

Fairfield House Condominiums Unit Owners

Re: Maintenance of Units

Fairfield House condominiums were built in the early 1990's. We are communicating with unit owners to clarify their responsibilities for the maintenance of items of equipment within their units. Some unit owners may not realize that unit maintenance extends to appliances (toilets, dishwashers, garbage disposals, refrigerators, washers, dryers and ranges), windows and air conditioning units.

Therefore, when the items listed above, which are not necessarily exhaustive, have reached or exceeded their useful life, it is time to replace them. All items listed above that are original to the unit, may have reached the end of their useful life and it is recommended by the Association to replace these items.

The purpose of this letter is not to demand that unit owners replace the equipment in their units that has exceeded its useful life. Unit owners may continue to use the old equipment. Further, the Association will not monitor the replacement of these items.

The Association instead wants unit owners to understand that costs associated with incidents such as fire, water damage, leaks, condensation line blockages, etc. which can be traced to the failure to maintain or repair items within a unit may be the responsibility of unit owners, particularly if the equipment at issue had already reached the end of its useful life. For example, we have learned recently that condensation line blockages are connected to the rust particles that accumulate in the lines of those units that have not replaced their heat pumps/air conditioning units. Therefore, when incidents occur, management will inspect the unit and if the equipment has exceeded its useful life, if the equipment has not been replaced, then the unit owner may be responsible for any related damages to not only their own unit, but also the impacted common elements.

If you have questions, please contact Jon Bach, the Fairfield House Condominium, CMC Portfolio Manager.

Sincerely,

Fairfield House Condominium Association Board of Directors

**FAIRFIELD HOUSE CONDOMINIUM UNIT OWNERS ASSOCIATION**

**POLICY RESOLUTION NO. 2014-01**

(Responsibility of Owners to Engage in Preventive Maintenance, Prompt Repairs and Timely Replacement of Components within Unit)

**WHEREAS**, Article III, Section 2 of the Bylaws provides the Board with the power to adopt rules and policies for the Association; and

**WHEREAS**, Article VI, Section 5(b)(1) of the Bylaws already requires each Unit Owner to keep his or her Unit and its equipment, appliances and appurtenances in good working order and proper condition and makes each Unit Owner legally responsible for all damage to any other Units or to the Common Elements resulting from his or failure to fulfill these responsibilities; and

**WHEREAS**, the Board has determined that it is in the best interest of the Association to clarify the responsibilities of ownership regarding preventive maintenance, prompt repairs and timely replace those appliances, equipment, apparatuses and appurtenances which serve Units, particularly those that use water and may leak during a malfunction.

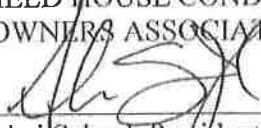
**NOW, THEREFORE**, the Board adopts the following policy and related rules of ownership:

1. Due to the fact that water leaks can originate from one Unit and then cause damages in another, the Bylaws make each Unit Owner legally responsible to keep his or her Unit in good order, condition, and repair to prevent water leaks and other forms of property damage in the first place. Among other things, this responsibility requires pro-active care for all of the water-based appliances and equipment including, but not limited to, the following:
  - a. Hot Water Heaters;
  - b. Dishwashers;
  - c. Garbage Disposals;
  - d. Refrigerators;
  - e. Washers and Dryers;
  - f. Dryer Vents;
  - g. Ranges;
  - h. Sinks and Showers;
  - i. HVACs;
  - j. Windows;
  - k. Toilets.
2. In addition, Unit Owners must take notice that that this responsibility of ownership extends to any equipment, pipes, conduits or lines that serve the Unit, but are not readily visible due to walls, floors or other obstructions.

3. In order to prevent damage to the Common Elements, other Units, and their own Units, Unit Owners must take preventive measures to ensure that the items within or serving their Unit are working properly. Suggested measures should include, but are not limited to, the following:
  - a. Checking the items for signs of leakage and wear and tear;
  - b. Ensuring that any valves, seals or other apparatus that need to be closed or sealed are properly closed or sealed;
  - c. Becoming familiar with the location of any main water shut off valve that serves their Unit and knowing how to turn off the water to their Unit in the event of an emergency;
  - d. Shutting off the water to the Unit prior to an extended absence from the Unit;
  - e. Providing a key to their Unit to a neighbor in the event that emergency access to the Unit is needed when the Unit Owner is not present. While providing a key to a neighbor is not mandatory, it is suggested that Unit Owners do so, as this can be an effective way of expediting access and mitigating damage if an emergency rises; and
  - f. Hiring competent professionals to inspect the various items of equipment within the Unit, and, if deemed necessary and appropriate, to engage in preventive maintenance, prompt repairs, or timely replacements in order to minimize the risk of water leaks or other forms of property damage.
4. Before an appliance, equipment, apparatus or appurtenance has reached the end of its useful life, Unit Owners must exercise best efforts to replace the item before it malfunctions. For example, any appliance, equipment, apparatus or appurtenance that is original to the Unit has probably already reached the end of its useful life, and Unit Owners are encouraged to promptly replace any such original items before a malfunction occurs.
5. The Board recognizes that water leaks and other forms of property damage will occur in condominium-living even when Unit Owners exercise due care; however, the Board also recognizes that many incidents of property damage can be avoided by the exercise of due care, informed ownership, and compliance with the tenets of this policy. The Board shall use the tenets of this policy when it must determine liability for any damage caused to the Common Elements or to another Unit as a result of any condition or event which originates from the Unit of a Unit Owner.
6. In this regard, the Board reserves the right to assess any expenses incurred by the Association to maintain, repair, or replace any items which are a Unit Owner's responsibility against the Unit Owner whom the Board deems responsible under this Policy. Before levying such an assessment, the Board shall provide written notice of its concerns and an opportunity for the Unit Owner to respond in writing or to be heard at a meeting of the Board.

The effective date of this Resolution shall be Jan 7, 2014.

FAIRFIELD HOUSE CONDOMINIUM  
UNIT OWNERS ASSOCIATION

By:   
Avi Sahgal, President

**FOR ASSOCIATION RECORDS**

I hereby certify that a copy of the foregoing Policy Resolution No. 2014-\_\_\_ was mailed and/or hand-delivered to the members of the Fairfield House Condominium Unit Owners Association on this 9th day of January, 2014.

  
Jon Bach, Portfolio Manager