

**RESOLUTION  
OF THE  
SIERRA POINTE HOMEOWNERS ASSOCIATION, INC.**

Subject: Policy on addressing plumbing maintenance and repairs in the community.

Authority: Amended and Restated Condominium Declaration for Sierra Pointe Condominiums ("Declaration"), Bylaws, and Colorado law.

Properties Affected: All real property subject to the Declaration in El Paso County, Colorado.

Effective Date: August 1, 2018.

Resolution: The Association has adopted the attached Policy on plumbing maintenance and repairs pursuant to the Declaration, Bylaws, and Colorado law.

President's Certification: The undersigned, being the President of the Sierra Pointe Homeowners Association, Inc. ("Association") certifies that the foregoing Resolution was approved and adopted by the Board of Directors of the Association at a duly called and held meeting of the Board on June 25, 2018, and in witness thereof, the undersigned has subscribed its name.

SIERRA POINTE HOMEOWNERS  
ASSOCIATION, INC., a Colorado nonprofit corporation

By: Rebecca J. Allen  
President

Print Name: Rebecca J. Allen

07/09/18

**SIERRA POINTE HOMEOWNERS ASSOCIATION, INC.  
PLUMBING POLICY AND PROCEDURES**

The Board of Directors establishes and hereby adopts the following policy and procedures for addressing plumbing maintenance and repairs in the community as outlines in the Amended and Restated Condominium Declaration for Sierra Pointe Condominiums (“Declaration”):

1. Maintenance Definitions.

Common Lines:

Sections 1.3, 1.11, 6.1, and 8.1 of the Declaration provide that the Association has the maintenance responsibility with respect to pipes and sewer lines which are located on Common Elements and which serve more than one Individual Air Space Unit (i.e. common lines).

Private Lines:

Section 6.1 (a) of the Association’s Declaration provides that each Owner shall be solely responsible for the maintenance, repair and replacement of all utilities and plumbing installed or located **within** said Owner’s unit, as well as any designated for use **solely in connection with this condominium unit.**

Plumber:

For the purposes of this Policy, Plumber shall refer to a skilled plumbing professional, licensed by the State Plumbing Board of Colorado, meeting all state and local codes pertaining to Plumbing licensure, and possessing liability insurance sufficient to cover any potential loss that may result from inadvertent damages during a repair within the Association. It is each Owner’s responsibility to confirm the credentials of the Plumber they contract with.

Plumber’s Costs:

For the purposes of this policy, Plumber’s Costs shall refer to any and all costs for plumbing services, directly associated with a specific incident of damage, leak, back-up or any other such pipe or plumbing investigation or repair.

2. Line Back-Ups Involving Multiple Units.

Pursuant to Section 6.2 of the Association’s Declaration, when a back-up in a common line is attributable to more than one unit, but less than all units (i.e. is attributable to a building or a collection of units), the Association will apportion the repair costs only to those Owners who share that line.

### 3. Resolution.

In the event of a plumbing leak or pipe break on a **common line**, the Association shall retain a plumber to conduct an inspection and perform the necessary repairs and the Association shall be responsible to pay for the plumber's costs.

In the event of a plumbing leak or pipe break on a private line, the Owner whose unit is serviced by the leaking or broken pipe shall retain a plumber to conduct an inspection and perform the necessary repairs and the same Owner shall be responsible to pay for the plumber's costs.

In the event of a back-up on a common line or a private line, the Association shall retain a plumber to conduct an inspection and perform the necessary repairs. The Association will thereafter assess the appropriate Unit Owner(s) for the plumber's costs.

In the event of a back-up in a common line that services more than one unit, but less than all, the Association shall retain a plumber to conduct an inspection and perform the necessary repairs. The Association will thereafter assess all units serviced by the line an equal share of the plumber's costs.

#### **Procedures:**

In the event of a plumbing leak or pipe break, the identifying party shall first attempt to distinguish whether the component is a common line or a private line.

1. If the pipe is a private line and damage is identified by the Owner, the Owner shall immediately retain a plumber to conduct an inspection and perform the necessary repairs.
2. If the pipe is a private line and damage is identified by a neighbor, the neighbor should immediately notify the Owner of the damaged pipe. If the Owner cannot be reached by the neighbor, the neighbor shall then contact the Association, who will attempt to reach the Owner. The Owner should then immediately retain a plumber to conduct an inspection and perform the necessary repairs.
3. If the pipe is a common line, the Association shall be contacted and shall immediately retain a plumber to conduct an inspection and perform the necessary repairs.
4. If the identifying party is unable to distinguish whether the component is a common line or a private line, the Association shall be contacted and shall immediately retain a plumber to conduct an inspection and perform the necessary repairs. The Association will thereafter assess the appropriate Unit Owner(s) for the plumber's costs.

In the event of a plumbing leak, pipe break or any other such similar circumstance on a private line, the Association shall first provide the Owner whose unit is serviced by the leaking or broken pipe the opportunity to retain a plumber of their choice and remedy the issue. Should an issue persist beyond a period of 48 hours from the point of notification without remedy, the Association shall have the right to retain a plumber to conduct an inspection and perform the

necessary repairs for the greater good of the community. The Association will thereafter assess the appropriate Unit Owner(s) for the plumber's costs.

**In the event of a sewage back-up requiring invasive actions to clear the line, Owners must notify the Association, and must not contract with their own plumber to conduct inspections or repairs.** In such event, the Association shall retain a plumber to conduct an inspection and perform the necessary repairs. The responsibility for damages shall be based on the licensed plumber's findings. The Association will thereafter assess the appropriate Owner(s) for the plumber's costs. The Association will not be liable for the actions of or payment to any plumber retained by a unit owner.

In the event an Owner requires access to the Utility Closet for the purpose of turning off the water in order to conduct a repair within the unit, the Owner must take the following steps:

- 1) Tentatively schedule the repair date with their licensed plumber.
- 2) Contact Management to verify that a volunteer is available to open the Utility Closet on the tentatively scheduled date.
- 3) Once a date has been confirmed by both a licensed plumber and Management, and no less than 24 hours before the scheduled water shut off, the Owner must place notices on the front door for every unit in the building stating the following:

*"The water in this building will be shut off for a plumbing repair on (date), from approximately (\_: \_\_ am/pm to \_: \_\_ am/pm)."*

- 4) On the date of the repair, only a licensed plumber may touch the water valves and components in the Utility Closet. The volunteer will come out and open the door, propping it open with a rock or brick. The licensed plumber will come and shut off the water, restoring it once the repair has been completed. Due to the self-locking nature of the Utility Closet doors, the utility door should be shut only after the water is restored.

The Owner conducting the repair takes full responsibility for restoring the water to all units within the building (including ensuring the water heater and water heater pump restart), and accepts all liability for any damage to the equipment within the Utility Closet.

### **Recommendations:**

It is recommended that all Owners retain a plumber to clear all sewage lines servicing their unit through to the main line a minimum of once per calendar year.

This policy does not pertain to gas lines which are the responsibility of the Unit Owner. Any damage to a gas line must immediately be addressed through Colorado Springs Utilities.

Notes from our last meeting: