

THE LAW OFFICES OF
JUDITH A. FALLAT
MEMBER NJ AND NY BAR



April 4, 2023

VIA EMAIL ONLY
Erin Cautero
Matrix Property Management Group, LLC
50C Main Street
Succasunna, NJ 07876

Re: Mountainview Manor Condominium Association
Policy Resolution Amending Rules and Regulations Prohibiting Washing
Machines and Dryers in Units

Dear Erin:

Enclosed please find the above referenced resolution amended per our recent email discussions. Please have the Resolution executed by the President and Secretary in front of a notary public and return to our office for recording.

Very truly yours,

Judith A. Fallat

Judith A. Fallat

JAF/pwp
Encl.
File 7103

Prepared By:

Master Deed Recorded October 29, 1986
Book 2897, Page 348

JUDITH A. FALLAT, ESQ.

MOUNTAINVIEW MANOR CONDOMINIUM ASSOCIATION, INC.

POLICY RESOLUTION

AMENDING RULES AND REGULATIONS PROHIBITING WASHING

MACHINES AND DRYERS IN UNITS

WHEREAS, pursuant to the Association's By-Laws the property, affairs and business of the Association shall be managed by the Board of Directors, which shall have all those powers granted to it by the Certification of Incorporation, the Master Deed, (the) By-Laws, and by law; and

WHEREAS, the Governing Documents of the Mountainview Manor Condominium Association, Inc. at Article VI, Section 1 of the Bylaws empower the Board to promulgate rules and regulations for the health, benefit and welfare of all members of the Mountainview Manor Condominium Association, Inc.; and

WHEREAS, the New Jersey Condominium Act at N.J.S.A. 46:8B-14(j) states that the Association, acting through its Board of Directors shall exercise its powers and discharges its functions in a manner that protects and furthers the health, safety and general welfare of the residents of the community; and

WHEREAS, the New Jersey Condominium Act at N.J.S.A. 46:8B-14 (c) states that the Association, acting through its officers or governing Board, shall be responsible for the performance of the adopting, distribution, amendment and enforcement of rules governing the use and operation of the Condominium and the Condominium property and the use of the Common elements; and

WHEREAS, the Board of Directors has determined that it is in the best interest of the residents of the community to implement certain Rules and Regulations; and

WHEREAS, By Resolution No. 98-02 recorded on June 8, 1998 in the office of the Morris County Clerk in Deed Book 4777 Page 269, the Board of Directors adopted rules and regulations which, among other things, prohibited the installation of washing

machines in the condominium units entirely and prohibited the installation of electric dryers in units without prior Board approval; and

WHEREAS, the Board of Directors deems it desirable and in the best interest of the membership to amend this rule to permit unit owners to install washing machines and dryers in their units, subject to the restrictions set forth herein.

NOW, THEREFORE, BE IT RESOLVED THAT the following policy regarding the installation of washing machines and dryers is hereby adopted:

1. The Rules and Regulations are amended at Paragraph IX to provide that residents are permitted to install electric washing machines and electric dryers in their units upon application to and with prior written approval of the Board of Directors, subject to the terms of this Resolution.
2. All work to unit components must comply with all current codes including but not limited to, electrical, plumbing, and building. Unit Owners must submit application for unit modification, in the form attached hereto, to Association Management for Board of Directors' approval. Unit Modification form should include copies of all required township permits, including, but not limited to, plumbing, electric, building and fire.
3. Owners may install front loaders, top loaders, separate units, combination units, or stackable units.
4. All work, including electric and plumbing, must be performed by a licensed contractor and all municipal approvals must be obtained by the unit owner and submitted to the Association upon completion of work and final inspection and approval. **If any necessary work will impact the Association's common elements, such work may only be performed by the Association's contractor at the unit owner's expense.**
5. Due to the age of the Mountainview buildings and the risk of flooding and other catastrophic events from failed components, Unit Owners are obligated to perform preventative plumbing maintenance. This includes regular visual inspection of plumbing for corrosion and leaks at shut off valves, located under each sink, at the base of each toilet, water heaters and faucets. Unit Owners must inspect for leaks and corrosion and repair or replace these items as necessary.
6. Owners must provide copies of their contractor's valid certificates of acceptable insurance coverage for comprehensive property liability, personal injury liability, vehicular and equipment liability and workman's compensation to the Association prior to commencement of work. Acceptable insurance shall mean insurance written by a reputable insurance company, which company is licensed to conduct such insurance business in the State of New Jersey, and providing for adequate amounts of coverage

to be ascertained in the sole discretion of the Association. Contractors must provide to the Association a certificate of insurance naming Mountainview Manor and Matrix Property Management Group, LLC as additional insureds. Unit Owners must carry the additional homeowner's insurance to cover potential damages caused by the washer and dryer and Mountainview Manor and Matrix Property Management Group, LLC must be named as additional insureds. Unit Owners must provide all required insurance and certificates to the Association prior to commencement of work. In the event the Contractor retains any subcontractor to perform any part of the work the owner shall provide proof of the insurance required above on behalf of the subcontractor.

7. Dryers must be ventless, or an indoor dryer unit kit must be installed. Dryers may not vent into a common area or exhaust through a common element, or exhaust through a window or door opening.

8. The following requirements apply to the installation of washing machines:

- A. Must have lever type water shut-off valves for hot and cold water;
- B. Must have stainless steel braided hoses only;
- C. Must empty into a drain no smaller than meets plumbing codes;
- D. Must not drain into a sink, toilet, or tub.

In the event a unit owner fails to install a braided stainless steel washing machine hose and water shut off valve, the owner will be solely responsible for the cost of repair of any damages caused by a ruptured hose or other malfunction of the hose or failure to have a water shut off valve which is in the closed position when the washer is not in use.

9. Owners must ensure that washers and dryers are installed in a location and by a means that reduces noise and vibration or will otherwise not create a nuisance to other residents. Effective ways to reduce washer and dryer noise include the following:

- A. Do not overload the washer or dryer;
- B. Assess the machine's condition (i.e. readjusting load as necessary or checking for malfunction);
- C. Prevent the machine from vibrating by covering the machine with blankets or padding the sides of the machine;
- D. Soundproof the laundry room.

10. No fire walls may be breached in the installation of any washing machine or dryer.

11. Once installed, all dryer vents must be cleaned every two years in accordance with the Association’s policy regarding dryer vent cleaning.

Enforcement of this Resolution shall occur in accordance with the procedures established by the Association with regard to due process. Pursuant to the Association documents, the Board shall have the power to levy fines against any owner who fails to comply with the terms of this Resolution. Collection of fines may be enforced against any owner as if the fine were a common expense, and such fines shall constitute a Lien upon the subject unit.

I hereby certify that the foregoing was duly adopted at a regular meeting of the Governing Board of the Mountainview Manor Condominium Association, Inc. held on _____, 2023.

ATTEST:

**MOUNTAINVIEW MANOR
CONDOMINIUM ASSOCIATION, INC.**

, Secretary

, President

STATE OF NEW JERSEY)

ss

COUNTY OF MORRIS)

I CERTIFY THAT on _____, 2023 _____ personally came before me and this person acknowledged under oath, to my satisfaction, that:

(a) this person is the secretary of the Mountainview Manor Condominium Association, Inc. the corporation named in the attached document;

(b) this person is the attesting witness to the signing of this document by the proper corporate officer who is _____, the President of the corporation;

(c) this document was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its Board of Directors;

(d) this person signed this proof to attest to the truth of these facts.

A Notary Public of New Jersey

Record & Return to:

Judith A. Fallat, Esq.
92 Broadway, Suite 201
Denville, NJ 07834
(973) 586-2120



50C Main Street, Succasunna, NJ 07876
Phone: 908-852-0656

APPLICATION FOR MODIFICATIONS TO UNIT/LOT

UNIT OWNER: _____

UNIT ADDRESS: _____ Phone: _____

DATE OF APPLICATION: _____ Association: _____

I/We understand that pursuant to the Association’s Governing Documents the grounds and structures within the Association are common or limited common elements. As such those elements are under the control of the Association’s Board. Any changes or modifications to any unit or lot require the prior written consent of the Board of Trustees. I/We wish to undertake certain changes to my unit/lot as more specifically described herein and on the attached plans or drawings, and do hereby request that the Board consider my application for these changes.

I/We understand and agree that...;

- any proposed modification shall substantially conform with the existing characteristics of the community to the extent possible.
- the Board may take up to forty-five (45) days to review my application.
- **NO WORK** may begin before I receive written approval from the Board.
- My contractor shall be licensed in the State of New Jersey as required and dictated by the work anticipated
- My contractor shall supply a copy of his current/valid State license
- My contractor shall provide a certificate of insurance naming me, the Association and Managing Agent as additional insured
- If I start modifications before receiving approval a **STOP WORK** order may be issued
- If the modifications implemented do not conform with the plans the Board may take action
- The action may require restoration of the property to its original appearance
- I/We may be fined for not complying with the plans or specifications as approved
- It is the unit owner’s responsibility to check with the municipality to determine if permits are required
- I/We will obtain all permits and inspections as may be required by the municipality

I also understand and agree that certain permits, licenses or other governmental requirements may be necessary for my proposed changes and hereby agree and warrant that I shall obtain all necessary permits, licenses, inspections and approvals or fulfill any other requirement set forth by any Governmental agency.

By affixing my signature to this document, I hereby represent and affirm that no work contemplated to the unit will change the appearance of any portion of the exterior other than as specifically stated herein; and that nothing shall be done to the unit, lot or common or limited common elements which will impair the structural integrity of any building or which will structurally change a building. The proposed modifications will not include any additions, alterations or improvements that will affect the structure of the building in any way or impair any easement.

In order to have the Board consider your application please provide a detailed description of your intended change or modification. Also attach a diagram or plans to illustrate your request. For extensive projects (i.e. finished basement) please be sure to include a drawing for each department (building, electrical, plumbing, etc.). Any attachments become a part of the application.

**PLEASE NOTE THAT BOARD APPROVAL IS REQUIRED
PRIOR TO APPLYING FOR ANY MUNICIPAL PERMITS.**

Description of work:

Signature of homeowner(s): _____

Signature of homeowner(s): _____

- | |
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| <p>OTHER ITEMS THAT SHOULD BE SUBMITTED FOR PROMPT REVIEW:</p> <ul style="list-style-type: none"> • Plans depicting the proposed project, if appropriate • Product brochures, including pictures, as available • Copy of Contractor's NJ Contractor's license • Certificate of insurance from contractor's insurance company |
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BOARD APPROVAL:

President	_____	Date	_____
V. Pres.	_____	Date	_____
Secretary	_____	Date	_____
Treasurer	_____	Date	_____
Member	_____	Date	_____

Approval/Denial letter sent: _____

If you have ANY questions or need ANY assistance in submitting your request please feel free to contact the Management Office at any time - 908-852-0656.

Thank you