

The Boxwood at Baymeadows Condo Association, Inc.

Approved Plumbing Policy

As a matter of policy your Board of Directors is conveying the following information regarding the responsibility for maintaining and repairing the plumbing lines and pipes. The following information is based on the Declaration of Condominium and Chapter 718, Florida Statutes.

1. Unit Owner Responsibility: The individual Unit Owners are responsible to maintain, repair and replace the fixtures, equipment, and appliances located within the Unit at the Unit Owner's own expense. Plumbing lines and pipes that are beneath the walls are not considered fixtures, equipment, or appliances and unless the walls that the pipes are located beneath are interior walls, that are not loadbearing walls, these pipes would not be included in the items that are the responsibility of the Unit Owner to maintain, repair, or replace.

The Unit Owner is only responsible for the plumbing lines and pipes if:

- a. The pipes and lines are located within the Unit;
- b. The pipes and lines only serve that Unit Owner's Unit; and
- c. The pipes and lines are not located within a loadbearing wall.

2. Association Responsibility: The Association is responsible for and must maintain the following:

- a. All plumbing lines and pipes that are outside of a Unit. This means that if the pipes or lines are behind the drywall of the outer walls, or are below or within the floors or ceilings bounding the Unit, the Association is responsible.
- b. All plumbing lines and pipes that serve more than one Unit, even if the pipes or plumbing lines are located within the Unit. This may be difficult to ascertain and the plumber will have to decide if the pipes only serve that single Unit or serve other Units.
- c. All plumbing lines and pipes that are located within interior loadbearing walls located within the Unit. Loadbearing walls are required for structural support and cannot be moved. They are considered common elements.

To be clear, this does not mean that a Unit Owner may hire a plumber to perform work that may be the Association's responsibility and then send the bill to the Association for payment. The Association will make its own determination as to the source of any plumbing problem that may fall within its responsibility and then hire its own plumber to perform the necessary work.

3. Negligence of Unit Owner: The Association has the right to recoup money spent repairing damage to plumbing lines or pipes if the damage was caused by the intentional or negligent acts or the neglect or carelessness of a Unit Owner, their family, tenants, or guests.

4. Procedures for Plumbing Issues: When a Unit Owner has an "everyday plumbing issue", such as a backed up sink or toilet, then the Unit Owner should first call a plumber from the Association's approved list of plumbers.

All of the approved plumbers will be knowledgeable of the Association's plumbing policy. The Association approved plumber can directly obtain permission from the Association to perform

repairs immediately. The Association approved plumber will be able to directly contact the Association's Property Manager in order to make the necessary repairs that may be the responsibility of the Association and will be able to assist the Association in determining whether a particular repair is within the Association's scope of responsibility. Or the unit owner can call the Property Manager, Elim Services 904-241-8886.

Of course, the unit owner is free to hire their own plumber, at the Unit Owner's expense, to investigate the problem to determine its source. Only when the plumber indicates the problem involves a common element (pipes or plumbing lines that are outside the Unit Owner's responsibility) will the Association investigate the problem and make any repairs that the Association determines to be within its responsibility.

When there is a problem that needs to be addressed immediately or further damage may occur, even when the issue is clearly the result of an act or neglect or carelessness of the Unit Owner, the Association will have the repairs made and then bill the Unit Owner for reimbursement of the cost incurred.

It would be wise for the unit owner to learn where the water shut off is for their unit, to use in case of emergency.

5. Association Approved Plumbers: To assist Unit Owners in efficiently dealing with plumbing issues that may arise, and as a short cut for Unit Owners experiencing plumbing related problems, here is the Association list of "Association Approved Plumbers", all of which will be knowledgeable of the Association's Plumbing Policy.

* *Florida Empire Plumbing - 904-465-2538*

* *Lance Maxwell Plumbing 904-458-3020*

* *David Grey Plumbing - 904-724-7022*

The Association Approved Plumber MUST first obtain permission from the Association PRIOR to performing any work that is the responsibility of the Association. In no event is a Unit Owner authorized to instruct or approve work to be performed by an Association Approved Plumber on plumbing lines or pipes that are outside of the Unit Owner's responsibility.

Any Unit Owner instructing plumbing work to be performed on areas outside of the Unit Owner's responsibility may be liable to pay the cost of such work.

6. Competitive Bidding: If the estimated cost of any plumbing repairs is such that the Association is required to obtain competitive bids pursuant to Fla. Stat. §718.3026 or the Governing Documents, then the Association may instruct a plumber, including an Association Approved Plumber, to take temporary action so that the Association can comply with bidding requirements prior to making final repairs.

7. **Insurance Claims:** If the plumbing repairs are caused by or related to a casualty or otherwise involve an insurance claim by the Association for the plumbing repairs, then the Association will comply with all requirements of the insurer in order to preserve the Association's insurance claim and also fulfill any obligation it may have to make repairs.

8. **Disputes:** In case of dispute, a written request with documentation, reasons and pictures, if possible, should be sent to the Property Manager. The Board will interpret the Plumbing Policy at the next Board meeting.

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