

BAY HOUSE CONDOS POLICY ON DECKS, BALCONIES AND CONCRETE PATIOS

March 27, 2021

During the repair and rebuilding of the decks, balconies and concrete patios after Hurricane Harvey, a need has arisen to clarify expense responsibilities. The Board of Directors has agreed a policy is needed to explain the interpretation of the by law stating:

“The Association is responsible for repairs to the steps going from the decks down to the sea wall. The owners are responsible for repairs to the decks.”

Policy

Although decks, balconies and patios are limited common elements (common elements that are for the use of less than all members of the HOA), the usage and responsibility for maintenance, repair or replacement is assigned to the condo owner to which they are adjacent. This includes the pilings, header boards, joists and deck flooring for both wooden and concrete structures.

The Bay House HOA is responsible for maintenance, repair and replacement of the stairs from the condo to the bulkhead area, deck/balcony railings, gates, skirting under decks, drainage from the gutters to the bulkhead, and vertical support posts for roof/balcony.

The board of directors is responsible for securing a contractor to perform the post Hurricane Harvey rebuild of all lower decks.

It is the policy of the board of directors that deck, balcony and concrete patio repairs, replacement or enlargement shall be made by the owners with the approval of the Bay House manager and the Board of Directors. It is the duty of the deck/patio owner to keep the deck, balcony or patio in good repair. In an expansion of decks, balconies or concrete patios, it is the responsibility of the owner to move and replace in the proper manner any existing irrigation lines or buries electrical lines or repair any damage to the irrigation system caused in such and expansion. In the event of deterioration or misuse of such deck, balcony or patio, the owner will be notified of the repairs needed. If needed repairs are not made by the owner in the allotted time, the Board will take actions to repair or replace the deck, balcony or patio at owner expense, including but not limited to the cost of repair or replacement and other expenses including collection costs. It shall be the policy of the Board to enforce collection of such expenses from the owners.