

Cave Creek Villas Homeowners Association Maintenance Policy and Chart

Cave Creek Villas Homeowners Association (“Association”) is governed by the Declaration Of Condominium, Covenants, Conditions and Restrictions For Cave Creek Villas, A Condominium recorded on June 9, 2004 in Maricopa County Recorder’s Office as Instrument No. 2004-0653384 including any subsequent amendments thereto (“Declaration”).

The Board of Directors adopts this Maintenance Policy and Chart to clarify the maintenance responsibilities for the Association and the Owners, pursuant to the language set forth in the Declaration and the Condominium Act. The Board of Directors may amend this Maintenance Policy and Chart at any time.

A. General Provisions

The following provisions guide the Board of Directors and filling the Association’s maintenance responsibilities under this Maintenance Policy and Chart.

- Article 5, Section 5.0(B) of the Declaration states in part: “The Board shall be the sole and absolute judge as the appropriate maintenance of the Common Elements and the Condominium.”
- Article 5, Section 5.3(A) of the Declaration states: “Each Unit Owner shall be liable to the Association or another Unit Owner, as applicable, for any damage to the Common Elements, the Residential Dwellings or other Improvements on the Units, or equipment on the Units, which results from the negligence or willful misconduct or omission of the Unit Owner or that Owner’s Residents, Invitees or family pets for whom the Unit Owner has responsibility, the extent permitted by Arizona law.”
- Article 5, Section 5.4 of the Declaration states: “If a Unit Owner fails to maintain in good condition and repair, any portion of the Unit or any other Improvement thereon which he is obligated to maintain under this Declaration (including Shared Maintenance Elements as provided in Section 5.2 above), in the manner set forth in this Declaration and the required maintenance, repair or replacement is not performed within thirty (30) days after written notice has been given to the Unit Owner by the Association, the Association shall have the right, but not the obligation, to perform the required maintenance, repair or replacement. The cost of any such maintenance, repair or replacement shall be assessed against the nonperforming Unit Owner pursuant to Section 7.1(E) of this Declaration in the manner provided for in this Declaration for the collection of Enforcement Assessments secured by the Assessment Lien pursuant to Article 7 of this Declaration.”

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- Maintenance, repair or replacement of any items not specifically identified in the Maintenance Policy and Chart will be decided by the Board of Directors on a case-by-case basis.

- If there is any conflict and or inconsistency between the Declaration and the Maintenance Policy and Chart, the Declaration will control.

- A.R.S. §33-1255(C) of the Condominium Act states as follows: “Unless otherwise provided for in the declaration all of the following apply:

1. Any common expense associated with the maintenance, repair or replacement of a limited common element shall be equally assessed against the units to which the limited common element is assigned.

2. Any common expense or portion of a common expense benefitting fewer than all of the units shall be assessed exclusively against the units benefitted.”

B. Maintenance Chart

This chart shows whether the Owner or the Association is responsible for the maintenance, repair, and/or replacement of various components. A=Association; O=Owner.

BUILDING EXTERIORS	HOA	Owner	LCE
Roof - tiles and underlayment	A		
Walls		O	
Address numbers on Buildings		O	
TV Antennas/satellite dishes		O	
Balcony/patio doors		O	
Decks		O	
Deck surfaces		O	
Doors and door frames		O	
Door hardware, including but not limited to peep holes, door knobs, and locks		O	
Stairway leading from Designated Space to Residential Dwelling in Front Unit of the Triplex Unit Group		O	
Entry doors - exterior painting only	A		
Lighting and light fixtures on Common Elements	A		
Lighting and light fixtures in the Front and Side Yard of a Triplex Unit Group as originally installed by Declarant – Section 5.0(v)	A		
Exterior lighting, light fixtures or coach lights attached to a Residential Dwelling		O	
Glass in windows and doors, window panes		O	
Garage door and garage door opener		O	

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Garage door – exterior painting only	A		
Heating and air conditioning units		O	
Exterior surface of Residential Dwellings – painting only	A		
Sliding glass doors		O	
Stoops, doorsteps, and other concrete surfaces within the Private Yard		O	
Window Glass		O	
Window and door screens		O	
Windows and window frames		O	
Other original exterior portions of the Unit not otherwise stated above		O	
RESIDENCE INTERIORS	HOA	Owner	
Interior perimeter walls and ceiling of Designated Space in the Garage Structure in a Triplex Unit Group		O	
Appliances including but not limited to: oven, range, refrigerator, dishwasher, clothes washer, dryer, microwave, etc.		O	
Fixtures including but not limited to: ceiling fans, hand rails, cabinets, countertops, bathtubs and showers, sinks, toilets, smoke detectors etc.		O	
Furnishings, including all personal property such as furniture, electronics, jewelry, and clothing		O	
Household goods of Owner		O	
Interior surfaces of walls and ceilings, including but not limited to: drywalls, paint, wallpaper, paneling, texture		O	
All other capital improvements within the unfinished interior surfaces of the perimeter walls, floors, and ceilings, of the Unit		O	
Surfaces of floors, including but not limited to: tile, vinyl, hardwood, carpeting		O	
Any components lying between the perimeter drywalls and residence exterior serving only one Unit, including but not limited to: girders, beams, pipes, wiring, plumbing		O	
UTILITIES	HOA	Owner	
Fire riser room located on a Front Unit	A		
Inset test panel box located on exterior of a Residential Dwelling	A		
Private water and sewer lines	A		
Sewer lift station	A		
Individual water submeters	A		
Ancillary water utility equipment serving the entire Condominium	A		
Sewer and water lines serving only one Unit and are located within the boundaries of the Unit or allocated as a Limited Common Element		O	
Plumbing lines serving one Unit		O	
Electrical wiring serving one Unit		O	
Cable wiring and equipment		O	
Satellite wiring and equipment		O	
Circuit breakers		O	
Compressors		O	
Utility conduits and ducts serving one Unit		O	
Furnaces and heating equipment		O	
Light switches		O	
Hot water heater		O	
Sump pumps		O	

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Telephone outlets and wiring		O	
Thermostats		O	
Irrigation and drainage systems located within any Unit		O	
GROUND	HOA	Owner	
Common Element Landscaping – Section 5.0(A)(ii)	A		
Common Element Irrigation Systems – Section 5.0(A)(ii)	A		
Private drives and curbing (Tract A on the Plat)	A		
Improvements on Common Elements	A		
Entry Gate	A		
Pedestrian Gate	A		
Landscaping located on front and side yards of Triplex Unit Group	A		
Irrigation systems located on front and side yards of Triplex Unit Group	A		
Landscaping located on front and side yards of Duplex Unit Group		O	
Irrigation systems located on front and side yards of Duplex Unit Group		O	
Walls and fences on or adjacent to Common Elements and bordering a Common Element Tract – Section 5.0 (A)(vii)	A		
Exterior face of any Party Wall between the Unit in the Common Element Tract	A		
Party Wall – Section 5.5		O	
Private Yard areas		O	
Improvements in Private Yard areas		O	
Pool and pool related equipment	A		
Ramada	A		
Sidewalks on Common Element Tracts	A		
Sidewalks on the front and side yards of Unit		O	
OTHER	HOA	Owner	
All other portions of the Unit not otherwise addressed		O	
OPTIONAL SERVICES	HOA	Owner	