

Breezewood I HOA Leak Policy

Effective: December 2015

We provide emergency services 24 hours a day, 7 days a week. HOA-ENC will respond to all emergencies.

In the event of water damage to a building or a leak, call HOA-ENC as soon as possible at 252-565-4820. If it is not answered leave a message and/or call back within the next 5-10 minutes for a HOA-ENC representative.

When HOA-ENC receives a call from a homeowner reporting physical damage primarily relating to water damage, the following actions are initiated and completed with the approval of the Breezewood I Board of Directors. This policy can be changed at any time at the discretion of the Board, but the owners will be notified of the new changes.

1. Upon receiving an emergency water damage call, HOA-ENC will dispatch a plumber to respond to the problem or issue.
2. The management company will contact the owners/tenants of any units that are involved in the leak to get the plumber in to investigate. If the management company can't speak with a homeowner/tenant, the management company has a right to call a locksmith to the unit to open the unit up for the plumber. The cost of the locksmith is a minimum of \$75 and it will be billed back to the owner with board approval. **IT IS THE RESPONSIBILITY OF THE OWNER TO KEEP THE MANAGEMENT COMPANY UPDATED WITH THEIR CONTACT INFORMATION.**
3. Upon arrival at the property, the plumber will follow the following procedures.
 - a. The plumber will locate the source of the leak and will try to "stop" the water from causing further damage.
 - b. The plumber will let the HOA-ENC representative know where the leak was coming from so the representative can determine who is responsible for the damage and repair (Breezewood HOA or Owner).
 - c. If it is determined that it is an HOA repair, the plumber will go ahead and repair if possible. If it is an Owner repair, the owner will be notified what the cause of the leak was and that it is their responsibility to hire a person to get it repaired ASAP.

- d. Before the plumber leaves, an initial assessment of the damage will be made – is water extraction needed and what has been damaged by the water that will need to be repaired. The plumber will notify the representative of HOA-ENC and let the representative know what the assessment of the damage was.
- e. If the water damage is the responsibility of the association and water extraction is needed the HOA Management representative will call out a mitigation contractor (ex. Pinnacle Carpet Care, MSI, or 24 Restore) to start the extraction of water and the drying process.

If the water damages another unit but it is determined that the Owner of the unit where the leak originated is responsible, the HOA Management representative will call out a mitigation contractor (ex. Pinnacle Carpet Care, MSI, or 24 Restore) to start the extraction of water and the drying process. Upon approval of the Board this will be billed back to the owner of the unit where the water damage originated.

If the water damages only the unit that it originates in and it is determined that the Owner is responsible for the repair, the owner will be responsible to call any mitigation contractor within the next 24/36 hours to start the extraction of water and the drying process.

- f. In most cases, the mitigation contractor will take pictures to support the findings and the damage.
4. If the damages and repairs are the responsibility of the OWNER, HOA-ENC will suggest that the owner contact their insurance agent to inform them of the situation.

The Master Insurance Policy has a deductible of \$5,000.00 and only makes repairs to bring the unit back to its original construction. If the unit has “betterments” the owner/owner’s insurance is responsible to pay the difference. If wanting to place a claim or if the Association places a claim, the owner could be assessed the \$5,000.00 deductible from the HOA Board. Placing claims on the master policy can lead to premiums rising and/or the insurance company dropping the HOA.

5. If the damage and repairs in their unit are the responsibility of the OWNER, the OWNER has up to 7 days from the day that the water damage occurred to start getting the unit repaired back. If this does not happen, the Association could intervene and decide to repair the unit back to its “original” construction and bill the owner back the costs of the repairs.

If the damages and repairs are the responsibility of an OWNER but in a unit that is not the OWNERS, after the drying process is done the management company will issue a

work order to a contractor of the Boards choice to make the necessary repairs to the unit back to its “original” construction. The Board then will assess the cost of the repairs to the owner of who is responsible for the repairs.

If the damages and repairs are the responsibility of the ASSOCIATION, the management company will issue a work order to a contractor of the Boards choice to make the necessary repairs to the unit back to its “original” construction.

Responsibility of the ASSOCIATION

1. If a leak originates in a common element or due to the acts or omissions of the Association or its agents.
2. If a pipe burst between the walls of the units, or outside the walls.
3. If a pipe bursts in the ceiling

Responsibility of the OWNER

1. Leaks originating within the unit boundaries due to the acts or omissions of the owner.
2. Leaks that cannot be attributed to the acts or omissions of an owner or the Association, damages to the limited common element itself will be repaired by the Association and assessed any other limited common expense to the unit owners to which the limited common element is assigned.
3. If a leak originates from inside the unit.
4. If a leak originates from a toilet, sink, shower, tub, or washing machine.
5. If a leak originates from a supply line inside the unit from an icemaker, A/C, etc.