



Newbury LIVING

3408 Woodland Avenue Suite 504 West Des Moines, IA 50266

Phone: 515-698-9720 Fax: 515-698-9728

www.NewburyLiving.com

To: Home Owners of Woodland West Condos
Date: March 12, 2015
RE: Responsibility for Plumbing-related damage

Dear Home Owners,

During the HOA meeting on Tuesday, March 10th, 2015, two Unit Owners asked the Board to clarify who is responsible for performing and paying for repairs resulting from plumbing leaks. The Board referenced the "Woodland West Condominiums Amended and Restated Declaration of Horizontal Property Regime", Article VIII. Maintenance, Alteration and Improvement, attached. Unfortunately, the document does not answer the question unambiguously. In order to provide needed clarity, the Board voted to adopt the following new policy:

1. If, in the determination of the Board, a plumbing leak is due to the neglect of a particular household (e.g. a household member allows a tub to overflow, thus flooding the unit beneath), then the full cost of any needed repairs are the sole responsibility of the Owner of the Unit in which the leak originated.
2. If, in the determination of the Board, a plumbing leak is due either to structural deterioration or construction defect, then:
 - a. The Owner of the Unit affected by the leak must inform the management company immediately.
 - b. The management company will arrange for the necessary repairs.
 - c. The cost of the repairs will be borne 25% by the Owner of the unit in which the leak originated and 75% by the HOA.
3. The management company (Newbury) must be able to enter every unit quarterly to conduct maintenance repairs such as caulking, fixing broken seals, etc. Notwithstanding item 2 above, any Owner who refuses access to Newbury for the purpose of performing this regular maintenance will bear the full cost of needed repairs stemming from any plumbing leaks that originating in his or her unit, regardless of whether the leaks are caused by neglect or structural deterioration/construction defects.
4. The Board reserves the right to use its best judgment in making case-by-case decisions.

If you have questions or concerns feel free to contact me at (515) 698-9720. Thank you.

Sincerely,

Samantha Cortez
Resident Manager