

Prepared by and return to: Lori P. Jones
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**CERTIFICATE OF RATIFICATION AND PROMULGATION OF
WATER HEATER REPLACEMENT POLICY FOR
CHANDLER PLACE CONDOMINIUMS**

**CERTIFICATE OF RATIFICATION AND PROMULGATION OF WATER HEATER
REPLACEMENT POLICY FOR CHANDLER PLACE CONDOMINIUMS**

WHEREAS, Section 4.3 of the Declaration of Condominium and Section 6.3(B) of the Bylaws provides that maintenance, repair, and replacement of the Unit, including fixtures and equipment located within or appurtenant to the Unit, are the responsibility of the Unit Owner; and

WHEREAS, Section 4.5 of the Declaration of Condominium and Section 6.3(C) of the Bylaws of the Association provide that the Association Board or its designee shall have the right of access to any Unit for the purpose of making inspections, repairs, replacements, or improvements to remedy conditions of the Unit itself which could result in damage to other portions of the Building of which the Unit is a part; and

WHEREAS, Section 6.9(B) of the Bylaws of the Association provides that each Owner shall be liable for the expense of any maintenance, repair or replacement rendered necessary by its act, neglect, or carelessness; and

WHEREAS, a number of water damage claims have been brought to the Board's attention due to the failure of hot water heaters; and

WHEREAS, increased water damage claims put the condominium at risk of an excessive insurance premium increase or, at worst, cancellation of insurance; and

WHEREAS, the Board of Directors finds that the protection of the value and desirability of all condominium units within Chandler Place Condominiums will be promoted by the adoption of the following policy which provides for the inspection and replacement of hot water heaters on a regular schedule in accordance with the industry standard, that being the replacement of hot water heaters every 12 years.

NOW THEREFORE BE IT RESOLVED that the Board of Directors adopts the following policy regarding inspection and replacement of hot water heaters:

1. **Inspection and Replacement of Hot Water Heaters.**

Owners are required to replace any hot water heater that is 12 years old or more. The Association shall cause a licensed plumber to inspect every unit and compile a list of date of installation of the hot water heater servicing every Unit in the condominium. The Board of Directors shall notify the Owner of each unit of the date his or her hot water heater was installed and the date by which replacement shall occur, which may be immediately in cases where existing water heaters are more than 12 years old. For all hot water heaters that are less than 12 years old at the time of this initial inspection, the Association will send notice to each owner 3 months in advance of 12th anniversary of the installation of the hot water

heater for the applicable Unit. Within 30 days of installation of any hot water heater, Owners are required to provide the Association with documentation of the replacement, including the style of water heater, the date of installation, and the dates of any applicable warranty period.

Additionally, Owners are required to check the base of the hot water heater for water seepage twice annually, by January 30 and July 30, and replace any hot water heater that exhibits signs of seepage. The Association may require certification of such inspection by the Owner.

In the event any Owner fails to replace a hot water heater as required herein, upon reasonable notice the Association may enter the unit pursuant to authority contained in the Declaration and Bylaws and replace the hot water heater, and the costs of the same shall be assessed against the Owner. Such right of entry does not preclude enforcement of this rule by any other means allowed by law, including pursuant to provisions of the Condominium Act or the Declaration, which allow for the imposition of fines for violation of the Declaration, Bylaws, or rules and regulations of the Association.

Each owner shall coordinate and cooperate with the Association's plumber to provide access to the Unit for the purpose of completing the inspection and any necessary repairs.

2. **Publication; Effective Date.** The Board of Directors shall cause this Policy to be published to all of the members of the Association. Owners with hot water heaters that are more than twelve (12) years old as of the date of publication of this policy shall have until December 31, 2015, to replace said heaters.

We, the board members of Chandler Place Condominiums Homeowners Association, Inc., certify that the foregoing policy was adopted by a majority of the members of the Board of Directors at a duly called meeting of the Board held on July 29, 2015, as reflected in the minutes of that meeting.

Roug Small
President

Melissa W. Simpson

Carl Powell
Vice President

Nancy Helms

Ron Leary
Secretary

Ed McCoy

Shady B Mason
Treasurer

NORTH CAROLINA

ACKNOWLEDGMENT

WAKECOUNTY

I, Julie A. Price, a notary public of Wake County, North Carolina, certify that Renee Shingleton personally appeared before me this day, and being duly sworn, certified that she is not named in the foregoing document and has no interest in the transaction and either (i) witnessed the below-listed principals sign the foregoing document or (ii) witnessed the below-listed principals acknowledge their signature on the already-signed document.

Doug Small

Ronald Ledford

Melissa W. Simpson

Ed McCoy

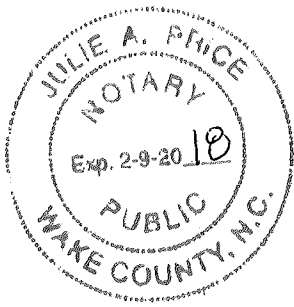
Carl Douthit

Gladys G. Mason

Nancy Helms

Signature: Renee Shingleton
Renee Shingleton

Witness my hand and official seal, this 22 day of September, 2015.



Julie A. Price
Notary Public

Julie A. Price
Printed Name

My Commission Expires: 2.9.18