



WATER LEAK POLICY AND PROCEDURE

One of the most difficult situations for boards and community association managers to respond to is a water leak situation. Who is responsible for repairing what? Who is supposed to investigate? What if someone's negligence caused the water leak? In order to more efficiently determine the source of leaks and mitigate damage caused by such leaks, associations should consider adopting a water leak policy.

A water leak policy would set forth the steps that the Owners and Association should follow upon detection of a water leak inside a condo, townhome or other building in which the Association has interior maintenance and/or insurance responsibilities.

This policy would establish the following:

1. Steps for the Owner to follow upon detection of a water leak, including immediate notification of the management company or board;
2. Investigation of the leak and responsibility for costs of investigation;
3. Determination of responsibility for performing repairs and paying for repairs;
4. How negligence and/or insurance obligations might shift the liability for cost of repairs to another party; and
5. An easy process for boards and managers to follow when investigating water intrusion claims, to help them act timely and uniformly.

Please contact us at 303.432.9999 or hoalaw@altitude.law if you have any questions on the above or any other policy or other legal needs for your association.