

COUNCIL OF CO-OWNERS OF THE WESTERLIES CONDOMINIUM

POLICY RESOLUTION NO. 12-_____

(Dehumidifier Policy)

WHEREAS, Article IV, Section 2 of the By-Laws of the Council of Co-Owners of The Westerlies ("By-Laws") provides the Board of Governors with the powers and duties necessary for the administration of the affairs of the Council of Co-Owners; and

WHEREAS, Article IX of the Master Deed obligates each member of the Council to comply with rules and regulations adopted by the Council of Co-Owners; and

WHEREAS, Article VI, Section 2(d) of the By-Laws requires each Co-Owner to maintain his townhouse or unit in good repair; and

WHEREAS, the Board has determined that based on the findings and opinions of engineers retained by the Council, the use of dehumidifiers in below-grade townhouses or units has the effect of reducing the amount of moisture and humidity within such units that significantly mitigates potential damages to the unit (and the fixtures and personal property stored within each such unit) from the natural moisture and humidity in the ground; and

WHEREAS, the Board believes it is in the best interest of the Council to encourage owners of units or townhouses located below-grade to use dehumidifiers as much as possible in order to mitigate the moisture and humidity levels within the units or townhouses and thereby reduce the possibility of damage to the units, the common elements and each unit owner's personal property.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Governors hereby adopts the following policy:

1. The owners of townhouse units that are located below ground level in the Condominium are hereby requested to use dehumidifiers within their townhouse as much as possible in order to reduce the level of moisture and humidity within the townhouse.

FORMER PARAGRAPH 2 DELETED.

2. In the event that a unit owner does not use a dehumidifier as encouraged by this policy, and damage to the townhouse unit and/or common elements is later discovered to exist and it is determined that the use of a dehumidifier could have mitigated or prevented the damage, the Council of Co-Owners will seek to hold such unit owner responsible for any such damages on the basis

that the responsible unit owner failed to mitigate potential damages to their unit, the common elements and any personal property stored within the unit.

3. Owners of units located below-grade are required to confirm with the Council's managing agent on a regular basis in writing whether a dehumidifier(s) is being utilized within the townhouse unit and advise as to the frequency and duration of such use.
4. Unit owners must immediately report to the Council's managing agent any damage that is observed to a unit or component thereof or to the common elements as a result of water infiltration, a water leak, or any other source of moisture or humidity.
5. Unit owners are responsible for ensuring that their tenants, guests and invitees comply with this policy to mitigate potential damages to the unit, the common elements and any personal property stored in the unit.

The rules and regulations set forth in this policy resolution are effective as of _____, 2012.

I hereby certify that the foregoing resolution was approved by the requisite majority of the Co-Owners at a duly convened meeting of the Council of Co-Owners on _____, 2012.

COUNCIL OF CO-OWNERS OF THE
WESTERLIES CONDOMINIUM

By: _____
Chuck Walley, President

CERTIFICATE OF MAILING OR DELIVERY

The Managing Agent hereby attests that this Policy Resolution was mailed and/or hand-delivered to the addresses of record of the Co-Owners and Council residents on this _____ day of _____, 2012

Date

Camellia Fries, Managing Agent
GHA Community Management

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