

**THE CLUB HOMEOWNERS' ASSOCIATION WATER  
INTRUSION POLICY FOR COURTSIDE AND VISTA  
RESIDENTS AND OWNERS**

The most common type of damage suffered by Residence and Townhome ("Units/Lot") Owners comes from water intrusion. Water leaks happen. Sometimes they are the result of an Owner's or resident's failure to properly care for their plumbing fixtures and appliances or a water intrusion from the common area irrigation or plumbing. Regardless of the cause, leaks constitute an emergency. All leaks must be quickly repaired, and the Units dried out, because the extent of the damage, as well as the ultimate cost of repair, depends upon the speed with which the problem is initially addressed and corrected. (Even a few hours can greatly impact the extent of any damage and the repair costs.) Therefore, as a Lot/Unit Owner, it is important for you to be aware of and understand the Association's policies related to water leaks and water and mold damage, as well as your responsibilities in this area.

Because individual Lot/Unit Owners can and will be held financially responsible for some or all of the costs involved in remediating and/or restoring affected Lot(s)/Unit(s) and Common Area under the circumstances described below, **all Unit/Lot Owners and tenants are strongly advised to read this policy and to purchase and maintain adequate levels of liability and property insurance to protect themselves. As described in this policy, you might be financially responsible to remediate, restore, repair and replace your Unit even if the leak is not your fault. Failure to carry adequate insurance could cost you thousands of dollars. Be proactive and be prepared!**

Owners and tenants are expected to proactively perform (i) regular inspections of all Unit components (e.g., check for moisture at walls, windows, under sinks, around showers), and (ii) regular inspections and maintenance on all interior plumbing lines (i.e., plumbing lines located inside their Unit), plumbing fixtures (e.g., sinks, toilets, showers) and appliances so that they minimize the possibility of long term, undetected leaks and/or a failure becoming a flood. Where available, Owners and tenants are also expected to regularly open windows and/or use exhaust fans to help keep their Units well-ventilated to reduce moisture and the potential for mold growth.

Owners and tenants are required to repair all leaks in their Units, and to report to the Association all water intrusion and/or mold growth in their Units immediately upon discovery. The Association's property management company has a twenty- four (24) hour emergency phone number that should be used to report emergencies. Please place this telephone number in an easily accessible place so that it is readily available to you.

Owners are responsible for the plumbing lines that are located within their Unit (such as the lines under sinks, toilet supply lines, etc.) or on their Lot. The Association is responsible for the Common Area plumbing and sewer lines, except that Owners are responsible for damage from back-ups caused by that Owner(s) or their tenant(s).

Please remember, the Association is only responsible for repairing leaks in Common Area pipes. Unit Owners are, for example, responsible for repairing leaks in pipes and plumbing fixtures located within their Unit or on their Lot.

**Failure to proactively perform regular inspections, make timely repairs and/or to immediately report a leak, water intrusion, mold growth, or a suspected leak (e.g. a hot spot in the floor that evidences a slow slab leak) may result in the Lot/ Unit Owner being held financially responsible for some or all of the costs incurred to correct the problem and restore the Unit and the Lot to its prior condition, as well as the costs incurred to repair any impacted adjoining Units and Lots, and/or Common Area.** Any Owner or tenant who fails to inspect, perform preventative maintenance or timely fix or report water or mold related problems to the Association shall be deemed negligent.

Water or moisture can enter the Common Area, such as common walls, other Lots, and other Units in various ways, including the following:

1. From some Common Area source that is the Association's responsibility to maintain and repair;
2. From a Lot or Unit adjacent to the affected Lot or Unit; or
3. From inadequate ventilation of a Unit or from a plumbing leak in a pipe within the Unit, the fixtures within the affected Unit itself or a plumbing leak from an Owner's area of the Lot.

The Party or parties responsible for repairing the water leak and/or remediating the mold and for restoring the affected Unit(s) depends on the circumstances.

*For example, the Association may be responsible for the repair of the water leak or moisture intrusion in the following circumstances:*

The Association will pay to repair the water leak, dry out the affected Common Areas, and will remediate any mold in the Common Areas when the mold can be attributed to a Common Area source. The Association shall remediate any mold on Common Area components to the extent necessary to obtain clearance by a qualified industrial hygienist when the remediation is completed. However, if the Owner or tenant has failed to timely report a leak, water intrusion, presence of mold, or a suspected leak, or if the Owner or tenant is otherwise liable for the leak or any damage, that Owner and tenant may be held financially responsible for all costs incurred and damages sustained by the Association.

***Preventive Maintenance Requirements:***

All Owners and residents are expected to proactively perform regular inspections, maintenance, repairs and/or replacement of their plumbing lines, fixtures and appliances, including, but not limited to, all of the following:

1. Plumbing supply lines to toilets, sinks and other appliances that are located inside the Unit;
2. Washing machine hoses;
3. Sewer lines (including the proper use of drain cleaning products to prevent back-ups);
4. Shut-off valves to ensure proper operation; and
5. All appliances and fixtures that use or hold water.

All such inspections, maintenance and repairs should be performed as needed, but at least annually, by someone qualified to recognize and perform these needed repairs.

The Association strongly encourages Owners and residents to keep documentary evidence of all such inspections, maintenance and repairs so that the Owner and resident can demonstrate to the Association that he/she has acted reasonably and responsibly in fulfilling his/her responsibilities.

**Please note that an Owner's or resident's failure to inspect, maintain and repair the plumbing lines, fixtures and appliances inside his/her Unit as stated in this policy may constitute negligence by that Unit owner and resident, and may make that Owner and resident financially liable for any and all damage to the Common Areas and/or other Units caused by that negligence.**