

## **Domestic Regulations for the Foundation Curacao Ocean Resort Deelplan I (SCOR)**

### Foreword

Living at Curacao Ocean Resort means being part of a community of people who share a secure and high-quality lifestyle. Conduct Rules for the community provide a means of protecting this lifestyle through an acceptable code by which members may live together, reasonably, and harmoniously, to the benefit of all without interfering with others' enjoyment. Genuine respect and consideration by all residents for one another will obviously assure agreeable accord on the Resort. In the event of differences or annoyances, the parties involved should attempt as far as possible to settle the matter between themselves, exercising respect, tolerance, and consideration. It goes without saying that the following rules must apply reasonably, bindingly, and equally to everyone. In this context, they should not be seen as restrictive or as sanctions but rather as a framework to safeguard and promote appropriate, sensible, and fair interaction.

### Article 1 - Introduction

1. These are the Domestic Regulations for the Foundation Curacao Ocean Resort Deelplan I, for practical reasons the foundation will be referred to as SCOR in these rules.
2. Each owner, lessee, user, or family member is considered to have read these rules, to be familiar with them and strictly abide by them and to ensure that the apartment or villa only shall be used for its main purpose which is living!
3. Each owner receives two copies. One copy must be signed by the owner or user and returned to the treasurer of SCOR within 4 weeks of receipt. The second copy must be always present at the property.
4. These house rules may not conflict neither with the law nor the constitution of the foundation.
5. These house rules can only be modified or amended in a SCOR-board meeting.

### Article 2 - Common Areas of the Resort

1. The common areas of the resort are: the main road along the separation wall, parking areas, internal access roads and the public access walkways to the pool and the beach, all common gardens, and the beach area. In short, all areas that do not pertain to those areas having a private character.
2. It is not allowed to store private belongings on the common areas.
3. It is the responsibility of everyone not to pollute or contaminate the common areas. If this still occurred, the causer should remove or clean the area immediately.
4. Dogs must be kept in a contained area on the private property. Dogs need to be on a leash when in common areas and supervised by a responsible person. Dogs and other pets are not allowed on the beach or around the pool area. Walking the pets can best be done in the nature area behind the separation wall.
5. Foulings by pets of the common areas or property belonging to SCOR or other owners must be removed or cleaned immediately by the responsible owner.
6. To prevent odour nuisance and to keep the containers as clean as possible, household waste, packed separately in a waste bag, must be deposited in the containers present. Do not place waste on the ground to prevent pests, such as rats.
7. Bulk waste like wood, stones, bricks, and construction debris should not be deposited next to the green waste containers as they will not be removed by Selikor.
8. The owner of the bulk waste is responsible for the removal. This can i.e., be picked up by Selikor on special scheduled days. You are already paying for this service through your monthly contribution to the waste tax.
9. It is not permitted to attach satellite dishes and or antennas to the buildings.
10. The organization of events, parties, weddings, and other gatherings in the general areas, such as the beach and swimming pool, is only permitted with the written permission of the SCOR board. A written request to this effect must be submitted in writing to the SCOR board at least five working days before the start of the event. Such a request can only be made by an owner or resident.
11. The board is authorized to deny such a request when by its sole judgment the tranquillity, security or privacy of the residents will be affected or when the owner or resident did not pay the mandatory resort or maintenance fees to the foundation or the respective HOA of the building.
12. The general areas used must be delivered by the applicant/user in the same condition as they were found, i.e., clean, and free of dirt. Toilets must also be delivered clean.

## **Domestic Regulations for the Foundation Curacao Ocean Resort Deelplan I (SCOR)**

13. It is forbidden to cause damage to the general areas and its furniture, to steal something from the general parts or to misbehave against those present in the general parts or to disturb their enjoyment thereof.

14. For safety reasons it is not permitted to bring or use glasses and/or glass bottles or objects at the pool or beach area.

15. It is not allowed to "reserve" chairs, tables, umbrellas, or sunbeds by placing utensils on these pieces of furniture.

16. Noise nuisance, stench, or smoke nuisance

In the general parts, no noise nuisance may be caused, and no activities may take place that cause odour or smoke nuisance and thereby cause nuisance to other residents. Open fire is not allowed.

17. Work related activities that can disturb others such as the use of drills, saws and hammers or other noisy equipment is only permitted on working days between 8.00 a.m. and 5.00 p.m.

Article 3 - Alterations or additions to buildings.

1. Consultation must always be held in advance and approval must be requested from the SCOR board in writing before the extension or renovation or improvement or change can be started, also when it comes to construction work on one's own private property.

2. Regardless of whether a building permit is required, there will be an assessment by the SCOR building committee, resulting in approval or disapproval of the SCOR board, in order not to preserve the architecture of the resort. If a building permit from the government is required, the owner will have to arrange this himself and submit the copy of the permit to the SCOR board for information.

Definitions:

Extension:

– Everything that is built on existing buildings or on existing sites (sheds, dormer windows, dividing walls, fences, pergolas, decking, car shelters)

Renovation:

– All improvements changes to the exterior facades of the buildings that change the appearance of the building (sliding doors, windows, canopies, awnings, pergolas,)

Improvements:

- Painting the facades of the buildings and extensions (in a different colour than the current colour).  
- Colour changes in other exterior parts of the building (e.g. awnings / pergolas / doors, windows and frames)  
- Renewal of the roof covering.

- Installing/installing solar panels and generators incl. cabling/pipes

- Installing / placing video / camera / antenna and similar systems incl. cabling/pipes

3. For the SCOR-board to be able to process the file, the SCOR-board must receive:

a.) The approval of the HOA of the relevant building for the construction, improvement, or renovation.

b.) A clear description and specification of the materials and colours used for the construction, improvement, renovation.

c.) A photo montage of the current situation and the situation after.

d.) A scale drawing with the correct dimensions, whether drawn up by an architect for the extension, improvement, or renovation.

e.) A construction schedule, which describes:

– The maximum project duration and the working days and times that are worked.

– Whether a construction rubble container will be used and where it will be placed.

f.) Name and contact details of the contractor or construction supervisor.

4. The owner will take care of:

– Disposal of construction waste, this is not allowed in the general waste containers.

– Instruct construction workers about waste, this should not be placed in the common areas or along the road.

– Instruct construction workers about parking, only permitted parking is on visitors lots or in the owner's parking lot and to limit the number of cars whenever possible.

– Instructing construction workers about breaks; it is not allowed to lie down on the sidewalk in front of a house or along the road.

5. The SCOR-board will decide within a reasonable period of 6 weeks after submission.

## **Domestic Regulations for the Foundation Curacao Ocean Resort Deelplan I (SCOR)**

If approved, the works must be carried out in accordance with the approval of the SCOR-board and the submitted documents.

6. In the event of deviations from the proposed plan (the submitted documents), the relevant party will be summoned, at its own expense, to repair the works, construction, improvement, or renovation in accordance with agreements and plans.

### Article 4 - Gardens and terraces

1. The view from terraces or balconies over ocean, lagoon, gardens, and pool should be always obstruction free. This must be considered when planting and pruning, so that the building appearance is in accordance with the resort appearance and unobstructed views for all owners / residents are always guaranteed. This also counts for hanging to dry any laundry, towels, and other garments.

### Article 5 - Budget of the operational costs and the contribution of the owners of a building unit

1. The yearly budget established by the board will be sent to the owners before December 1st of the current year.
2. The total budget shall be divided over the owners in the building unit.
3. At the beginning of each quarter each owner will receive an invoice for payment of  $\frac{1}{4}$  of the established yearly SCOR-fees for the owner. These fees should be paid to the Foundation SCOR, preferably by automatic bank transfer.
4. Moreover the HOA levies a contribution for the maintenance of its own building by means of a budget established by the treasurer of the governing board of the association.
5. If a homeowner does not comply, the association, without notification of default, will be charged an interest over the amount due equal to the legal interest but uplifted with 2%.
6. When payments are still not made by the Homeowners Association, then the administrator is authorized by the governing board to take the legal measures. The collection costs are at the expense of the homeowner and are set at a minimum of 15% of the amount due, uplifted with an amount of Naf 25. = for every summation sent.

### Article 6- Voting right at the board meeting

1. At least twice year a board meeting where all members are present will be held and the agenda processed. The invitation includes the agenda and all relevant data that is necessary to reach a decision. A board member who cannot be present can authorize another board member to represent him. The minutes of the meetings are recorded, and these minutes will be sent to the SCOR-board members, who must subsequently approve them. In the following meeting the minutes will be arrested and deposited.
2. As a supplement to what has been stipulated in the statutes, in Article 6 under paragraph 10 concerning LEGAL DECISIONS: reports submitted by e-mail are also recognized as received in writing.
3. If it is not possible that a majority of the board members can be personally present or represented on a board meeting such as meant in paragraph 1 of this Article, it is possible to vote by means of email, where a valid decision can be reached with ordinary majority. Pay attention, however, all members must then vote at the same time. If there is no majority, then the topic can only be put on the agenda of the next ordinary board meeting for discussion again. However, if there is a majority then the decision will be recorded in the minutes. In accordance with Article 6 paragraph 10 of the statutes this manner of decision-making will be not appropriate for decisions to modify the statutes or to dissolve the foundation.
4. Voting rights at the board meeting. Each Homeowners Association has the right to vote at the board meeting of SCOR in accordance with Article 6 of the SCOR statutes. The number of votes being equal to the floor area in square meters of the building unit(s) as defined in Article 4 of the statutes.

### Article 7 - Sale of apartment or villa

1. At sale of the apartment or villa the owner must inform the administrator or President of the concerning Homeowners Association without delay. If applicable the heirs must be informed with respect to this Article.

## **Domestic Regulations for the Foundation Curacao Ocean Resort Deelplan I (SCOR)**

2. The administrator or President of the concerning Homeowners Association must inform the governing board of the foundation SCOR without delay of the sale, location and name of the lawyer and the details of the new owner and the date of the actual transfer.

Article 8 – The enjoyment of living, peace and quiet.

1. In order to guarantee the enjoyment of living, peace and order at Curacao Ocean Resort, it is expected that all residents (owners and users) do not cause any nuisance and treat each other and the property of the resort with respect.
2. Nuisance is noted by the resort management if the enjoyment of one or more residents is hampered by someone else, for example by loud music or antisocial behaviour.
3. In the event of persistent nuisance, after two written warnings to the owner of the house, the SCOR board can designate the person(s) causing the nuisance as persona non grata and demand the immediate removal of these persons.
4. Quiet hours are established between 10.00 PM and 8.00 AM.
5. It is very important to inform holiday guests about the resort rules, for this purpose we developed the document "House Rules for Holiday Rentals". All landlords are urged to pass through this document with guests upon arrival, and have it signed. In the event of any damage due to non-compliance with the house rules, the board can hold the renting party liable and recover any costs.

Article 9 - General parking places

1. Every owner is entitled to one parking space per house.
2. Residents of buildings 4,5,6,7 and D have marked parking spaces that which are marked with a sign. It is not allowed to park in the parking spaces with a sign.
3. The parking places that do not have a sign are for general use. It is not allowed that these places are used as a long-term parking space.
4. The SCOR board is in a position to have a car that has been in a general parking place for more than 7 days removed at the expense of the owner.
5. The SCOR board is in a position to have a car, that has been parked for more than 3 days at a marked parking place, removed at the expense of the owner of the car.
6. The owner of the unit with a marked parking lot should immediately report a case of illegal parking to SCOR management, with a photo.
7. Make sure your car is parked inside the parking spaces. Parking halfway on the sidewalk is not allowed, this can cause traffic jams in case of an emergency.
8. When parking, make sure the car is parked straight in the parking spot and within the lines.
9. If you rent out your house, it is also your responsibility to inform your guests about where to park and where not to park.

Article 10 - Fishing prohibited

In order to preserve the aquatic life in the lagoon, it is not allowed to fish in the water in the lagoon in front of the Ocean Resort. It is also not allowed to fish from the rocks at the entrance of the lagoon.

Article 11 - Other

1. On all matters in which the statutes and/or the domestic rules do not foresee the governing board of SCOR will be decide.
2. These domestic rules or their amendments will be in effect the day after which the Board meeting has approved these rules.

Amendments approval date:  
Willemstad, July 25th 2022

Date of original Domestic Rules  
Willemstad, December 7th 2009