

## Lake Park Villas Homeowners' Association – Maintenance/Insurance Chart

<u>Item Category</u>	<u>Maintenance: Who is responsible?</u>	<u>Insurance: Who is responsible for providing coverage and remediating the damage if insurance is insufficient?</u>	<u>Who Pays: Who is responsible for the expenses associated with maintenance and insurance?</u>
<b>Apartments</b> – airspace of each separately owned unit as defined in the CC&Rs, and includes interior surfaces of walls, floors, windows and doors.	<b>Owner</b> to maintain, repair, replace and restore all portions of the Apartment including the interior space of the garage, patio, balcony, and stairway designated for exclusive use of the Apartment. ( <i>CC&amp;Rs Art. II, Section 1; Art. V, Section 1(h)(1)</i> )	<b>Owner</b> is responsible for providing insurance coverage and for remediating damage to the Apartment and air space of accompanying areas. ( <i>CC&amp;Rs Art. V, Section 1(s)</i> )	<b>Owner</b>
<b>Buildings</b> – the structures designated as buildings on the Plat.	<b>Association</b> to maintain, repair and make necessary improvements to the Buildings and exterior portions of the Apartments ( <i>CC&amp;Rs Art. V, Section 1(h)(2)</i> )	<b>Association</b> is responsible for providing insurance coverage and for remediating damage ( <i>CC&amp;Rs Art. V, Section 1(s)</i> )	<b>Association</b> Any expenses caused by the negligent or willful act of an Owner or that benefit fewer than all the Owners are to be assessed against the Owner(s) ( <i>CC&amp;Rs Art. V, Section 2(B)</i> ) ( <i>A.R.S. §33-1255(C)(2)</i> )
<b>Common Elements</b> – all portions of the Property except the Apartment and areas allocated to the Apartment.	<b>Association</b> to maintain, repair and make necessary improvements ( <i>CC&amp;Rs Art. V, Section 1(h)(2)</i> )	<b>Association</b> is responsible for providing insurance coverage and for remediating damage ( <i>CC&amp;Rs Art. V, Section 1(s)</i> )	<b>Association</b> Any expenses caused by the negligent or willful act of an Owner or that benefit fewer than all the Owners are to be assessed against the Owner(s) ( <i>CC&amp;Rs Art. V, Section 2(B)</i> ) ( <i>A.R.S. §33-1255(C)(2)</i> )
<b>Roofs</b>	<b>Association</b> to maintain, repair and replace ( <i>CC&amp;Rs Art. V, Section 1(h)(2)</i> )	<b>Association</b> is responsible for providing insurance coverage and for remediating damage ( <i>CC&amp;Rs Art. V, Section 1(s)</i> )	<b>Association</b> Any expenses caused by the negligent or willful act of an Owner or that benefit fewer than all the Owners are to be assessed against the Owner(s) ( <i>CC&amp;Rs Art. V, Section 2(B)</i> ) ( <i>A.R.S. §33-1255(C)(2)</i> )
<b>A/C &amp; heating units</b> – including all associated components	<b>Owner</b> to maintain, repair and replace ( <i>CC&amp;Rs Art. II, Section 1; Art. V, Section 1(h)(1)</i> )	<b>Owner</b> is responsible for providing insurance coverage and for remediating damage ( <i>CC&amp;Rs Art. V, Section 1(s)</i> )	<b>Owner</b>
<b>Water pipes/sewer pipes/electrical lines/meters</b> –excluding outlets in the Apartments.	<b>Association</b> to maintain, repair and replace these fixtures. ( <i>CC&amp;Rs Art. V, Section 1(h)(2)</i> )	<b>Association</b> is responsible for providing insurance coverage and for remediating damage ( <i>CC&amp;Rs Art. V, Section 1(s)</i> )	<b>Association</b> Any expenses caused by the negligent or willful act of an Owner or that benefit fewer than all the Owners are to be assessed against the Owner(s) ( <i>CC&amp;Rs Art. V, Section 2(B)</i> ) ( <i>A.R.S. §33-1255(C)(2)</i> )

<b>Stairwells</b>	<b>Owners</b> maintain the stairwell area space in accordance with any Association Rules. <b>Association</b> to maintain, repair and replace the structural components of the stairwells. (CC&Rs Art. V, Section 1(h)(1)(2)); Art. VI, Section 3)	<b>Association</b> is responsible for providing insurance coverage and for remediating damage to the areas it maintains (CC&Rs Art. V, Section 1(s))	<b>Owner or Association</b> Expenses caused by the negligent or willful act of an Owner or that benefit fewer than all the Owners are to be assessed against the Owner(s) (CC&Rs Art. V, Section 2(B)) (A.R.S. §33-1255(C)(2))
<b>Garages</b>	<b>Owners</b> to maintain the interior space of the garage assigned to the Apartment. <b>Association</b> maintains the exterior portion, slabs and foundations. (CC&Rs Art. V, Section 1(h)(1)(2))	<b>Association</b> is responsible for providing insurance coverage and for remediating damage to the areas it maintains (CC&Rs Art. V, Section 1(s))	<b>Owner or Association</b> Expenses caused by the negligent or willful act of an Owner or that benefit fewer than all the Owners are to be assessed against the Owner(s) (CC&Rs Art. V, Section 2(B)) (A.R.S. §33-1255(C)(2))
<b>Windows and Doors – including all associated components</b>	<b>Owners</b> to maintain, repair and replace windows, window boxes and all exterior doors serving the Apartment (CC&Rs Art. II, Section 1; A.R.S. §33-1212(4))	<b>Association</b> is responsible for providing insurance coverage and for remediating damage (CC&Rs Art. V, Section 1(s))	<b>Owner or Association</b> Expenses caused by the negligent or willful act of an Owner or that benefit fewer than all the Owners are to be assessed against the Owner(s) (CC&Rs Art. V, Section 2(B)) (A.R.S. §33-1255(C)(2))
<b>Patios/Balconies</b>	<b>Owners</b> to maintain the interior space of the patio/balcony assigned to the Apartment. <b>Association</b> to maintain, repair and replace patio/balcony walls and other structural components. (CC&Rs Art. V, Section 1(h)(1)(2))	<b>Association</b> is responsible for providing insurance coverage and for remediating damage to the areas it maintains (CC&Rs Art. V, Section 1(s))	<b>Owner and/or Association</b> Expenses caused by the negligent or willful act of an Owner or that benefit fewer than all the Owners are to be assessed against the Owner(s) (CC&Rs Art. V, Section 2(B)) (A.R.S. §33-1255(C)(2))
<b>Common Walls – walls separating the Apartments.</b>	<b>Association</b> repairs damage to a Common Wall unless the damage is caused by an Owner who will then be obligated to make the repairs (CC&Rs Art. V, Section 1(r))	<b>Owner or Association</b> – both are responsible for providing insurance for the respective portions of the wall each maintains. (CC&Rs Art. V, Section 1(s))	<b>Owner and/or Association</b> Expenses caused by the negligent or willful act of an Owner or that benefit fewer than all the Owners are to be assessed against the Owner(s) (CC&Rs Art. V, Section 2(B)) (A.R.S. §33-1255(C)(2))

**ADDITIONAL NOTES:**

1. The information in this chart is based on provisions of the Association’s governing documents and applicable law, and is subject to change. In reviewing this chart, it is important to note the difference between maintenance responsibilities and insurance responsibilities. Maintenance refers to the routine upkeep, repair and replacement of an item. Insurance only comes into play when there is an insurable event (such as a fire or a water leak) that causes damage. Insurance coverage typically only covers the resultant damage that occurred from an insurable event, and does not cover maintenance costs.
2. The following are not part of the Apartment: bearing walls, columns, vertical supports, floors, roofs, foundations, patio walls and fences, pipes, ducts, flues, conduits, wires and other utility installations, except the outlets located within the Apartments.
3. Causation of damages may be the result of the misconduct, negligence or willful actions of the Owner, or the Owner’s guests, tenants, or invitees.
4. The Association has the right to perform self-help to make repairs to damage caused by an Owner or correct a violation of the CC&Rs by giving the Owner notice and an opportunity to remedy the issue (CC&Rs Art. V, Section 1(h)(4))