

January 2015

## Las Palomas Seaside and Golf Community Manzana 03

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## Las Palomas Seaside and Golf Community Phase II

### PROCEDURE ON THIRD PARTY DAMAGES

#### Objectives

- To define responsibilities
- Provide guidance to owners
- To Facilitate procedures and efficient repair planning
- Control of management of third party repairs

#### Non rental units

1. - The owner of the affected condominium shall notify the HOA Office immediately about the damage that occurs in his/her condominium if caused by common or adjacent property..

2. - The HOA Office reports the damage to the maintenance department staff for evaluation and to determine the specific cause of the damage, which could be described as:

Exclusive Property. The space inside the unit and terrace, enclosed by walls, floors, and ceilings, is the responsibility of the owner. Including, within other things, appliances, cabinets, electrical and plumbing fixtures, furniture, window coverings and interior paint. (Those used exclusively for each unit).

Common Area. The space devoted to the common use and enjoyment as hallways, walls and ceilings of the building that have structural function (including wiring and pipes) are responsibility of the association.

3. – Once access to the exclusive properties is granted by the owner, HOA Office will authorize access for ALP maintenance department to determine the source of the damage.

**Note:** In case any immediate response from the owner is needed or in case of emergency, ALP will proceed to enter the condominium for obvious reasons with approval of the Administrator.

4. - Following procedures and after evaluation of the event, all owners of the involved units will be notified.

5. - It is strongly recommended to the owner of the condominium who caused the damage, to take appropriate and immediate action with his Insurance Company to evaluate the events and to complete the necessary repairs in all units involved.

All repairs to be completed should be done with authorized vendors of ALP. In case the chosen vendor is not on this list, a disclosure letter provided by ALP must be signed and submitted by each owner.

The owner responsible for damages shall notify HOA Office who will be the external vendor in charge of the repair in accordance with the access policies of the resort.

Once the repairs have been completed, the HOA Office must be notified by the owner and /or authorized vendor in writing or via e mail. The affected owners will be notified by the HOA Office when repairs have been completed.

### **When the owner who caused the damage does not accept responsibility.**

1.-Maintenance staff will do the necessary tests to demonstrate the source of the damage.

2.-The owner responsible will receive a detailed (technical) report of the situation as well as a letter from the HOA office notifying him of his responsibility (if that would be the case) to repair the affected condominiums and for covering the cost.

3. - If within 3 days after the report is sent to the owner responsible for the damage, no response has been received or the response is negative, ALP will proceed to repair the damage and cost will be applied to the owners ledger.

### **(CURRENT REGULATION) REGULATION OF CONDOMINIUM; CHAPTER II; RIGHTS AND OBLIGATIONS OF OWNERS OR OCCUPANTS.**

“ARTICLE 13. Owners shall be responsible for any acts or omission that may caused any damage or lesion to any third party or to the assets of joint property. Such responsibility shall extend to any facts, acts, or omissions of his or her employee contractors, subcontractors, family members, housekeepers, guest, and tenants or gratuitous bailees, including the cases in which the owners, their subcontractors, family members, housekeepers, tenets or gratuitous bailees may be performing remodeling jobs, inside the exclusive property, and may cause any damage or deterioration on the assets of joint property.”

4. - . If the repair is not paid within a 90 days period; ALP will proceed with the standard collection policy (i.e. suspension of services of the Association, etc.)

## **Condominiums in the rental pool**

1.-If the affected owner gives notice to HOA Office the report will be addressed to the Operator (OLP) for an effective resolution and for immediate action.

▪ **Recommendations:**

- ✓ Reminding the owners to purchase their Exclusive Property Insurance
- ✓ Copies of the current insurance policy for each individual unit in order to provide immediate assistance.
- ✓ Tips to prevent damages inside the Exclusive Property.
- ✓ Recommended the owners to hire an authorized Las Palomas Vendor to assist if needed.

In order to improve the efficiency to Owners on third party damage and/or insurance procedures assistance, please contact one of our Homeowner Relations Executives for damage repair assistance and insurance follow up duties.

Office Hours

9:00am – 6:00pm

Monday -Sunday

Direct line: 638 108 1041 or Ext. 110041

laspalomashoa@cadden.com

Sincerely,

**ALP, Administradora Las Palomas de Peñasco, A.C.**