

TERRACE AT CANYON HILLS  
DIVISION OF RESPONSIBILITY

A = ASSOCIATION H = HOMEOWNER U = UTILITY CO.

1 of 3	ITEM	RESPONSIBLE
<b>Landscape</b>		
	Front entry or courtyard plants	A
	Backyard or side yard plants	A
	Trees (except owner planted)	A
	Landscape material added by owner	H
	Watering of material added by owner	H
	Plants in pots at entry, deck, patio	H
	Maintenance of all plants to protect buildings	A
	Maintenance of all plants and other material to provide a 3 foot wide by 7 foot high clear path to front door	A
	Maintenance of all plants to limit rodents/nesting	A
	Maintenance of drainage in common area around buildings	A
<b>Pest Control</b>		
	Ants- exterior (pool area only)	A
	Ants- interior of unit and exterior to unit	H
	Termites – within the unit airspace	H
	Termites – outside unit airspace in structure	A
	Insects within unit airspace	H
	Wasps/Bees exterior or in walls	A
	Rodents – exterior or in walls	A
	Gophers, squirrels, voles, etc.	A
	Rats or Mice – interior airspace	H
	Birds/Nests – on building exterior	A
	Skunks, raccoons, opossums , etc.	A
<b>Utilities</b>		
	General	
	All utility connections located within unit airspace with or without shut of valves ( water, gas, electric, sanitary sewer)	H
<b>Water</b>		
	Water supply system upstream of and including meter with built in shut off valve	U
	Water supply system from meter/shut off valve to connection points ( stub outs) within unit	A
	Water supply system located within unit from all stub outs to sinks, bath tubs, showers, toilets and appliances including valves, fittings and flexible connections	H
<b>Gas</b>		
	Gas supply system upstream of and including gas meter/shut off valve	U
	Gas supply system from meter/shut off valve to connection points ( stub outs) within unit	A
	Gas supply system from stub outs to appliances including valves, piping and flexible connections	H
	Gas supply piping stub out at deck or patio area	A
	Gas supply system from stub out to appliance located within deck or patio area including valve and flexible connection	H
<b>Electric</b>		
	Circuit breaker power distribution panel with meter section	A
	Conduit and wire from utility transformer to distribution panel	A
	Electrical wiring within walls including boxes	A
	Electrical receptacles (outlets) and plates in unit or garage	H
	Electrical wall switches and plates in unit or garage	H
	Electrical light fixtures in unit, deck or patio air space	H
	Electrical receptacles (outlets) on building exterior in deck or patio air space	H
	Exterior electrical light fixtures at entry or address numbers	A

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2 of 3	ITEM	RESPONSIBLE
<b>Utilities cont.</b>		
<b>Sanitary Sewer</b>		
	Sanitary sewer pipe drains from toilets, showers, bath tubs, sinks, appliances, including piping, traps, cleanouts, etc.	A
	Blockage or stoppage of sewer drain flow from within unit to main sewer line (city) located in center of street, when attributable to unit	H
	Blockage or stoppage of sewer drain flow from within unit to main sewer line when attributable to broken pipe, tree root invasion or other forces from outside of drain pipe	A
	Vent Roof Fittings	A
<b>HVAC Systems</b>		
	Heating, venting and air conditioning systems including electrical wiring, switches and controls, refrigerant tubing, interior ducts, condensate drains, exterior exchange fans with foundations and thermostats	H
	Heater Flue Roof Fitting	A
<b>Other</b>		
	Mailbox	A
	Asphalt roads and driveways	A
	Concrete/Sidewalks and roadways	A
	Street/Parking Areas	A
	Pick up and disposal of pet feces	H
	Telephone system	H/U
	TV cable system or satellite dish system	H/U
	Internet cable system	H/U
	Trash collection and trash receptacles	H/U
<b>Building Exterior</b>		
	Building structure, siding, trim, & roof	A
	Decks	A
	Concrete slab patios	A
	Exterior wall	A
	Fences (except owner installed)	A
	Address numbers	A
	French doors by owner	H
	Front doors( including all hardware, locks, weather stripping and threshold)	H
	Front door painting (exterior only)	A
	Front door framing/casement and caulking to structure	A
	Attached and detached garage doors, including roll up tracks and hardware, locks, hardware, window glass and rain skirt	H
	Garage door frames/casements	A
	Electric garage door openers	H
	Garage door painting (exterior only)	A
	Rain gutters and downspouts	A
	Utility door	A
	Sliding glass door, including glass with metal frames and tracks, weather seals and hardware/locks	H
	Sliding glass door screen	H
	Sliding glass door framing/casement and caulking to structure	A
	Skylights -- plastic/metal portion	H
	Atrium windows -- glass and metal	H

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<b>Unit Interior (Airspace)</b>		
	Drywall and texture/tape	A
	Wall and ceiling paint, paper, etc.	H
	Baseboards and door/window molding	H
	Carpet, tile, wood, stone, or other floor covering	H
	Attics	A
	Windows ( glass, metal frames, and tracts)	H
	Windows (framing/casement and caulking to structure)	A
	Windows (caulking) glass to metal	H
	Window screens	H
	Doors, interior (including door from living space to attached garage space) including casement, locks and hardware	H
	Fireplace, including firebox, damper, flue duct, and screen	H
	Fireplace chimney and spark screen at top of chimney	A
	Weather stripping on windows/doors	H
	Appliances built-in or free standing	H
	Water heater, water softener, filter	H
	Cabinets	H
	Bathtubs, shower stalls, sinks, & toilets including flexible connections	H
	Faucets, garbage disposal, etc. including flexible connections	H
	Washer and dryers, including flexible water/gas connections	H
<b>Water Intrusion</b>		
	Slab leak – repair of structure and drywall due to water damage or reroute of piping, piping installation	A
	Mold remediation and testing due to slab leak if required	A
	Repair or replace wall paint, cabinets, floor covering, etc. inside unit due to slab leak	H
	Water intrusion damages from in-wall piping leaks, roof leaks, exterior siding leaks, etc. (source outside of unit) to structure or drywall	A
	Mold remediation and testing due to water intrusion from outside of unit	A
	Repair or replace wall paint, cabinets, floor covering, etc. inside unit due to water intrusion from outside unit	H
<b>Water Damage from inside of Unit Airspace</b>		
	Water damage from source inside of unit (sinks, toilets, bathtubs, faucets, shower, appliances, etc.)	H
	Water damage to structure or drywall (but Association will seek reimbursement)	A
	Water damage to paint, cabinets, floor coverings, doors, furnishings, etc. inside unit	H
	Mold remediation and testing (however Association to verify that mold testing and remediation is adequately preformed with respect to any Common Area components)	H

**DIVISION OF RESPONSIBILITY FOR MAINTAINANCE AND REPAIRS BETWEEN INDIVIDUAL OWNERS AND THE ASSOCIATION AT THE TERRACE AT CANYON HILLS CONDOMINIUMS - November 2009**

The CC&R's and Condominium Plan define the respective responsibilities by closely detailing the individual owner's responsibility with the Association being responsible for "everything else." The points of interface between the two are clearly defined (e.g.) the walls/drywall inside the unit are Association responsibility – texture/painting/paper are owner responsibility. The utility outlets (switch, receptacle, water and gas) that penetrate the wall into the air space are owner responsibility.

Simply put, everything inside the unit "air spaces" is owner responsibility. The owner is also responsible for any "sanitary sewer" blockage between the unit and the City owned main sewer line caused by the owner's usage. Damage to the drain pipe from outside (tree roots, etc.) would be Association responsibility.

The Responsibility Chart corresponds with this interpretation. "Exclusive Use Common Area" is part of "Common Area" for purposes of ownership and responsibility for maintenance and repairs.

**REFERENCE DECLARATION**

**REFERENCES FROM THE "DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE TERRACES AT CANYON HILLS" (CC&R's). INCORPORATED NAME IS "TERRACE"**

Article 1 – Definitions

Section 1.06 COMMON AREA "Common Area" shall mean and refer to the entire common interest development, except the separate interest therein.

Section 1.18 UNIT "Unit" shall mean separate interest in space... A unit consists of all those separate interests in the space shown and identified on the Condominium Plan as being part of such unit. "Separate interest in space" shall mean the following air spaces of a unit.

- (a) Residential Air Space shall mean and refer to that portion of the unit designated for use as a residence and shall be identified on the Condominium Plan by Unit number and shall consist of the interior of each Residential Air Space and the space encompassed thereby, including the outlets of all utility installations therein.
- (b) "Garage Air Space"
- (c) "Deck Air Space"
- (d) "Patio Air Space"

Section 7.03 General Duties of the Association

- (a) Maintain and otherwise manage all of the common area...

Section 7.04 Maintenance of Buildings and Common Area by the Association

Section 7.05 Repair and Maintenance of the Units by Owner

The attached "Responsibility Chart" assigns responsibility for most of the items at the interface between the Association and individual owners. The "Responsibility Chart" also includes some common "failures" such as slab leaks and the responsibilities of the Association and owners for repair of damages.

**REFERENCE LEGAL OPINION**

The Responsibility Chart conforms to the legal opinion of Christopher J. Bankowski, Esq. of the Law firm Hickey & Petchul, LLP, Irvine, California.

## TERRACE AT CANYON HILLS HOA DIVISION OF RESPONSIBILITY COMPONENTS

### **GAS**

#### UTILITY

- Gas Meter

#### ASSOCIATION

- Unit shut off valve located outside utility cabinet.
- All pipe located inside walls or ceilings.
- All fittings, tees, bends, unions, adapters in walls.

#### HOMEOWNER

- Connection to stub outs into unit.
- Couplings, adapters, other fittings located inside unit.
- Shut off valve located inside unit.
- Flexible connection to appliances inside unit to include hot water heaters, space heating unit, stoves, ovens, refrigerators/freezer, etc.
- All connections to stub out at rear of unit.

### **WATER**

#### UTILITY

- Water meter with built-in shut off valve.

#### ASSOCIATION

- Underground pipe from meter to unit.
- Stub up to unit shut-off valve.
- Unit main shut-off valve.
- Pressure Regulator (if required).
- Outside faucet.
- Pipe to inside of wall.
- All pipe or tube inside walls, slab or ceilings.
- All fittings, tees, bends, unions, adapters in walls or ceilings.
- Stub-out pipe or tube inside of units.
- Does not include A/C refrigerant tubing or condensate drain.

#### HOMEOWNER

- Connection to stub-outs into unit.
- Couplings, adapters, other fittings located inside unit.
- Shut-off valves located inside unit.
- Flexible connections to appliances inside unit to include toilets, showers, sinks, bathtub, washer, dishwasher, refrigerator/freezer, humidifiers, etc.
- Faucet located in deck or patio air space.
- Shower or bathtub faucets.

## TERRACE AT CANYON HILLS HOA DIVISION OF RESPONSIBILITY COMPONENTS

### **ELECTRIC**

#### UTILITY

- Pad mounted transformer.
- Connection of wires from panel at unit.
- Meter located in distribution panel inside utility cabinet.

#### ASSOCIATION

- Pipe and wire from transformer to unit.
- Circuit breaker distribution panel inside utility cabinet.
- Circuit breakers in distribution panel except circuit breaker feeding A/C unit.
- All wiring located inside walls or ceilings.
- Plastic or metal boxes located inside walls for wiring splices, receptacles, switches, etc. except serving A/C units.
- Light fixtures located in common area.
- Receptacle located in common area.
- Does NOT include wiring, switches, and connections to A/C units inside air space or common area.

#### HOMEOWNER

- Light fixtures located in unit air space.
- Light fixtures located in garage air space.
- Light fixtures located in deck patio air space.
- Light fixtures located in unit air space.
- Switches located in garage air space.
- Receptacles located in unit air space.
- Receptacles located in garage air space.
- Receptacles located in deck or patio air space.
- Connections inside unit, garage and deck or patio air space to appliances.
- All wiring, switches, connections to A/C units inside air space or common area.
- Exhaust fans in kitchen or bathrooms.

### **MISCELLANEOUS**

#### HOMEOWNER

- Door bell, chime or bell.
- Thermostat.
- Entry light fixture if installed by owner.
- Deck or patio light fixture if installed by owner in common area.
- All components of A/C.
- HVAC ducts inside walls or ceilings.
- HVAC supply registers and return grills.
- Condensate pipe or tube from A/C inside unit or common area
- Condensate or leak tube from water heater inside unit or common area.