Water Damage Procedures.

1. Per FL Statutes, drywall as originally installed is part of the common elements. If drywall is destroyed due to a failure in a common element for which the Association has responsibility, the Association will take the necessary steps to remedy the failure and replace the drywall. The unit owner has the responsibility to cover all other incidental damage.
2. If a unit owner removes drywall without permission from the Association – they ‘own’ it – along with the responsibility to replace it.
3. If there is mold or mildew on the drywall – it is the unit owner’s responsibility to do the remediation & replacement; the Association cannot control the ambient air to prevent any mold or mildew growth.
4. If a leak due to a common element failure is not detected in time to prevent the growth of mold or mildew, that is also out of the Association’s control. Owner’s must do periodic inspection and take the necessary precautions to prevent mold and mildew growth. The Association only repairs the drywall damaged by the water leak – the rest is on the owner.

When water is detected within a unit that has come from within a wall or through a ceiling from a source not under the unit owner’s control:

1. If the two unit owners [typically the lower and upper units] can resolve the issue between themselves, they should do so. Examples are:
   1. A leaking seal on the toilet causing water to come through the drywall around the base of the toilet and/or leaking to the unit below and damaging the ceiling or walls of the lower unit.
   2. The lower unit has water damage above the sliding glass doors on the ceiling or wall coming from the sliding glass doors from above.
   3. A leaking window from the unit above causes water damage to the unit below. Similarly, if a unit has a leaking slider, window or vent system that has leakage and causes drywall damage in their unit, they are responsible for the repairs to their unit.
   4. An appliance that leaks water – clothes washer, dish washer, supply line to refrigerator, hot water tank or on demand system, etc. – all damage repair is done by the responsible unit owner.
   5. A clogged AC condensate line. These are the responsibility of the respective unit owners, and any and all damage caused by a clogged line is the responsibility of the unit owner[s]. All AC systems should now have an automatic shutdown switch installed to prevent this occurrence.
2. If #1 is not operative, the Association must be notified in a timely manner – [just as if there is a break in an irrigation line or missing roof shingles, for example] – and the Association takes the lead in inspecting the cause and determining responsibility for repairs. If the problem is due to a failure of a common element, the Association covers the repair cost, otherwise, the unit owner(s) responsible pays for the inspection and any necessary repairs.

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Bottom line – There are 38 owners in both BSG1 and BSG2. The other 37 owners should not pay for the inattentiveness or negligence of one owner who is not adequately monitoring their home. When “The Association” pays for any repairs within a unit – it is the other 37 owners who are paying for the repairs.