

**FAIRLINGTON GREEN CONDOMINIUM COUNCIL OF CO-OWNERS**  
**RESOLUTION NO. 3**  
**MAINTENANCE, REPAIR, AND REPLACEMENT**  
**OF CONDOMINIUM COMPONENTS**

**WHEREAS**, the Board of Directors is empowered by Article IV, Section 2 of the By-Laws, with the powers and duties necessary for the administration of the affairs of the Council of Co-Owners ("Council"); and

**WHEREAS**, the Board is charged by Article IV, Section 3 of the By-Laws, with the responsibility for the care, upkeep, and surveillance of the project and common elements; and

**WHEREAS**, there is a need to set forth the respective maintenance, repair, and replacement obligations of the Council and individual Co-Owners in order to guide future Co-Owners and Board members and to promote consistency; and

**WHEREAS**, in addition to the duties and obligations set forth herein, Co-Owners are responsible for any maintenance, repair or replacement necessitated by the acts or omissions of the Co-Owner's family members, guests, tenants, invitees, agents or employees.

**NOW, THEREFORE**, be it resolved that the following provisions be, and hereby are, adopted and the foregoing recitals are incorporated herein by reference.

**General** - In general, the Council is to maintain, repair, and replace the common elements, and the Co-Owner is responsible for the maintenance, repair, and replacement of his or her Unit as defined in the Master Deed and By-Laws. The following references are meant to be guides by which maintenance, repair and replacement responsibilities are defined for the Co-Owner and Council. If a Co-Owner is unsure of his or her responsibility, the Co-Owner should contact the Management Company.

**1. Plumbing**

**a. Council Responsibility** - The Council shall be responsible for the maintenance, repair, and replacement of common element plumbing components. Common element plumbing serves more than one unit. Components of common element plumbing include main sewer lines, sewer lines that service more than one unit, exterior drains, all plumbing at the pool, domestic water lines that service more than one unit, domestic water lines buried in the ground outside of the unit boundaries, any waste stacks that service more than one unit, any valves in the common area and any meters.

**b. Co-Owner Responsibility** - Those portions of the plumbing systems serving only one unit, such as toilets, sinks, showers, washing machines, risers (refers to water lines), disposals, drains, waste stacks serving only a unit, outside water faucets, hot water tanks,

domestic hot and cold water lines and, any other component within the boundaries of a unit, shall be maintained, repaired, and replaced by the Co-Owner of that unit at the Co-Owner's sole expense. The Co-Owner shall be responsible for any maintenance, repair, or replacement costs or damages associated with his or her negligence or failure to maintain, repair, or replace such components. Further, any damage to other units or common elements related to a Co-Owner's failure to maintain his or her plumbing systems is the sole responsibility of the Co-Owner and the costs and damages to other units and the common elements will be the owner's responsibility to the extent not covered by the proceeds of hazard insurance (including any deductible amount) obtained by the Council.

## 2. Electrical

a. **Council Responsibility** - The maintenance, repair, or replacement of common element lighting systems, such as street lights, sidewalk lights, security lights in the common areas, pool lights, all wiring servicing those lights, all electrical components at the pool, all electrical meters and covers not under the control of the utility company, all hallway lights and electrical outlets in the multi-unit building common areas, and at the pool, light bulbs for the common area lighting, and porch lights for the multi-family units.

b. **Co-Owner Responsibility** - The maintenance, repair, or replacement of electrical systems and fixtures serving only one unit shall be the responsibility of the Co-Owner of that unit. Examples of such systems and fixtures include but are not limited to: Exterior front and rear porch lights and photo cell (if attached), electrical fuse panels including its components, interior lighting, wiring within the unit boundaries or serving only that unit, outlets, switches, fans, motors, appliances, disposals, changing light bulbs, light bulbs, electrical light fixtures, all interior fixtures, etc.

## 3. Exterior of Buildings

a. **Council Responsibility** - The Council shall be responsible for the maintenance, repair, and replacement of the common elements and the following portions of the units: the bricks, steps, columns, sidewalks, roofs, gutters and down spouts, stairways, and stairwells. The Council shall also be responsible for the painting of the windows, window frames, doors, door frames, exterior shutters, dormers, soffits, the exterior side of the fences and other exterior trim, and lintels.

b. **Co-Owner Responsibility** - The Co-Owner shall be responsible for the repair, maintenance and replacement of the stoop, front porch, doors, door frames, windows, window frames, glass panes and door and window mechanisms and accessories, serving their units. Examples of such repair, maintenance and replacement include, but are not limited to, the following: replacement of broken or cracked glass panes, any damaged wood that makes up the window, the entire window, window locks, sills, guides and any other mechanism, exterior doors, storm doors, locks, hinges, door knobs in their entirety or parts, door closures, door knockers, thresholds and weather stripping.

#### 4. Decks

a. Council Responsibility - To provide architectural guidelines for the maintenance, repair and replacement of decks. The Council shall also inspect decks for architectural compliance and the need for repair and replacement.

b. Co-Owner Responsibility - The Co-Owner shall be responsible for the repair, maintenance and replacement of decks and their components. Examples of such Co-Owner repair, maintenance and replacement include, but are not limited to, the following: replacing any warped and/or rotted wood that is part of the deck, hammering down nails that have popped out, staining the wood with the approved color of stain, maintaining and replacing concrete footings and pedestals, posts, joists and joist hangers.

#### 5. Patios

a. Council Responsibility - To provide architectural guidance, review and approval of the construction, and or erection of items/projects within the patio area and the planting of bushes, trees and plants that could grow to a height that would be in violation of the Master Deed, By-Laws and or Rules and Regulations and guidelines. The Council shall also inspect the patio areas for compliance and the need for any correction by the Co-Owner shall be at the Co-Owner's expense.

b. Co-Owner Responsibility - The Co-Owner shall have the exclusive responsibility for the maintenance, repair and replacement of the patio areas appurtenant to their unit, including but not limited to, any slate, stone, brick or wood decking or other structures erected or maintained within the patio/yard areas as well as the maintenance and care of all plants, trees, bushes, flowers, grass and other vegetation.

#### 6. Foundations

a. Council Responsibility - Generally, the Council shall be responsible for maintaining and repairing the exterior of the foundations surrounding the units and the Council will, for instance, re-grade where necessary and repair the foundation in the case of water infiltration into the units. Such repair and maintenance shall be a common expense to the extent that the cause of the water infiltration is due to the negligence of the Council (or the failure of the Council to maintain the grade surrounding the buildings). If, in the opinion of the Board of Directors, the maintenance or repair to the foundation was not due to the negligence of the Council, then the expense of such maintenance or repair work will be assessed against the benefited Co-Owner(s).

b. Co-Owner Responsibility - Resolutions 1 and 2 already address this responsibility and it is the Co-Owner's responsibility to read those resolutions and to be familiar with their application.

**7. Retaining Walls and Fences**

Retaining walls and fences shall be maintained, repaired and replaced by the Council except where such maintenance, repair or replacement was due to the neglect or act of the Co-Owner, in which case the Co-Owner shall bear the cost of such maintenance, repair or replacement.

**8. Maintenance by the Council**

The Board of Directors may act to maintain, repair or replace any component or item which is the responsibility of the Co-Owner provided such maintenance, repair or replacement is necessary to prevent damage to other units or the common elements or if the Co-Owner fails to perform such maintenance, repair or replacement after written request to do so by the Board of Directors or the Management Company. Any costs or expenses incurred by the Council while performing the Co-Owner's responsibility shall be at the Co-Owner's expense. Written notice, by certified mail, the posting of such notice at the unit or hand-delivery shall be considered reasonable notice. The Council will endeavor to provide the Co-Owner with notice prior to entering the unit. In the event of emergencies (i.e., circumstances when life or property is at risk), the Council shall perform any maintenance, repair or replacement deemed necessary to stabilize a condition that could effect other units or the common elements. During these emergencies the Council has the right to enter the unit without notice to stabilize the condition and all costs and expenses incurred by the Council while dealing with the emergency shall be billed to the Co-Owner.

Adopted the 19 day of May, 1993 at a duly convened meeting of the Board of Directors of the Fairlington Green Condominium Council of Co-Owners.

**FAIRLINGTON GREEN CONDOMINIUM COUNCIL  
OF CO-OWNERS**

By: Ross Taplett  
**Ross Taplett, President**