

# VILLAGE AT FOREST HEIGHTS HOMEOWNERS ASSOCIATION, INC.

## Resolution Number 3 – Areas of Maintenance Responsibility

WHEREAS, Article IV, Owner Use and Responsibility, including Article 4.3, Maintenance of Living Unit and Outdoor Improvements, and Article 7.2, Building Repair, maintenance and Rebuilding, and Article 7.3 Common Area Maintenance, as described within the Declaration of Protective Covenants Conditions and Restrictions (Declaration) of the Village at Forest Heights Homeowners Association, Inc., provides descriptions of the areas of maintenance responsibilities for Owner and the Association for the Village at Forest Heights Homeowners Association, Inc., a nonprofit corporation formed under the laws of the State of Oregon;

AND WHEREAS, Article 8, Maintenance of Homeowner Property, Condemnation, of the Bylaws of Village at Forest Heights Homeowners Association, Inc., further describes maintenance and repair and Article 3.2, Board of Directors Powers and Duties, of the Declaration clarifies the authority and responsibility of the Association's Board of Directors to administer the business affairs of the Association;

AND WHEREAS, the Association documents provide an outline of responsibilities for maintenance and repair of units and common elements;

AND WHEREAS, the Board of Directors seeks to more clearly define Association responsibility and Owner responsibility in these areas;

NOW, THEREFORE, BE IT RESOLVED THAT, except as otherwise provided in the Declaration and Bylaws for damage or destruction caused by casualty, responsibilities for maintenance, repairs or replacements shall be made according to the "Areas of Maintenance Responsibility" list known as Attachment A to this Resolution,

AND BE IT ALSO RESOLVED THAT all maintenance, repairs and replacements to the general and limited common elements shall be made by the Association and shall be charged to all unit owners as a common expense. Each unit owner, however, shall keep the limited common areas that pertain to his or her unit in a neat, clean and sanitary condition;

AND BE IT FURTHER RESOLVED THAT the cost for repair of damage to items listed on ATTACHMENT A under Association responsibility that are caused by willful or negligent act on the part of the Owner or Owner's tenants or lessees shall be born by the Owner,

AND BE IT FURTHER RESOLVED THAT in the event the need for maintenance or repair to items listed on ATTACHMENT A under Owner responsibility is not met by the Owner in a timely manner, the Association will levy an enforcement fee, the amount to be determined from time to time by the Board of Directors or a committee so designed by the Board, and which will continue until the needed maintenance or repair is completed

Post-it® Fax Note	7671	Date	6/18/04	# of pages	6
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Jane Reeves Dean, President  
Board of Directors  
Lynn J. Tracy, Secretary

## Attachment A, Resolution Number 3, Areas of Maintenance Responsibility

<u>Area of Responsibility</u>	<u>Description</u>
Association	1. Roof cleaning, treating, maintenance, repairs and replacement, including roof decking and flashing
Association	2. Roof rafters and structural support
Association	3. Roof gutters and downspouts – cleaning, maintenance, repairs and replacement
Association	4. Gutter rain drains, French drains, street storm drains
Association	5. Building siding, flashing, trim boards and sheeting under the siding
Association	6. Common party walls between units, per the Declaration
Owner	7. Unit interiors, including interior wall studs and perimeter insulation
Owner	8. Interior structures and fixtures, finishes, including floors, walls and ceilings, including water damage to sub-floors
Association	9. Structural elements of the building, such as framing and foundation
Association	10. Building foundation, crawl space, vents and other items associated with the foundation and crawl space, excluding winterizing
Owner	11. All heating, air conditioning and utility lines related to the house
Owner	12. Telephone, television and communications services and lines
Owner	13. Exterior light fixtures attached to the building, except lights controlled by photosensor
Association	14. Maintenance and replacement of the light fixtures that provide light to the common areas in front of the buildings: (a) above the garage on single garage door units; (b) both fixtures above the garage and to the right of the front door on units with double garage doors. Light bulb and electric eye replacement is also provided by the Association when the fixtures are maintained by the Association
Owner	15. Exterior hardware on the building, including house numbers, door locks, etc.
Owner	16. All exterior doors, windows, screens, skylights, window and door casements, sashes, frames, storm windows
Owner	17. Maintenance, repair and replacement of decks, patios and other private outdoor features
Owner	18. Landscaping and flowers installed by Owner
Association	19. General landscaping including in front of the house between the house and the sidewalk or street, including plant replacement, irrigation repairs, general landscape maintenance services
Owner	20. All plumbing elements including fixtures and lines beginning at the building foundation exterior or perimeter wall, including pressure reduction and back flow devices
Owner	21. All electrical elements including fixtures and lines, unless specifically identified for maintenance by the Association
Owner	22. Cleaning and snow removal for driveways, sidewalks, entry walks and steps. Owner is responsible for oil and moss/algae removal
Owner	23. Architectural add-on and building exterior modification, whether or not approved by the Association
Association	24. Chimney exterior wood structure
Owner	25. Clothes dryer vents, maintenance, repair and replacement
Owner	26. Foundation vents & water spigots – annual winterizing and de-winterizing

- Owner 27. Fencing on lots. Fence installation requires ARC approval.
- Association 28. Paint, caulk and repair building exterior surfaces
- Association 29. All common areas not located on individual lots, including landscaping, streets, sidewalks, etc.
- Association 30. All common area signage including. property name, street signs, parking enforcement signs and other sign that are placed in the common areas by the
- Association 31. Street and street curb maintenance and repair
- Association 32. Removal and/or spraying of insects on buildings and grounds that may present a safety problem to residents and the structures.
- Associaton 33. Bird nest removal and damage repair associated with nests

All building and other elements located on the individual lot is considered the Owner's responsibility for maintenance, repair and replacement, unless specifically identified as the Association's responsibility in this maintenance resolution or in the declaration

Interior maintenance is the unit owner's responsibility including situations where the origination of the problem relates to the building exterior where the Association has maintenance responsibilities. A unit owner is obligated to give timely notice to the Association where the Association is required to provide repairs. The Association will need adequate time to locate and define the source of the problem and then to arrange for timely repairs. Lot owners are responsible for cooperating with the Association when access to the unit is required to evaluate or make a repair. The Association is not obligated to order work that results in overtime and premium rates for services and the Association may back charge the unit Owner for situations where the Owner does not provide timely access and cooperation in making repairs in a timely and cost efficient manner.