

## **THIRD WALNUT CREEK MAINTENANCE/REPAIR/REPLACE MATRIX** **(Responsibilities as set forth in the Proposed Master CC&Rs)**

Background: Prior to January 1, 2017, the Davis-Stirling Act provided certain default statements of responsibility for maintenance, repair, and replacement of Common Area, units (Manors), and Exclusive Use Common Area (e.g., patios, balconies, carports). These default assignments of responsibility applied when the CC&Rs were silent as to who was responsible for maintenance, repair, and replacement of certain components. However, the statute itself was silent with regard to the repair and replacement responsibility for Exclusive Use Common Area, which led to confusion for some homeowners' associations and homeowners. Effective January 1, 2017, the Legislature amended Civil Code section 4775 to clarify that unless the CC&Rs state otherwise, owners continue to be responsible for maintaining their exclusive use common areas (EUCAs) and the Mutual (homeowners' association) will be responsible for repairing and replacing the EUCAs components.

The TWCM Board has sent out revised CC&Rs for member approval. The proposed CC&Rs include substantial detail regarding responsibilities for both Members and Projects. This Maintenance/Repair/Replacement Matrix sets forth the allocation of maintenance responsibilities as stated in the current Policies and in the Proposed Master CC&Rs. The intent of this Matrix is to provide information in a different format which may be more useful and easier to understand for some residents than the CC&Rs themselves.

**NOTE: The Matrix is for the convenience of TWCM members and intended to reflect, not supersede, the CC&Rs sent out for approval by members. Policies will be revised to reflect the CC&Rs once they are approved.**

9/13/18

COMPONENTS(S)	MUTUAL/ PROJECT			OWNER			NOTES
	REPAIR	REPLACE	MAINTAIN	REPAIR	REPLACE	MAINTAIN	CC&R PARAGRAPH
Alterations—interior and exterior to condo				X	X	X	6.5
Alterations—patio, balcony enclosure, Owner-installed	X	X	X	X Owner responsible for repairs in excess of \$1500 at 1 <sup>st</sup> major rehab			6.2.14 Project becomes responsible after the first major rehab
Balcony and Elevated Walkway—structural components	X	X	X				6.2.2
Balcony/Elevated Walkway Surface—paint, resurface	X	X	X			X	6.2.2 Owner maintain broom clean
Bathroom Fixtures including toilet, tub, shower, sink, etc.				X	X	X	6.2.16, 6.3
Building Structures including original major structural components inside and outside the unit	X	X	X				6.1, 6.8
Cable Wiring within walls of condo including outlets and switches				X	X	X	6.2.3(b)
Carbon Monoxide detectors				X	X	X	6.2.18(b)
Carports & Garage Doors excluding automatic door operators and locks	X	X	X			X	6.2.4, 6.2.11 Owner to maintain broom clean

COMPONENTS(S)	MUTUAL/ PROJECT			OWNER			NOTES
	REPAIR	REPLACE	MAINTAIN	REPAIR	REPLACE	MAINTAIN	CC&R PARAGRAPH
Ceiling Surfaces within condo including paint and acoustical surfaces				X	X	X	6.3.1
Condensate Drain Lines for HVAC and hot water heater			X Project responsible for clearing debris at building exit	X	X	X	6.2.12, 6.2.20
Common Area—streets, sidewalks and structures	X	X	X				6.1
Decorating within condo				X	X	X	6.3.1
Decks—builder installed	X	X	X				6.2.7(a) Owner to maintain broom clean
Decks—Owner alteration				X	X	X	6.2.7(b)
Doors—exterior doors to access the garage	X	X	X				6.2.10(a)
Doors within condo and front & rear doors including all surfaces, hardware and jambs, screen doors and sliding doors.				X	X	X	6.2.10(b) Project may elect to paint front door
Electrical Wiring within the walls of the condo originally installed	X	X	X				6.2.3(a)
Electrical Wiring within the walls of the condo altered by Owner				X	X	X	6.2.3(b)

COMPONENTS(S)	MUTUAL/ PROJECT			OWNER			NOTES
	REPAIR	REPLACE	MAINTAIN	REPAIR	REPLACE	MAINTAIN	CC&R PARAGRAPH
Electrical Wiring in garage including outlets and switches				X	X	X	6.2.11(b)
Electrical Fixtures and Wiring external to the condo including street lights, area lights and exterior fixtures controlled from within the condo	X	X	X				6.1
Electric Vehicle Charging Station				X	X	X	6.2.9
Electrical Wiring from meter up to and including the circuit breaker box installed by builder	X	X	X				6.2.3(a)
Electrical Wiring from meter up to and including the circuit breaker box altered by Owner				X	X	X	6.2.3(b)
Elevators	X	X	X				6.1
Exterior Surfaces including frame, stucco, masonry, etc.	X	X	X				6.1
Fans within the condo, recessed or surface mounted				X	X	X	6.3.1
Fences builder	X	X	X				6.1
Fences Owner installed				X	X	X	6.2.2(b)

COMPONENTS(S)	MUTUAL/ PROJECT			OWNER			NOTES
	REPAIR	REPLACE	MAINTAIN	REPAIR	REPLACE	MAINTAIN	CC&R PARAGRAPH
Fire Extinguishers in the Common Area	X	X	X				6.1
Fire Sprinklers	X	X	X				6.1
Fireplace Spark Arrestor	X	X	X				6.1
Fireplaces—all components including hearth, flue.				X	X	X	6.2.5
Floor Coverings including carpet, pad, linoleum, tile, hardware, etc.				X	X	X	4.11, 7.1.3
Front and Rear Doors including locks				X	X	X	6.2.10(b) Project may elect to paint front door
Garage Door including track and springs	X	X	X				6.2.11(a)
Garage Door Operator and Lock				X	X	X	6.2.11(b)
Gas Lines above slab				X	X	X	6.2.16(b)
Gas Lines within or below slab	X	X	X				6.2.16(a)
Gutters and Downspouts	X	X	X				6.1
HVAC Systems including all mechanical & electrical components, thermostats, wiring, plumbing, ductwork, registers and condensation lines				X	X	X	6.2.12

COMPONENTS(S)	MUTUAL/ PROJECT			OWNER			NOTES
	REPAIR	REPLACE	MAINTAIN	REPAIR	REPLACE	MAINTAIN	CC&R PARAGRAPH
Interior Surfaces of condo				X	X	X	6.3.1
Irrigation System	X	X	X				6.1
Kitchen Fixtures including sinks, appliances built in or freestanding				X	X	X	6.3
Landscaping including shrubs, lawns, trees, etc.	X	X	X				6.1
Mailboxes exterior builder installed	X	X	X				6.2.13(a)
Mailboxes exterior Owner installed				X	X	X	6.2.13(b)
Patios unaltered	X	X	X	X (floor coverings)	X (floor coverings)	X	6.2.15 Owner to maintain broom clean
Pest Control interior and exterior to condo			X				4.31
Pest Damage exterior to condo	X	X	X				4.31, 6.6
Plumbing Fixtures interior to condo				X	X	X	6.3
Plumbing builder installed including water and sanitary lines within the condo walls and floors	X	X	X				6.2.16(a)

COMPONENTS(S)	MUTUAL/ PROJECT			OWNER			NOTES
	REPAIR	REPLACE	MAINTAIN	REPAIR	REPLACE	MAINTAIN	CC&R PARAGRAPH
Plumbing Owner installed including water and sanitary lines within the walls and floors				X	X	X	6.2.16(b)
Pool/Pond	X	X	X				6.1
Ramps and Railings— permanent concrete ramps on Common Area Owner installed	X	X	X				6.2.6 Owner pays for initial installation
Roofs including structure and surface	X	X	X				6.1
Skylights/Solar Tubes Mutual installed	X	X	X				6.1, 6.2.17
Skylights/Solar Tubes Owner installed				X	X	X	6.2.17
Smoke/Fire Detectors— hardwired and battery installed by Mutual	X	X				X Owner to test periodically	6.2.18
Solar Installations including panels, wiring and roof attachments				X	X	X	4.15, 7.1.2
Stairs and Entryways in Common Area	X	X	X			X	6.1 Owner to maintain broom clean
Stairmasters on common area				X	X	X	6.2.6(b)

COMPONENTS(S)	MUTUAL/ PROJECT			OWNER			NOTES
	REPAIR	REPLACE	MAINTAIN	REPAIR	REPLACE	MAINTAIN	CC&R PARAGRAPH
Storage Units	X	X				X	6.2.19 Owner to maintain broom clean
Telephone System Wiring including outlets and fixtures				X	X	X	6.2.3(b)
Vent Lines in wall/attic				X	X	X	6.2.8(b) Owner provides periodic cleaning
Vent Cap for dryer on roof	X	X	X				6.2.8(a)
Wall Structures builder installed within the condo, garage or carport	X	X	X				6.1
Wall Structures Owner installed within the condo, garage or carport				X	X	X	6.5
Water Lines and Hoses to all appliances				X	X	X	6.3.3
Water Damage due to roof leaks and water leaks in walls of condo	X	X	X				6.1
Water Heater				X	X	X	6.2.20(b)
Windows including frame, hardware, glass and screens				X	X	X	6.2.21(b)
Negligent acts of Owner will be billed to Owner	X	X					6.4



