

**UNIT MAINTENANCE RESOLUTION OF THE
SILVER QUEEN WEST AT WILDERNEST CONDOMINIUM ASSOCIATION**

SUBJECT: Adoption of policies and procedures regarding Maintenance of Units.

PURPOSES:

1. Clarify maintenance obligations of each Owner in the Declaration to keep the Owner's Unit in good repair, avoid damage to other Units and Common Elements.
2. Reduce insurance claims and potential increases in insurance premiums.
 - The Association has within the past year experienced two major leaks arising from water damage within Units which have resulted in damages of several hundred thousand dollars to repair and loss of use of the damaged units.
 - As a result of the first water damage claim totaling almost \$200,000 the premium for the Association insurance policy providing property damage coverage increased by 33%, the deductible for losses caused by water damage increased to \$25,000 and termination of the policy was threatened, which would likely result if additional water damage claims are filed. Termination of the Association policy would further significantly increase premium costs and reduce coverage options by any new carrier.

AUTHORITY: The Declaration, Articles of Incorporation, and Bylaws of the Association and also the Colorado Common Interest Ownership Act and Condominium Ownership Act.

**EFFECTIVE
DATE:**

July 23, 2020

RESOLUTION: The Association adopts the following Policies and Procedures subject to:

Definitions: Unless otherwise defined, initially capitalized or terms defined in the Declaration shall have the same meaning herein.

Supplement to Law. The provisions of this Resolution shall supplement the provisions of the Declaration, Rules, and the law of the State of Colorado governing the Silver Queen West Project. The provisions of this resolution will be included in the *Silver Queen West Manual for Residents and Owners*.

Deviations. The Board may deviate from any provision of this Resolution if in its sole discretion such deviation is reasonable under the circumstances.

Amendment. The following policies may be amended from time to time by the Board of Directors.

CONDOMINIUM UNIT AND COMMON ELEMENT MAINTENANCE

1.1 Community Quality of Life. All Owners are Members of the Association which will always endeavor to observe and promote the cooperative purposes for which the property

was built. Because neighbors rely on one another to maintain the quality of life and property values in the Community, each Member is more accountable to other Members than in other communities without shared Common Elements. This maintenance policy clarifies the duties of each Owner to keep the Owner's Unit in good repair, to avoid damage to other Units and Common Elements, to minimize insurance claims, and to promote enjoyment of the community by all residents.

1.2 "Individual Air Space Unit" or "Unit" means a Unit depicted on the Condominium Map bounded by the perimeter unfinished walls, ceilings, and floors, but not including the sub-flooring, including unit doors and windows. A Unit includes all wallboard, paneling, tile, paint, paper, carpeting, or any other finished surfaces. All other portions of the perimeter walls, ceilings, and floors are Common Elements. A Unit includes any heating, electrical and plumbing fixtures, pipes, utility lines and all other fixtures which serve only the Unit. Any structural component of the building or chute, duct, wire, fixture, utility or service line located within the Unit, but serving more than one Unit, is a Common Element.

1.3 Condominium Unit Maintenance and Repair. All maintenance and repair of a Condominium Unit is the sole responsibility of the Owner of each Unit. Owner shall maintain and keep in good repair:

- the interior non-supporting walls, for example, plaster, gypsum drywall, paneling, wallpaper, paint, wall and floor tile and flooring, but not including the sub-flooring, which make up the finished surfaces of the perimeter walls, ceilings and floors within the unit, including unit doors and windows;
- the interior of the Owner's unit, including the fixtures thereof to the extent current repair shall be necessary in order to avoid damaging other unit owners.
- All fixtures and equipment installed within the unit commencing at a point where the utilities enter the unit shall be maintained and kept in repair by the owner thereof.
- An owner shall do no act nor any work that will impair the structural soundness or integrity of the building.
- Common Causes of Leaks in Units at SQW are referenced in the attached in Exhibit A. Owners should routinely and carefully perform all maintenance of the sources of such water leaks listed in Exhibit A, which have resulted in significant damage to Units and Common Elements, claims against Unit Owners due to negligent maintenance, increases in premium cost and potential cancellation of Association property insurance policy.

Each Owner also has the responsibility to:

- a. promptly report to the Association or the on-site managing agent any defect or need for repairs, for which the Association is responsible;
- b. pay for the cost of repairing, replacing, or restoring any damage, regardless of negligence, resulting from the failure of any fixture located within a Unit which the Unit Owner has the responsibility to maintain; this reimbursement obligation includes costs to repair damage to any other Unit, and any Common or Limited Common Element arising from any the Owner's Unit.

c. perform maintenance responsibility in such manner so as not to unreasonably disturb or put at risk other persons in Units, other Units or the Common Elements.

An Owner is deemed negligent and is strictly liable for all costs of repair and damages to persons or property caused by or resulting from the Owner's maintenance or lack of maintenance of a Unit, or resulting from any violation of Declaration or Rules by the Owner's tenants, family members and guests.

1.4 Common Element Maintenance. All maintenance and repair of any General Common Element or Limited Common Element is the responsibility of the Association subject to the exceptions below.

a. Each Owner will maintain and repair the exterior windows of the Owner's Unit and the interior surfaces of the walls of the garage allocated to such Unit.

b. Owners will keep Limited Common Element decks and balconies clean, in good order and remove snow so as not to interfere with use of any other deck or balcony.

1.5 HO-6 Homeowners Insurance.

The Association confirms Owners should obtain homeowner insurance, as also provided in the SQW Manual.

"The Association strongly recommends that all owners obtain condominium insurance (known as an HO6 policy). This insurance is inexpensive. The liability portion of the policy will protect you from claims of damage arising from the Unit (such as water damage from a broken pipe or stopped toilet) and the property portion will cover the portions of the Unit for which you are responsible and the contents (subject to policy terms).

The Association's master policy covers replacement cost of the buildings and Units as they were originally built and sold, with some allowances for upgrades. It does not cover personal contents of the Unit, loss of rent, or damages resulting from owner or tenant negligence."

The undersigned, being the President of the Silver Queen At Wilderndest Condominium Association, a Colorado nonprofit corporation, certifies that the foregoing Resolution was adopted by the Board of Directors of the Association, at a duly called and held meeting on June 22, 2020.

SILVER QUEEN WEST AT WILDERNEST CONDOMINIUM ASSOCIATION,
a Colorado nonprofit corporation

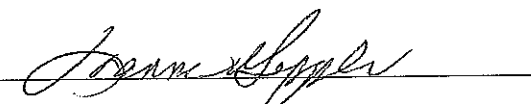

By: JOANNE GIPPLE
Title: PRESIDENT

EXHIBIT A
to
UNIT MAINTENANCE RESOLUTION

Common Causes of Leaks in Units at SQW

Supply Lines & Hoses

- Toilet
- Bathroom faucet
- Kitchen faucet
- Icemaker
- Washing machine
- Dishwasher

Drain Lines

- “P” Trap & related plumbing under kitchen and bathroom sinks

Fixtures

- Corroded tub spouts
- Corroded sink disposal
- Leaking kitchen and bathroom faucets
- Leaking/spraying showerhead
- Leaking/spraying shower diverter

Other

- Toilet wax ring
- Lack of sealant caulk, kitchen & bath floor perimeters
- Lack of or improper use of shower curtains