



## *Villas on the Harbor*

### **Liability/Comprehensive Damage Standard Operating Procedure (SOP)**

The purpose of this standard of operating procedure (SOP) is to clearly define the guidelines and processes to be followed by all owners of the Villas on the Harbor (VOTH) for comprehensive damages which occur in any given unit. In accordance to the owner's liability for water damage from within their unit as set forth in the VOTH Declaration of Condominium.

The primary issue for which this SOP is intended to address is potential water damage to units but is applicable to any such event which may result in damage to not only the unit where the event originated but surrounding units as well.

*All owners are encouraged to carry a comprehensive insurance policy that protects the owners and provides liability protection for any property damage done to other units for which they are liable. It is the owners' responsibility to either have the insurance as described to protect themselves or shall be considered "self-insured" in which case they shall bear all liability for costs associated with comprehensive type damages personally. We also recommend owners purchase flood insurance, especially if their units have flooded in the past and are prone to flooding. VOTH does not carry flood insurance that will protect the inside of your unit.*

VOTH requests all homeowners follow the following guidelines when away for an extended period of time:

- **Turn water off to your unit at the meter.**
- Turn breaker off for your hot water heater.
- Turn ice maker off in your unit.
- Do not adjust the water pressure at input valves above present levels. This can cause undue stress on older pipes resulting in damage.
- In winter months, ensure thermostat is set to no less than 55 degrees to prevent potential freezing and damage to pipes.

Water damage is a huge concern to all owners and a quick response is the key to minimizing the damage due to water related issues. In the case of water releases immediate action must be taken to eliminate the source of the water and to have a remediation company contacted as soon as possible. For water related incidents the following actions will be taken.

1. If the owner(s) are not present, the SWRA property manager will contact the owners as soon as they are made aware that there is an issue. The SWRA property manager will do their best to find and eliminate the source of

the water. If the SWRA property manager cannot find the source of the water, the owner of the damaged unit and the units that surround their unit will be contacted to ask to check their condo to verify that the water is not coming from their unit. NOTE: All owners are to make sure that the SWRA has a current contact phone number on file and all owners are required to provide SWRA with a current key or entry code to their unit in case of emergencies.

2. Once identified, the source of the water leak is to be stopped immediately at the source. At this point the responsible party will be identified.
  - a. If the source of the leak falls under HOA's area of responsibility then the HOA will proceed with remediation and repairs.
  - b. If the source of the leak falls under the owner's area of responsibility, you will be provided contact information for remediation companies in the area. It will be the owner's responsibility to contact the remediation company and authorize them to start the cleanup immediately. SWRA will be present and let them begin work and assist the owner through the process, as needed.
3. Insurance companies for all owners affected are to be contacted by the owners as deemed necessary. Should owners choose not to contact their insurance company then they will be considered self-insured and, as such, will carry the burden of any related repair and or remediation costs out of pocket.
  - a. If the water is deemed the liability of another unit the insurance company will subrogate the "at fault" party or the two-owners will need to work out an acceptable plan of action. Neither SWRA nor VOTH will make these decisions unless it is found to be a HOA liability. If so, then the HOA will take the appropriate action per 2a above.
  - b. NOTE: Any damage deemed to be within a given unit that were not related to any common elements of the HOA or caused by something that falls under the HOAs area of responsibility shall be the responsibility of the effected owners for any repairs. Any and all actions between these owners shall be conducted independent of the HOA. The HOA and/or SWRA management must be kept informed and updated with the stays of any ongoing repairs or payment due during the remediation and repair process.
4. Quotes will be obtained for necessary repairs to each unit affected. The responsible owner or their insurance company shall reimburse the HOA for repairs made to common elements as soon as possible. For a list of approved repair contractors, please contact the SWRA property manager.
5. All repair plans must be reviewed by and preapproved by the HOA and property manager prior to the start of repairs. Any items determined to be the responsibility of the HOA shall be accomplished accordingly by the HOA or their designee.
6. All repairs must be inspected by the SWRA property manager during the repair process and at completion.