

# Private Security Camera Standard

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## *Considerations*

Because most unit doors directly face the door of an adjacent unit, the quality of video and audio from modern door-mounted security cameras has the potential to infringe on privacy. This standard was developed to address and balance residents' rights and interests for security and for personal privacy.

Neither homeowners nor their tenants may make any audio recordings without the express permission of the individual being recorded according to California law. Video Cameras or Video/Doorbells may not be used to eavesdrop on or monitor other residents or their visitors.

Pursuant to Article VIII of the CC&Rs<sup>1</sup>, a written application must be submitted for approval to the Architectural Control Committee (ACC) before installing any video camera device outside a unit.

## *Definitions*

As used herein, the term “*camera*” shall mean an enclosure containing imaging components as well as any device or devices attached by cabling or wireless technology used to record, distribute or transmit images.

A video/doorbell combination unit is a camera combined with a doorbell and it meets the definition of a “camera” herein.

A shared camera can either be a video/doorbell combination unit shared between two units or a shared stand-alone camera mounted to provide coverage of two units.

Video/doorbell combination *privacy zone* software enables the user to “*blackout*” portions of the image that cannot be recorded by the device. The software allows the user to block out the neighbor’s door. An owner/resident in the unit opposite may not require a privacy zone larger than the door opening.

## *General requirements*

In addition to meeting all other requirements for architectural applications set forth in the governing documents, an application must include both plan and elevation drawings (views from above and sides) showing the camera’s field of view.

A shared camera that will include images of the door of the unit opposite in its field of view requires the applicant to include with the ACC application a copy of a signed, written agreement with the current owner of the unit opposite. This written agreement must include an acknowledgment from the adjacent owner that he or she understands and accepts that the proposed camera might take images of his or her door and inside the unit when the door is open such that the owner will not have a reasonable expectation of privacy in these areas. An owner is solely responsible for notifying his or her tenants, residents and guests that there is no

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<sup>1</sup> The “CC&Rs” means the Cypress Point Lakes Enabling Declaration of Covenants, Conditions and Restrictions recorded on, or about, November 13, 1979.

reasonable expectation of privacy at the front door area or immediately inside the unit itself if the front door is open and that his or her tenants, residents and guests understand and accept it.

A private camera that is not shared may not have any view of the opposite door, which is achieved by placement of the camera and/or by using the privacy zones in the video/doorbell camera's software.

A camera may not be used to monitor the common area as defined in section 1.6 of the CC&R's, exclusive of the immediate vicinity of the owner's door, which is their restricted common area as defined in section 1.26 in the CC&R's.

To ensure privacy compliance, an owner of a camera producing video recordings must, upon written request by the owner or tenant of a door-adjacent unit or an Association official, provide a demonstration of video showing the camera's field of view. Additionally, such demonstration must be provided as part of any post-installation inspection by an Association official pursuant to an Architectural Control Committee (ACC) application.

External video devices and any cabling and mounting hardware must be black, brown, or other low-reflectance color and finish approved by the committee or Board so as to be unobtrusive. Optionally, devices, cabling and mounting hardware may be painted to match exterior siding. The Association may require that cabling be painted to match exterior siding.

Cameras and any cabling must be installed to workmanlike standards alongside trim or corners with cabling neatly routed along structure corners, joints or grooves and/or concealed and routed interior to the wall by a licensed contractor. Any hole or gap resulting from removal of such cabling must be properly sealed and repainted to restore original surface integrity and appearance.

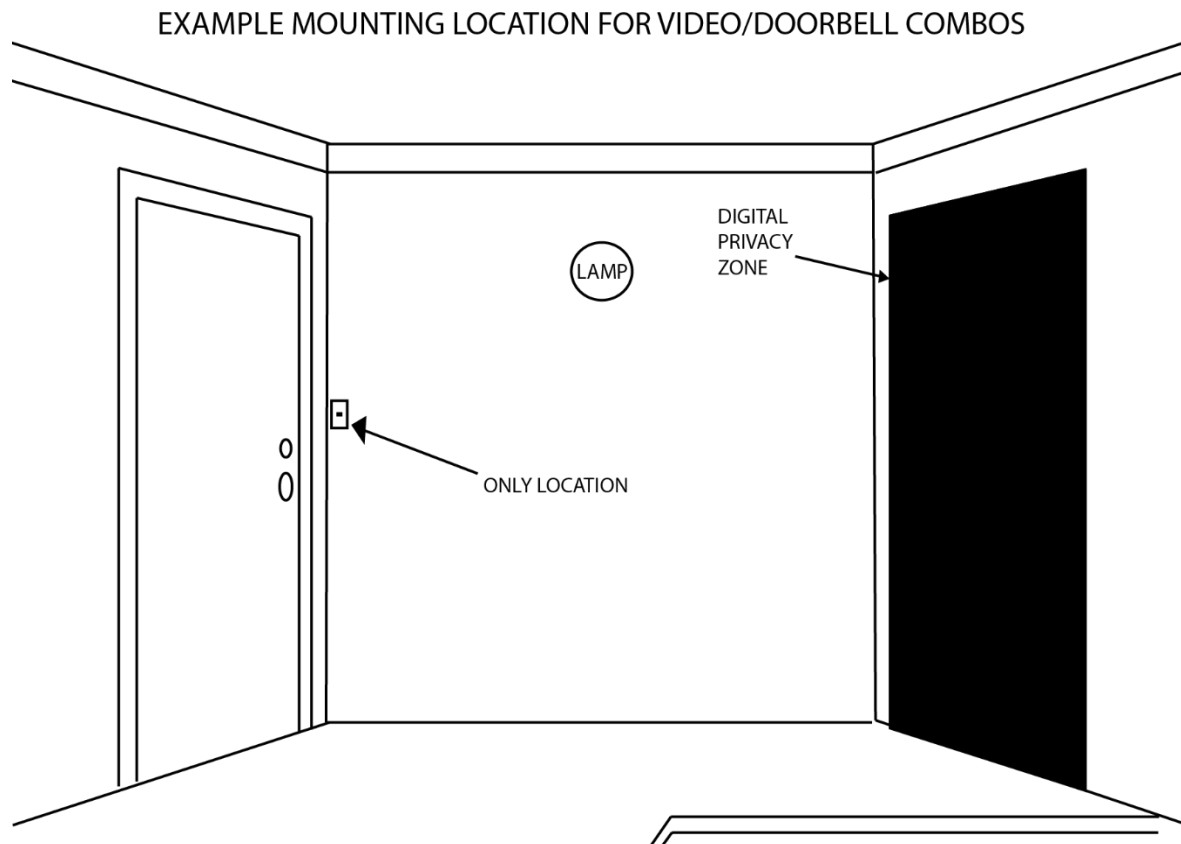
The owner has the responsibility to maintain, repair and replace the approved camera system and any impacted portions of the common area so long as the camera system remains in place.

If a camera is no longer used or if a new owner/resident is not going to use or maintain the camera system, then the owner is responsible for removing the camera and restoring any common area impacted by the installation.

## *Mounting locations*

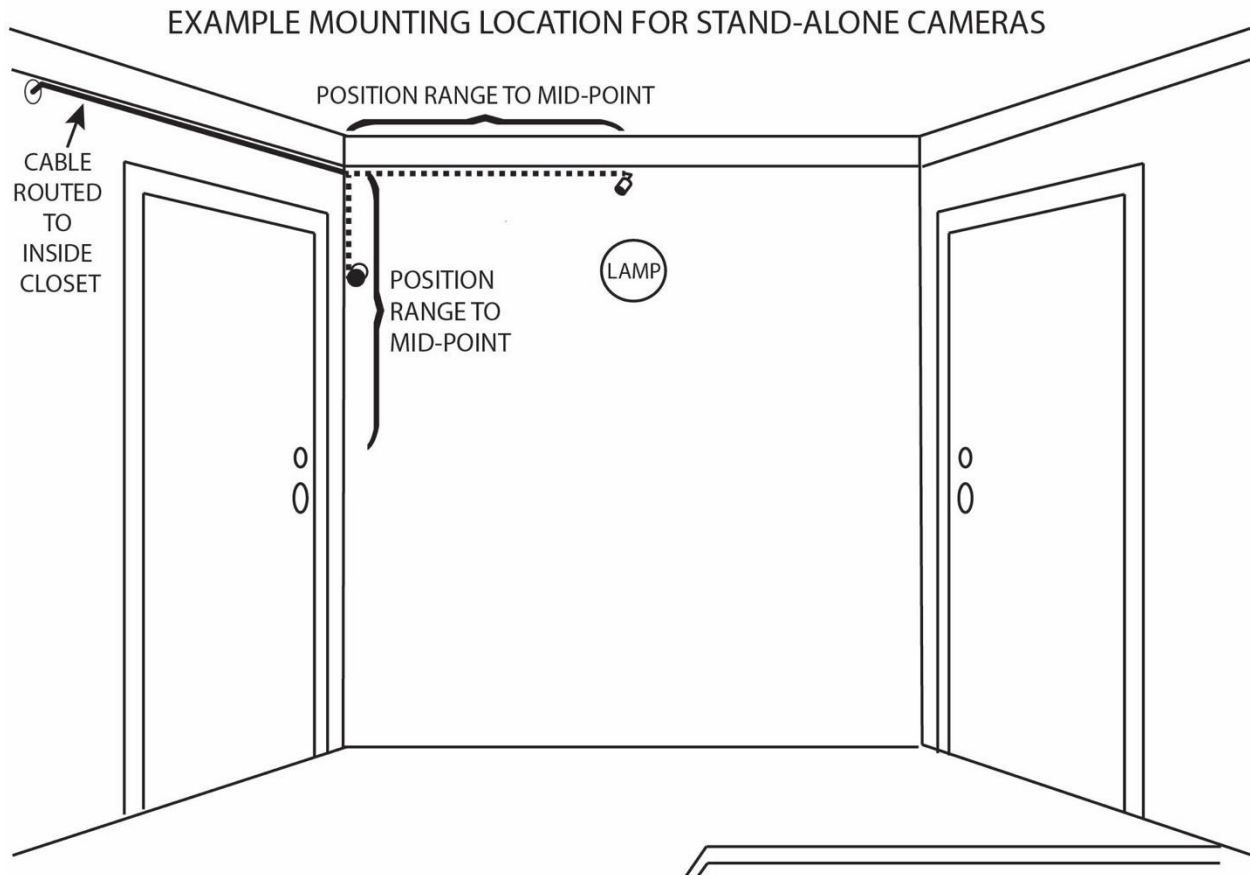
### *Private Video/Doorbell Combination – By front door*

A video/doorbell combination unit may only be mounted on the wall shared with the unit opposite by the side of the front door. Only video camera/doorbells equipped with a privacy zone feature in the software or a sufficiently narrow field of view to block out the neighbor's door will be approved.



### *Private Stand-alone Camera*

A stand-alone camera may be mounted on the wall shared with the opposite unit, immediately below or to one side of the trim. The camera may not be mounted past the midpoint of the shared wall and must be pointed toward the owner's door. The camera may also be mounted along structures opposite the shared wall and pointing toward the owner's door and shared wall. In both cases, the camera may not be mounted below the midpoint of the vertical distance between the upper trim and walking surface.



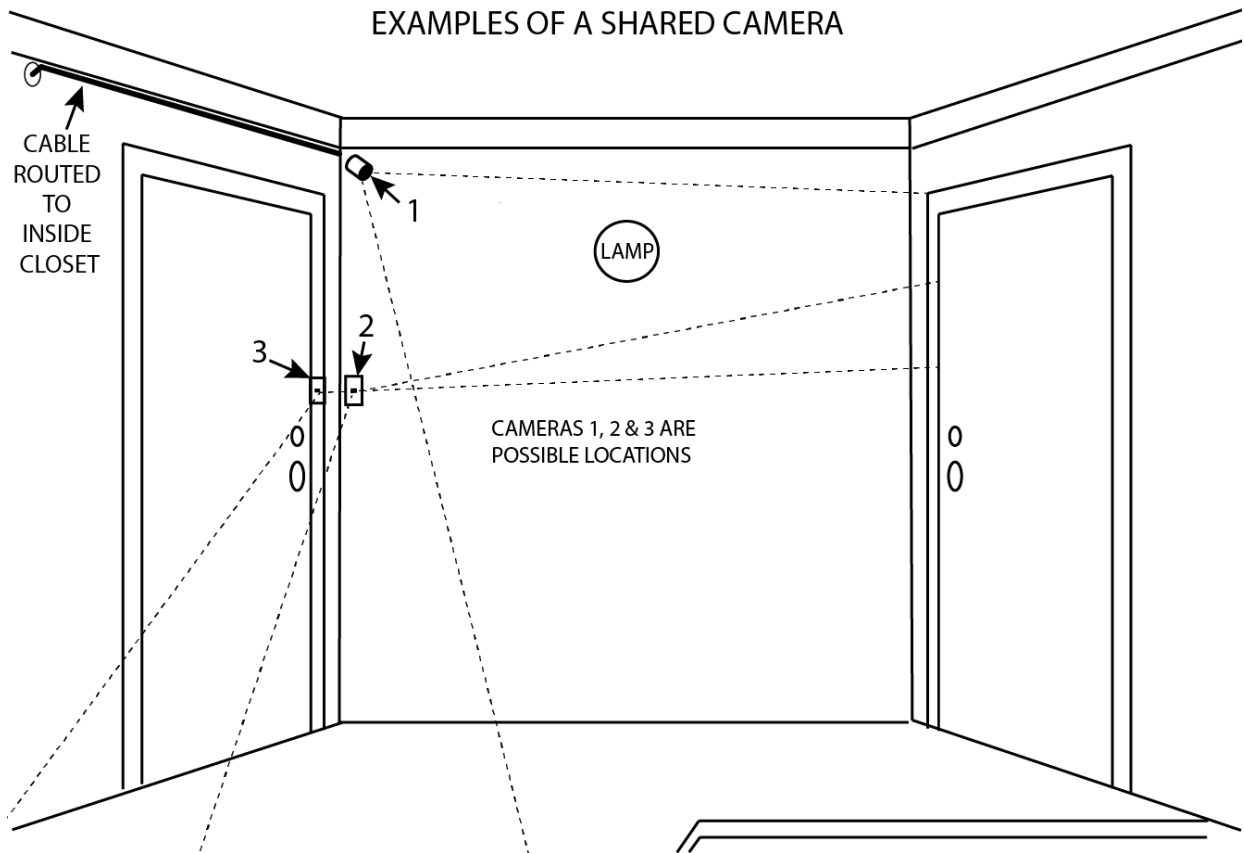
### *By rear door*

A camera may only be mounted so as to provide a primary view of the rear patio, deck, balcony or sliding door. Its field of view may not include the rear patio, deck, balcony or window of any other unit or of a swimming pool area.

### ***Shared Video/Doorbell Combination or Shared Stand-Alone Camera***

Owners of adjacent units may install a shared camera at any location along the top of the common wall (#1) so as to monitor the shared entryway to both units. Owners may also install a shared video/doorbell camera on the shared wall by one of their doors (#2) or on the doorjamb trim (#3). A shared camera may have views of both doors and restricted common area. Any shared camera installation requires a written agreement by both owners, which must address access by the parties to any video, live or recorded.

If one of the parties decides to no longer be a part of the written agreement, then the camera must be taken down, common area restored and a new application made to the ACC.



### ***No security implied or warranted***

Cameras and Video/Doorbells installed pursuant to this standard and any recordings made therefrom are the property of their owners or tenants. Except as provided herein or by written agreement, no persons other than law enforcement officials may be allowed access to video or recordings. The Association is not a party to any agreements between homeowners regarding camera usage or recording access. The Association has no means to monitor private cameras and no homeowner or resident should assume that they are being afforded security by the Association or any resident or homeowner by the presence of any video camera.