may cause other residents (as example only, water damage or fire damage). The Trust itself carries a policy of insurance for buildings and common areas.
2. Should a resident be found to be without liability insurance, a fine of \$500 will be assessed.

## KEYS and LOCK-OUT

1. Do not provide door keys (for the front and back building doors) to anyone other than certificate holders and Trustee-approved residents or caregivers.
2. The Trust MUST BE provided with keys for all operable entry locks for all apartments. (Such keys are used in emergency only, are held in a secure place and are not specifically identifiable).
3. Residents are responsible for making sure all keys held by the Trust are current.
4. Residents may ask maintenance staff or trustees for admission to their building or apartment if locked out. Residents will not be admitted if they are unknown to staff, Trustees, or if they cannot verify their identity and their right to be admitted. Residents are solely responsible for making themselves known to staff or trustees, for maintaining current keys with the Trust (see # 2 of this rule), and for any and all damages, repairs or any other costs, fees or fines associated with gaining entry to building or apartment when locked out. There is a \$50 fee for help with a Lock Out situation.

## LAUNDRY

1. In-unit laundry equipment is forbidden due to plumbing specifications.
2. Laundry room hours are posted in each laundry room. Each unit is allotted 2 hours per week on the schedule.
3. Residents may sign up on a chart provided in each laundry room, to reserve a block of time to do laundry. To use the laundry room during another resident's reserved time, one must obtain specific permission from that person. Unless specific, mutually agreeable arrangements have been made, residents may use only their own scheduled hours, or hours that are unscheduled.

## LOADING ZONES

Zones for loading are located on Emerson, University Place and Sherman. Loading

means short term loading or unloading (maximum of 20 minutes). Hazard lights must be on during use of loading zones according to city codes. Permission is available from the City of Evanston for extended use, for example during a move.

## LOCKERS

1. Each apartment is assigned a locker in the basement for storage purposes.
2. Fire laws mandate that no property may be stored in the open areas of the basements.
3. Any item not in a storage locker may be disposed of by maintenance staff without prior notice. Residents may be charged for this service.
4. No flammable or hazardous materials may be stored in lockers, nor any materials attracting pests or vermin or causing offensive odors.
5. For information on extra lockers, please contact Heil, Heil, Smart and Golee.

## MAIL

1. Please empty first class mailboxes frequently and keep them locked. The mail carrier will not leave mail in boxes that are full or unlocked.
2. Keys and lock maintenance are the responsibility of the resident. Extra keys should be made.
3. Only labels provided by the Trust are allowed on mailboxes and entry phone lists.
4. Shelves for second-class mail and for packages are provided at the foot of the closest staircase to the front door of the foyer. Please check them regularly. Residents may not remove mail that is not addressed to them, unless so requested by a fellow resident.

## MAINTENANCE

1. Residents may contact maintenance staff directly at 847-864-6887, or by leaving a note in the black mailbox located in the second-class mailroom. Maintenance staff is on duty Monday through Saturday.
2. For non-emergency requests, such as problems with the thermostat, use the black box. Staff will prioritize requests as received or according to the nature of the problem. This work is a service provided by paid staff: no fees or gratuities are required. Residents are responsible for all internal electrical and plumbing issues such as plugged drains.
3. For emergency requests (e.g. malfunctioning elevator, flooding, hazardous electrical or mechanical conditions) call Homeowners Staff at 847-864-6887. For suspected gas leaks, call the gas company (Nicor) or Fire Department (911).
4. Regular hours for maintenance staff are 7:00 a.m. to 3:30 p.m. daily. After 3:30 p.m., leave messages on the answering machine. The machine is monitored regularly. For critically urgent situations, contact Resident Engineer Raul Palucho at 847-864-6840 and Heil, Heil, Smart & Golee at 847-866-7400 (press 2); if no answer or timely response, call a Trustee.
5. For fire, suspected criminal activity or personal health emergency, resident should directly contact Police, Fire or EMS at 911.
6. Residents must report all emergency building maintenance, fire and police events to Heil, Heil, Smart & Golee. Management keeps an ongoing file for maintenance history.

## MORTGAGES AND HOME EQUITY LINES

A minimum of 20% equity must be maintained and the lender must agree to execute an approved recognition agreement.

## NOISE

1. Construction/rehab/repair activity may only take place between 8:00 a.m. and 5:00 p.m. weekdays and 10:00 and 5:00 on weekends. Post the schedule for any intended internal work on mailroom bulletin board in your building.
2. At all times, residents are to REASONABLY regulate sounds coming from their apartment to avoid bothering neighbors.
3. Noise from hard surface floors must be managed by the unit resident or they must cover the floors with carpets or area rugs.

## OCCUPANCY OF APARTMENTS

1. As noted in the Lease, Lessees of the Sherman Gardens Apartments may use an apartment as a residence only for themselves and family, unless a non-family member (non-certificate holder) has officially been added to the lease after receiving approval of the Trustees.
2. Adding non-certificate holders to a lease will only be approved if the certificate holder is in residence a majority of the year.
3. A Lessee may have a non-rent-paying Guest (a person visiting while the Lessee is physically present), but only for a period of 30 consecutive days or less.
4. Building Coordinators and/or Trustees should be informed of any visitors staying in the unit for more than a week.
5. Violation of rules limiting guests will result in a penalty (retroactive to the time violation began) of minimally \$1000 per month.

## PARKING

1. To rent a space in the Sherman Gardens Parking Lot, residents should place a WRITTEN request in the Trust office mailbox or mail a request to the parking volunteer (see directory or bulletin board for contact information.)
2. For visitor parking, contact parking volunteer (number can be found in your Sherman Gardens Directory) to arrange for parking for not more than one week. Name of resident, make, model and license number of the vehicle must be submitted. A space may be assigned thereafter.
3. Cars no longer in working order or not being driven regularly must be removed from the lot at resident's expense. Residents in violation of this rule will be financially responsible for charges incurred by the Trust to tow the vehicle from the lot.
4. Residents who no longer have a valid driver's license may not rent or otherwise use space in the lot.
5. The lot may not be used for storage of other items.

## PETS

1. Residents may not keep dogs in apartments. The only animals allowed are cats (no more than two), birds (no more than two), fish or other animals that can be kept in a small aquarium or terrarium. Residents are responsible for sanitation and care

associated with pets, and for noise control thereof.

2. Individual pets deemed a nuisance by the Trustees must be removed. Fines may be assessed for refusal to comply.

#### POSTERS, SIGNAGE OR DECORATIONS

No sign, signal, advertisement or illumination may be displayed or exposed on or at any window or other part of the building, except by permission of the Trustees.

#### REMODELING AND REPAIRS (See also DECORATING AND FLOORING)

1. Trustees must approve all work done in apartments, except for decorating (defined as painting or wallpapering) or simple carpeting. Trustees will inspect every apartment prior to sale for compliance with this section and no apartment can be sold without Trustees' inspection and approval.

2. All work must be done by city-licensed trades people, according to city code and permits drawn, as necessary. All contractors must be insured and provide management with proof of adequate insurance (Commercial Liability \$1,000,000, Automobile Liability \$1,000,000 and Workers Compensation \$500,000) before beginning work.

3. Residents must notify maintenance staff and Building Coordinator of date set for the beginning of work (including carpeting). Except in an emergency, if unit water shutoff is required, residents must notify maintenance IN WRITING twenty-four hours in advance, during normal working hours (7:00 a.m. – 3:30 p.m.). If water shutoff to multiple units is desired, advance permission from Management is required.

4. Residents are responsible for any and all work-related damage, for clean-up of common areas. If a special pickup of debris is needed, contact Heil, Heil, Smart & Golee to arrange. The resident is responsible for costs and charges for special pickup.

5. Any work deemed to be in violation of city codes, or is discovered by the Trust to be in violation, must be brought up to code. Any and all expense associated with such compliance will be the financial responsibility of the resident.

6. For information only, the Trust is responsible for the upkeep, maintenance, and repair of the foundations, walls, heating system, supports, beams, roofs, gutters, pumps and boilers for the buildings. If an interior pipe breaks or roof leaks, causing damage to apartments and given timely notice of same, the Trust will do plaster/painting repairs of structural walls. The Trust is not responsible for latent defects in the apartment.

#### RIGHT OF ENTRY

1. Trustees, maintenance or management may enter apartments at reasonable times, with notice to residents, in non-emergency circumstances, to inspect utilities and structural elements of the apartment or to determine the need for repairs. There will be every attempt to comply with any reasonable request for particular timeframes or presence of the resident if requested.

2. Trustees, maintenance or management may enter apartments under emergency circumstances without prior notice.

#### RULE MAKING

1. The Trust, through its Trustees, will have the right to make rules and regulations from time to time as may be required.

2. For their information and better compliance, residents should keep current copies of Rules and Regulations of the Trust, the Trust Agreement and the Lease Agreement. These are available from Heil, Heil, Smart and Golee and/or the Sherman Gardens website. RESIDENTS ARE RESPONSIBLE FOR READING THE TRUST AGREEMENT, THE LEASE AGREEMENT AND THE RULES AND REGULATIONS, AND ARE ASSUMED TO HAVE UNDERSTOOD THESE THREE DOCUMENTS. Questions of clarification may be addressed to Management or Trustees.
3. For information only, SGA has five Resident Trustees, identified in the current Directory. Each Trustee is elected by certificate holders, for staggered three year terms.

#### SECURITY

1. Do not admit anyone to a building who has not phoned from the foyer and been identified, or been visually identified.
2. When entering a building, make sure the entrance door is closed behind you such that the lock engages.

#### SMOKE AND CARBON MONOXIDE DETECTORS and DOOR CLOSERS

1. The City requires at least one operating smoke detector, one operating carbon monoxide detector and door closers for both the front and back entrances in each apartment.
2. Residents should test smoke and carbon monoxide detectors periodically to assure they are functioning, and must replace batteries if needed.
3. Maintenance may check door closers and smoke and carbon monoxide detectors periodically with prior notice.
4. Contact maintenance if help is needed in testing smoke or carbon monoxide detectors.

#### SALE OF THE UNIT

Each unit must be inspected by the Trustees prior to it being put on the market for sale. All prospective buyers will need to be interviewed and approved by the Trustees.

#### SPACE HEATERS

1. Electric space heaters should be used with caution, and may not be in operation unless residents are physically present in the apartment.
2. Kerosene heaters are strictly forbidden.

#### STAIRWAYS

1. The stairwells must not be used for storage. Maintenance staff will consider anything found in, on or around the stairwells as refuse for immediate removal, without notice.
2. In case of fire, use stairs, NOT elevators, to evacuate the building.

#### TELEVISION AND INTERNET

1. No radio antenna, television aerial, or satellite dish may be installed anywhere outside of apartment.

2. Residents are responsible for the installation of cable television/internet, if desired. Buildings are cable-ready.

#### WINDOWS

1. Should residents have problems with the seals on the windows, they should contact Heil, Heil, Smart and Golee.
2. Nothing may be hung from the outside of windows or placed on the outside window sills.
3. Residents are responsible for window glass breakage unless the breakage resulted from structural defects of the building or settling of the building.
4. A full set of window screens must be maintained in working condition for each apartment and are the responsibility of the resident.

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