

**SUNSET WOODS TOWNHOME ASSOCIATION, INC.  
RESOLUTION REGARDING ROUTINE MAINTENANCE  
RESPONSIBILITIES**

NO TWO SCENARIOS ARE IDENTICAL, AND DIFFERENT FACTS CAN YIELD DIFFERENT RESULTS. SOME ISSUES ARE TOO COMPLEX TO REFLECT ACCURATELY IN A CHART. THE ATTACHED IS NOT A SUBSTITUTE FOR LEGAL ADVICE, AND IT IS BEST TO CONSULT A QUALIFIED, EXPERIENCED HOA OR CONDOMINIUM ATTORNEY WITH QUESTIONS. THIS CHART DOES NOT ACCOUNT FOR DEFENSES ANY PARTY MAY HAVE REGARDING MAINTENANCE OBLIGATIONS. IN ADDITION, THE CHART ONLY REFLECTS THE OBLIGATION TO PERFORM CERTAIN ROUTINE MAINTENANCE AND NO REPRESENTATION IS MADE AS TO WHETHER SUCH OBLIGATION IS ENFORCEABLE OR ANY MONETARY OR OTHER OBLIGATION THAT MAY ATTACH FOR FAILURE TO PERFORM. THIS CHART ALSO DOES NOT ADDRESS THE DIFFERENT OUTCOMES THAT MAY RESULT FROM A CASUALTY LOSS INVOLVING INSURANCE OR WHETHER ANY COMMON EXPENSE MAY BE CHARGED OR ASSESSED TO AN OWNER.

WHEREAS, Sunset Woods Townhome Association, Inc. ("Association") is a planned community created by the filing of a Declaration of Covenant, Conditions and Restrictions on July 18, 1984;

WHEREAS, Article IV § 2 of the Declaration provides that assessments may be spent, among other things, for items related to "exterior maintenance of the dwellings . . . ."

WHEREAS, Article VII of the Declaration provides that Association must paint, repair, replace and care for several items, including "exterior building surfaces;"

WHEREAS, The term "exterior building surfaces" is left undefined and subject to interpretation, and previous Boards have not adopted a formal policy regarding maintenance responsibilities; and

WHEREAS, Association has reviewed and determined it is in the best interests of Association to adopt a resolution defining maintenance responsibilities based on the governing documents, rules of reasonableness and past practice.

NOW THEREFORE, The Directors adopt the following resolution for purposes of defining routine maintenance responsibilities and treating owners fairly and similarly:

RESOLVED, That routine maintenance responsibilities within the Association are as defined on the attached Maintenance Responsibilities Chart.

Adopted by the Board, November 14, 2023.

  
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Secretary

## MAINTENANCE RESPONSIBILITIES CHART<sup>1</sup>

Owner	Association	What	Declaration Ref.	Comments
X		All items on a Lot other than Listed	Art. VII	
X		Appliances on Lot (stove, refrigerator, fan, fixtures, or connections providing water, light, power, telephone, sewage)	Art. VII	
	X	Common areas	Art. VII	
	X	Curbs	Art. VII	
X		Doorbells	Art. VII	
	X	Doors (exterior) – paint, clean or stain exterior	Art. VII	Part of Lot, but painting and staining is Association responsibility
X		Doors (exterior) - replacement	Art. VII	
X		Electrical problems on Lot	Art. VII	
X		Electrical outlets	Art. VII	
X		Exhaust and ventilations systems on Lot	Art. VII	
	X	Exterior building surfaces	Art. VII	
		Exterior house numbers		
	X	Exterior improvements	Art. VII	
	X	Exterior lights (side, back, and front house lights and fixtures)	Art. VII	
	X	Exterior street lights	Art. VII	
	X	Exterior siding and trim	Art. VII	
X		Fences	Art. VII	
X		Fire/smoke alarms and detectors	Art. VII	
	X	Downspouts	Art. VII	
	X	Driveways	Art. VII	
X		Foundation issues	Art. VII	

<sup>1</sup> This chart provides general information on routine maintenance and is not legal advice or a legal opinion. Specific questions should be directed to an attorney at Law Firm Carolinas. No representation is made as to maintenance necessitated by a casualty loss or whether any expense for maintenance may be charged to or assessed to an owner.

	X	Front stoop	Art. VII	
X		Glass surfaces	Art. VII	
	X	Gutters	Art. VII	
X		Interior surfaces (painting and repair of any and all walls, ceilings or floors)	Art. VII	
	X	Landscaping (trees, shrubs, grass)	Art. VII	
	X	Mailboxes	Art. VII	
X		Mailbox locks and keys		Check with Post Office with issues
	X	Paint/stain exterior	Art. VII	
X		Party wall	Art. VI	Check with Attorney
X		Patio		
	X	Parking spaces/areas	Art. VII	
	X	Plumbing issues on common area	Art. VII	
X		Plumbing issues on Lot (vent pipes within building, or other plumbing problems within building including service to the Unit)	Art. VII	
	X	Roof	Art. VII	
	X	Shutters	Art. VII	
	X	Sidewalks	Art. VII	
	X	Steps	Art. VII	
X		Storm Doors	Art. VII	
X		Structural issues	Art. VII	
X		Vent Pipe (cleaning and repair of pipe)	Art. VII	
	X	Vent pipe exterior covers	Art. VII	
	X	Water and sewer (external to Unit/in common area)	Art. VII	
X		Water spigots		
	X	Walks/walkways	Art. VII	
	X	Windows - paint, clean or stain exterior	Art. VII	
X		Windows - replacement	Art. VII	Part of Lot, but painting and staining is Association responsibility

		<i>Maintenance, Repair, or Replacement caused through the willful or negligent act of the Owner, his family, guests, or invitees</i>		Check with Attorney
		<i>Maintenance, Repair, or Replacement caused through the act or negligence of the Association or an agent</i>		Check with Attorney
		<i>Maintenance, repair, or replacement caused by original builder construction defect</i>		Check with Attorney
		<i>Maintenance, repair, or replacement caused by fire, lightning, windstorm, hail, explosion, riot, strike, civil commotion, aircrafts, vehicles, and smoke</i>		Check with Attorney
		<i>Maintenance, repair, or replacement as a result of casualty loss or which may be covered by an insurance policy.</i>		Check with Attorney