

## **Winchester Condominium Association - BOARD RESOLUTION**

### **RE: In-unit repairs/renovation work protocols**

On this 13<sup>th</sup> day of December, 2019, the Winchester Board unanimously adopted the following Resolution to: 1) Mitigate the problems caused by certain contractors who perform less than acceptable in-unit renovation/repair work for individual unit owners and 2) Because of the negative impact extended construction time has had on other homeowners, this Resolution also limits the amount of time to six (6) months that any unit owner may have in-unit demolition, reconstruction or substantive renovations undertaken. (The new rules apply to ALL in-unit projects with an aggregate value of \$50,000 or more).

WHEREAS unacceptable work performed by private contractors has caused unexpected but avoidable problems for other unit owners and/or for the association. For example, we've had instances where a new tub/shower (or shower pan) was improperly connected to the drain. We've had instances where in-unit electrical work was not done according to contemporary or insurance underwriter safety codes. We've had an instance where a drywall/plaster contractor dumped an unused mix of spackling compound down the laundry sink drain line thereby clogging the entire stack drain. We've also had instances where in-unit plumbing modifications were made without Board approval and those in-unit modifications resulted in the contractor making improper tie-ins/tap-ins to the common drain lines of the building. We've also had instances where contractors closed-up the ceiling or were ready to close-up the ceiling inside a private apartment knowing that a 4" cast iron stack drain in the area was obviously leaking and deteriorated.

***Therefore, with an immediate effective date,*** this Board has RESOLVED that individual unit owners who engage private contractors to complete in-unit substantive demolition, repairs or renovation work with an estimated aggregate value of \$50,000 or more MUST ACT RESPONSIBLY by taking ALL of the following protective steps/actions:

- 1) All plumbing, electrical or relocation work to be done that INVOLVES the installation or removal of any wall or mechanical component within your home requires that you first present the details (engineering or architectural drawings) of that work to the building office for review by the maintenance superintendent and/or Board of Directors for their approval BEFORE you schedule or commence with that work. Allow at least 5-7 work days for that review to be completed in case the plans need to be vetted through the association's preferred plumber, architect, engineer or attorney.
- 2) Any in-unit construction/demolition or remodeling work undertaken with an estimated value of \$50,000 or more requires that you post with the association a security deposit of \$1,000. If the job is completed WITHOUT causing any property damage, unresolved

clean-up work, misuse or damage to association property or any other objectionable inconvenience to/against the association or another unit owner and assuming that the job is completed within the allowed time frame, that security deposit would be refunded within 30-days to the unit owner who paid the deposit. If the association Board determines that there is uncorrected damage, fines or costs that need to be deducted from that security deposit the remaining net amount would then be refunded to the responsible unit owner within 30-days of when the unit owner makes a written request to the association for that refund.

- 3) The unit owner who engages one or more contractors to perform in-unit work must provide the private contractors with a copy of the association's rules, specifically noting the permitted work hours/work days, where the contractor may or may not park, how to bring-in and take-out building materials, appliances, fixtures or furniture, etc. The association's dumpsters must NOT be used by private contractors working in private homes. It is your responsibility to see that your contractor(s) properly clean-up after themselves throughout the day, including the corridor(s), elevator cabs, garage landing, etc. this is especially important at the end of each work day.
- 4) While no unit owner is obligated to use any particular contractor for private element work, you may want to take into consideration the fact that certain "association preferred" contractors know this building exceptionally well (i.e. they know the locations of emergency shut-off valves, risers and return lines, electrical panel boxes, the permitted work hours, how to properly dispose of construction debris and/or unwanted appliances, they understand the limitations of the electrical house-power in this building and they know that some HVAC units are located on the balcony of the unit, etc. These Winchester-savvy contractors pose less of a risk for you and for the association because of their institutional knowledge of the building. These contractors don't take the cheap way out because they work hard to maintain their "preferred" contractor status so they can get future work at this building and at other local associations.
- 5) The association's maintenance superintendent will NOT serve as a project manager nor will he supervise your in-unit work crews yet he is expected to make one or more inspections of the work being done inside private homes (when he is available to do so), for the purpose of making certain that there are no observed common area impact problems with the work that is underway. Moreover, *the responsible unit owner or his/her contractor(s) are REQUIRED to give our maintenance superintendent at least 3-work days of prior notice BEFORE any ceiling or wall opening is permanently closed-up with drywall, paneling or plaster.* The reason for this required notification is so the building superintendent is able to inspect beyond the walls/ceilings of your private home for anything that he may consider damaged, rusted or otherwise deteriorated/weakened or leaking and in need of repair or replacement while that wall or ceiling is open. If any behind the walls/ceiling deficiencies are observed they will be repaired as quickly as possible BEFORE that open wall or ceiling is permanently closed.

6) Because of the noise, dirt, dust, general inconvenience and security concerns that are associated with most extensive/on-going in-unit renovation/construction work has on other unit owners, this association has now imposed a **6-month time limit during which all of the demo and reconstruction work must be wrapped-up/completed**. Only one six (6) month demolition and construction request will be granted to any homeowner or unit in any consecutive two (2) year period. To be clear, from the day the Board grants approval for the work to commence, that unit owner has up to six (6) months to complete the in-unit demolition and reconstruction work. If the scope of in-unit work cannot be completed in the allocated six (6) month time period an extension MAY be granted by the condo Board subject to that unit owner paying the association a non-refundable charge/fee of \$1,000 for an extension of time up to 30 days/1 additional month. This \$1,000 fee shall NOT be prorated on a daily or weekly basis. This \$1,000 charge/fee would include a time extension of UP TO 30-days/1-month. While one or more additional extensions of time are discouraged and unlikely to be approved for a period of two (2) years, the condo Board will be sole decision maker in deciding IF an additional extension of time (up to another 30-days) is granted. Attempting to schedule major in-unit demolition and/or reconstruction work in phases to avoid this 6-month demo and construction period (such as completing phase 1 of the work a six month period followed by a second request for another six months of work called phase 2, etc.) shall not be permitted.

The within RESOLUTION was unanimously approved by the Winchester Board this 13<sup>th</sup> day of December, 2019 with an immediate effective date as witnessed by the signatures of each Board member affixed below.

<u>Margorie C. Gross</u>	Apt. # <u>401</u>
<u>Henry Bloom</u>	Apt. # <u>206</u>
<u>Mary R. Bruce</u>	Apt. # <u>502</u>
<u>Barbara Weider</u>	Apt. # <u>705</u>
<u>Al Sumann (M. SUKHWAN)</u>	Apt. # <u>606</u>
<u>Madison A. Buntz</u>	Apt. # <u>403</u>
<u>Lois Browdie</u>	Apt. # <u>501</u>