# FOREWORD

This Homeowner’s Guide has been carefully prepared to serve as a practical guide for residents to enjoy the facilities and amenities **of Metro Clark Homes Mabalacat**. It is very important that as a resident/lot owner, you and your family are familiar with the range of facilities available for your use, as well as your responsibilities as a resident/lot owner of this unique development.

The Information contained in this handbook includes Subdivision Rules and Regulations which must be followed by all residents and lot owners. It also includes general rules on the use of the recreational facilities and common areas as well as important contact information.

From time to time, this handbook may be supplemented and updated by the Board of Directors of the Association. In any event, the Subdivision Management will notify you of any changes.

**SUBDIVISION RULES AND REGULATIONS**

The **Metro Clark Homes Mabalacat Homeowners Association. (MCHMHOA)** has formulated these guidelines with the intention of maintaining An environmentally friendly and sustainable community and one with a friendly neighborhood that is both peaceful and enjoyable. With this, the House Rules shall be applied for the common good of the owners and residents of the subdivision. Such rules are designed to:

* + Safeguard every resident’s health, safety and welfare by establishing and sustaining a safe, livable and pleasant community;
  + Accord to each property owner the full benefit and enjoyment of his property with no greater restriction than is necessary to ensure the same advantages to other property owners;
  + Assure residents that the intended land use and character of their community will be preserved, protecting their rights to access, ventilation, view, utility service and privacy;
  + Prevent nuisances and the deterioration of neighborhoods that inevitably follows a “let people do whatever they want” philosophy of construction, maintenance, and property use;
  + Protect property values by ensuring that only compatible developments and densities will be located within the community.

## The Metro Clark Homes Mabalacat Homeowners Association. (MCHMHOA)

* Owners must abide by the rules and regulations laid down by the Association in the interest of sanitation, security, aesthetics and the general welfare of the community.
* The Association is authorized to collect dues or make assessments to meet its expenses.

### Members

* + A member in good standing is one who complies with all the duties and obligations of a member.

### Duties of Members

* + To pay on time association dues, special assessment, and such other fees which may be levied from time to time
  + To participate in major activities and other social affairs of the association
  + To attend all meetings, seminars and other forums that may be called by the association
  + To obey and comply with the association by-laws and other rules and regulations as may be promulgated by the Board of Directors.

### Homeowners’ Dues

* + Each homeowner will be charged homeowners dues that will cover security, maintenance of the common areas and common amenities of the subdivision and other funds that may be established, that will preserve other areas within Metro Clark Homes.
  + Association dues may be paid monthly
  + Payment schemes is thru GCASH or may be obtained from the HOA Office.

**SUBDIVISION RULES**

### General Cleanliness and Sanitation

* Burning or incineration of any trash, garbage, garden cuttings or other rubbish on any lot is prohibited.
* Garbage containers should be properly covered and kept odor-free.
* Wet garbage should be placed inside plastic bags which should be securely tied before being placed inside the garbage container.
* Garbage containers should be kept inside the lot and must be brought out only during garbage pick-up hours.
* Proper segregation & garbage disposal should be strictly observed.
* Owners/occupants must avoid littering within the subdivision. They shall keep and maintain their premises and common areas in a clean and sanitary condition, free from all obnoxious or unpleasant odors.
* Clotheslines, piles of wood, construction materials and/or equipment must be concealed from public view.
* Dumping of trash, litter, discarded materials of any kind (including but not limited to broken furniture; packaging materials and debris, tools and equipment) on vacant lots are strictly prohibited.

### Streets/Vehicles/Drivers

* Vehicles of residents should have the approved stickers permanently located on the windshield for entrance purposes.
* The maximum speed limit of 20 kph must be observed at all times.
* Only trucks weighing a maximum twenty (20) metric tons, whether loaded or unloaded, may enter the subdivision.
* Overloaded vehicles are not allowed inside the subdivision. Violators of this provision will not be allowed to enter the subdivision or if already inside, shall be prevented by the security from driving such an overloaded vehicle. For the purpose of identifying overloaded vehicles, the following shall be considered:

1. Any type of motor vehicle with passengers beyond the prescribed sitting capacity
2. Trucks loaded with construction materials more than its capacity as specified in the registration paper and indicated/printed on the side of the vehicle.

* Anyone riding a motorcycle should wear safety gears such as crash helmet, etc.
* Unnecessary/excessive car horn blowing is not allowed within the subdivision especially at night.
* For visitors who have surrendered their IDs at the gate, the numbered vehicle card(given by the gate guard) must be prominently displayed at the dashboard, seen through the windshield of their vehicles.
* While at the premises of the subdivision, drivers of homeowners and lessees are prohibited from gambling, drinking liquor or loitering, indulging in horse play or other rowdy behavior, staying and/or sleeping inside parked vehicles or any similar activity.
* Intoxicated persons are not allowed to operate any type of motorized vehicle inside the subdivision.
* Student drivers are not allowed to practice driving skills within the subdivision premises.
* Whether parked or in transit, the volume of car stereos should be limited so as not to disturb the peace and quiet of the residents.

### Parking

* The Association shall not be held liable for any loss of or damage to cars or other vehicles in the common parking areas. The Administration, however, will conduct an investigation into such incidents and submit an appropriate report to the homeowner or lessee involved.

### Subdivision Car Stickers

* Stickers may be issued to Owners who are members in good standing subject to the payment of corresponding fee, for the purpose of regulating the use and access to all roads within the subdivision. Other sticker classifications or entry permits for trucks, jeepneys, and public utility vehicles may be issued at the discretion of and subject to the rules prescribed by the Association.
* Only vehicles with Metro Clark Homes Homeowners’ Association stickers will be given immediate access to the subdivision.
* Only members in good standing and school bus drivers may obtain the Metro Clark Homes Homeowners’ Association, stickers from the Administration office subject to the following:

1. Submission of a duly accomplished application form and payment of the appropriate fee for each vehicle.
2. Submission of copies of the vehicle’s Certificate of Registration (CR) and Official Receipt(OR).
3. If the vehicle is newly acquired, a copy of the Deed of Sale can be submitted in lieu of the CR and OR.
4. If the sticker is being requested for a company vehicle, submission of the company’s authorization/certification.

* Car stickers shall be renewable yearly.
* The Association shall be free from any liability for any untoward incidents or damages that may occur arising from or during the use of motor vehicles and/or the use of subdivision stickers within Metro Clark Homes. The issuance of this sticker does not carry any acceptance of liability on the part of the MCHMHOA.

### Construction Workers

The contractor of each construction site shall be responsible for acquiring the ID cards from the HOA office prior to construction in the Subdivision. Validity is only up to 3 months or upon termination of contract/ completion of project, whichever comes first.

Application Requirements:

1. Completed Application Form/Biodata
2. Copy of Original Barangay clearance

***Visitor’s Pass/Car Pass*** shall be issued to walk-in guests of the members or the Property Management. A valid ID shall be given to the main gate guard in exchange for the Visitors Pass.

* Walk-in guests (visitors) of homeowners, property management and of the like, shall be issued a visitor’s pass/car pass. A valid ID shall be given to Metro Clark’s Main Gate guard in exchange for the visitor’s pass. The visitors’ ID should be claimed within 24 hours, unless the visitor starts residing with a relative inside the subdivision (vacation). Penalties for not claiming are as follows:

1. After 24-72 hours: P100 Penalty
2. After 1 week: The Homeowners Association wouldn’t be responsible if the visitors’ ID would get lost or forgotten

***Events Pass -*** during big events (i.e. Weddings, Baptisms, Parties), the host’s invitation shall serve as entry pass to the Subdivision. A sample must be given to the Administration not less than one (1) week before the scheduled event. A guest list shall also be submitted to the administration not less than one (1) week before the scheduled event.

***Subdivision Gate Pass*** *-* shall be used to regulate the exit of resident’s guests/employees in bringing items out of the Subdivision. This can only be authorized by the Owner of the property or the authorized representative. The pass should likewise be noted by the Property Manager before the guard-on-duty can allow the release.

### Safety and Security

Fire Emergency

In case of fire, call Subdivision Security at **0969-481-2826 (Smart).**

The OIC of Subdivision Security shall inform the Property Manager and the Bureau of Fire Protection respectively.

While fire is in progress, the on-scene commander shall muster the occupants of the residence involved. In the same manner, neighboring households shall be mustered to prevent further casualty.

Medical Emergency

In case of emergency, call Subdivision Security at **0969-481-2826 (Smart).**

Emergency Brigade Team shall attend to the victim and provide first hand or first aid, as deemed necessary.

The OIC of Subdivision Security shall inform the Property Manager to request an ambulance dispatch from Barangay or other nearby hospitals.

### Peace and Order

* Criminal offenses committed inside the Subdivision will be reported to the OIC, Security and relayed to PNP respectively.
* Noise that disturb peace and tranquility is discouraged and should be strictly avoided. Minimize party noise between 2400-0600 so as not to disturb sleep patterns. For late night activities, consent of the neighbors within the area should be mandatorily ought.
* Pets and live animals must be registered accordingly to the MCHMHOA Membership Committee. In case there will be incidents of lost pet and animal bites, it will be easier to claim ownership.
* Noise mufflers, silencers or any type of noise diffuser is not allowed.
* Non-HOA members are required to follow the guidelines accordingly. Legal sanctions are to be given to those who will break the HOA guidelines.

### Subdivision Stores/Sari-Sari Stores/Mini Stores

* Any form of stores that operates inside the Metro Clark Homes subdivision should only be open until 12AM midnight. If the store is found still operating past 12AM, they will be given a warning on their 1st offense. A P500 penalty will be given on the 2nd offense. A shutdown to the store operations will be issued by the HOA on the 3rd offense.
* Non-HOA members are not allowed to operate stores inside the subdivision. If found, it will be submitted and reported to the proper foreclosing agency in the area.

### Utilities

* No Property owner shall be allowed to install any additional drainage line outside his property without the written approval of Metro Clark Homes or its corporate successors.
* If drainage, water, roadway and/or other utilities are affected by house construction, expansion or whatever reason, the owner shall shoulder the repair and the cost involved.
* Subdivision sidewalks should always be clean and clear without any (obstacles blocking the way OR obstructions).
* Always practice cleaning your home's front pavement, road side, and the like.
* Producing cement and blocking drainage holes will be penalized.

### Pets

Keeping of pets shall be conditional upon the strict compliance with these rules:

**Definition Of Pet**

Residents shall be allowed to keep the following pets in their premises: dogs, cats, birds, and aquarium or pond fish. Cattle, pigs, sheep, poultry animals or the like are not allowed and may not be maintained within the lots or units.

**Leash**

Pets, most especially dogs, must be leashed at all times when taken outside the homeowner’s premises including sidewalks, roads, lots or houses without fence, and public or common areas. The leash should be non-extendable, and should not exceed 2.0 meters in length.

**Within The Premises**

Pet owners must ensure that all their residential gates or premises are properly secured to prevent their pets from escaping to common areas.

**Cage Location**

Cage areas must be within the owner’s premises. Dogs kept on leash must also be situated within the premises. No dog cage or leashed dogs may be located in the front lawn of the house or garages in residences without a front fence.

**Noise**

Owners must ensure that their pets do not disturb nearby neighbors with excessive barking.

**Stray**

Unleashed dogs or cats roaming the streets shall be considered stray and will be hunted by the security guards or officers in charge. Stray pets may be redeemed within 48 hours after paying the appropriate penalties. All stray dogs or cats caught will be turned over to the Barangay for proper disposition.

Even if the pet hasn’t been caught, but the owner has been identified, the offenses are as follows: 1st offense, warning; 2nd offense, P500 penalty; 3rd offense, voluntarily surrendering the pet and be turned over to the barangay.

**Clean-As-You-Go**

All pet droppings will immediately be picked up, bagged and disposed of in proper cans or dumpsters. Residents and tenants shall be held responsible for (a) injury to person or property caused by pet(s) within his possession and (b) cleaning any pet dropping produced in the common areas. Persons authorized to walk the pets must carry adequate scooper and/or receptacles of the pet droppings.

**Penalties**

Any violation of these rules shall incur a fine as indicated in the Table of Penalties per occurrence. Once three (3) violations of any nature are committed, the matter shall be elevated to the Board for its evaluation and disposition.

The MCHMHOA Administration shall be authorized to conduct an investigation about any incident involving a pet in the premises resulting in injury or damage irrespective of whether the particular pet is leased or restrained. The results of any investigation shall be submitted to the Board for evaluation. Furthermore, the MCHMHOA Administration reserves the right to remove the offending pet from Metro Clark Homes Mabalacat contingent upon the findings of the investigation.

The Association likewise reserves the right to require a pet owner to be removed from the complex or the Subdivision any pet that has been the subject of a written complaint from two or more residents based on the violation of rules as outlined. Likewise, the same applies to pets that the Association finds to be a nuisance or danger to the community. The Board reserves the right to evaluate these complaints.

Memorandums will be issued for offenses committed. Said memorandums will detail the offense(s). It shall also contain the name of the pet and the ID number, where applicable.

**Pet Disposal**

Owning a pet is not just a privilege – it is a responsibility. This responsibility does not end when an animal dies. For this reason, the Board has approved only one method of disposal for pet remains (especially cats and dogs) within the confines of the Subdivision: burial in the pet owner’s preferred methods outside of the Subdivision are at the owner’s option.

The following procedures are to be observed for the disposal of the remains of a pet:

a) Pet must be buried within 24 hours of its demise at the owner's premises.

b) Holes must be dug beforehand and must be at 3-4 feet deep to the dimension of the pet.

c) Remains must be sealed in heavy plastic.

d) In burying a pet, make sure to put something heavy on top to discourage digging by live pets.

e) Burying on vacant lots, parks, and other common areas is strictly prohibited except when the lot is owned by the pet owner.

**Solicitations, Surveys, Samples, Etc.**

Door to door solicitations, surveys, samples and the like are not allowed. Distribution of notices, circulars, flyers, etc, must be cleared and coursed through the MCHMHOA office.

**Party Noise**

Party noise after midnight that disturbs the peace and tranquility of the neighbors is discouraged and should be avoided.

**Assessment of Dues**

All Homeowners or the occupants (as may be required under their respective lease contracts with the owner) shall be liable for the duly authorized association expenses and projects which shall be assessed against each one of them and paid to the Association subject to the requirements of the Master Deed.

Association dues shall be due and demandable on the 25th of each month, however, the same may be paid within the same month. At the beginning of the succeeding month, all unpaid dues will incur a *20 pesos interest per month in arrears.*

For homeowners with delinquent accounts, they shall not be allowed to use the facilities and amenities of the Subdivision. Their lessees, guests or relatives will not be allowed as well to use the facilities and amenities of the Subdivision.

The Metro Clark Homes Mabalacat Homeowners’ Association. shall take legal action against any homeowner who fails to remit payment after repeated reminders from the administration office.

### Children’s Playground

1. The children’s playground will be open from 6:00 am to 6:00pm. The Property Management reserves the right to close the Children’s Playground to allow for cleaning and maintenance.
2. No entry to the children’s playground is permitted upon hoisting of storm signal No. 2 or any higher public storm-warning signal.
3. The use of the children’s playground will be on a first-come-first-served basis. The playground is designed for children, ages 3-12.
4. An adult must accompany children at all times. Adults accompanying children are responsible for their safety.
5. Guests are only allowed to use the children’s playground when accompanied/sponsored by a resident.
6. Pets are not allowed in the children’s playground.
7. Smoking is not allowed in the Children’s Playground.
8. The MCHMHOA and Property Management are not liable for any accident, injury or loss that may be suffered or incurred by anyone in the play area.
9. Parents and guardians are encouraged to take all necessary steps and precautions to safeguard children atplay.
10. The MCHMHOA and Property Management reserves the right to amend and supplement the above rules at any time without notice.

**Basketball Court**

1. The court is for the exclusive use of MCHMHOA members, lot owners, residents, tenants and their immediate dependents.

2. Guests may be allowed to use the court as long as they are accompanied or sponsored member. Sponsored guests should present his/her authorization letter from a member prior to use.

3. The use of the court will be on a first-come-first-served basis.

4. No entry to the court is permitted upon hoisting of storm signal No. 2 or any higher public storm- warning signal.

5. Basketball court is open from 6am to 6pm. For the use of the court later than 6:00 pm, a fee of 100.00 per hour will be charged for the use of the electricity

6. The reservation of the courts for all games, tournaments, practices, and other events will strictly be on a “first come, first-served basis” with a maximum of two (2) playing dates per reservation except for MCHMHOA approved tournaments. All requests for the reservation of the court should be obtained first from the Property Management office.

7. A reservation is good for a maximum of two (2) hours. However, when no reservation is made for the succeeding hours at the same date, teams or groups on the court may be allowed to extend their allotted time.

8. Players are required to use the proper playing shoes and attire when playing on the court.

9. The host member is responsible for the clean-up after a game.

10. Rough playing, vandalism, and other indiscriminate behavior are not permitted.

11. Smoking, use of alcohol or controlled substances, littering, gambling are prohibited in the court area.

12. In the case of games played at night, the security guard on duty shall turn on the lights upon presentation of documents as proof of reservation by Administration.

13. MCHMHOA and the Property Management will not be responsible for any damage, injuries or loss sustained by people while using the court.

14. The Property Management reserves the right to make the court unavailable for use for purposes of carrying-out repair and maintenance work or where inclement weather prohibits the safe use of the court.

15. The MCHMHOA reserves the right to amend and supplement the above rules at any time without notice.

**Compliance and Enforcement**

1. All owners and occupants/tenants shall comply with these House Rules and Regulations as may be revised, modified amended or supplemented from time to time by the Metro Clark Homes Mabalacat Homeowners Association (MCHMHOA).

2. Compliance with these rules must form part of all lease contracts entered into by the lot owner.

3. The Metro Clark Homes Mabalacat Homeowners Association (MCHMHOA). Shall have the right to file an injunctive action to enforce the House Rules and the party violating shall pay for all costs of injunction including a reasonable attorney’s fee, which shall in no case be less than P10,000.00.

These rules and regulations may be changed, amended and, or repealed only by a Resolution of the majority of the Board of Directors s of the Metro Clark Homes Mabalacat Homeowners Association (MCHMHOA).

Amended and approved by the Board of Directors on **12 February 2022.**

**ACKNOWLEDGMENT AND UNDERTAKING**

**KNOW ALL MEN BY THESE PRESENTS**:

The undersigned, being the owner/lessee of Unit (the ‘Property’) at

(the ‘Subdivision’), hereby UNDERTAKE to comply with the rules of the Subdivision governing any home improvement and/or renovation works and activity to be done or proposed to be done in the unit or within the premises of my Property and accordingly, ACKNOWLEDGE that the Homeowners’ Association of the Subdivision and/or the Property Management (and any person acting under their authority) has the right to enforce such rules and regulations and exercise and employ all means and resources reasonable, necessary and desirable for the purpose, including but not limited to, restricting, prohibiting and/or regulating the entry of workers, vehicles, materials, supplies and the like, prescribing and/or regulating the entry of workers, security access and cleanliness; regulating the acts and conduct of workers within the Subdivision, prescribing and collecting fines and penalties therefore and forfeiting bonds, deposits, etc.; stopping any construction, development, improvement or renovation works as and when reasonably necessary; and putting in place mechanisms for appropriate monitoring and enforcement thereof.

AND FOR THIS PURPOSE, I hereby hold the Homeowners’ Association and/or the Property Management free and harmless from and further agree to indemnify the Homeowners’ Association and/or Property Management for, any form of liability, damage, cost or expense of any persons (including third persons) or property, arising out of my failure to comply with the rules of the Subdivision and/or arising from the enforcement by the Homeowners’ Association and/or the Property Management of such rules of the Subdivision.

This undertaking shall be essential consideration for the permit and approval granted to me by the Homeowners’ Association and/or the Property Management to enable me to cause any improvement or renovation on the Property.

SUBSCRIBED AND SWORN TO BEFORE ME, this , affiant exhibiting to me his/her Community Tax Certificate No. issued on at

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Seriesof