

QUAIL SPRINGS CONDOMINIUMS I ASSOCIATION, INC. MATRIX OF MAINTENANCE RESPONSIBILITIES				
ITEM	DESIGNATION (Authority)	MAINTENANCE RESPONSIBILITY (Authority)	EXPENSE RESPONSIBILITY (Authority)	INSURANCE RESPONSIBILITY (Authority)

Outside Windows and boundary doors, and all interior surfaces of the boundary walls, boundary ceilings, and boundary floors (i.e., wallpaper, tile, carpet, paint, and finishing materials)	Unit <i>Section 1.1(k)</i>			
General interior of the Unit including interior partition walls, and the surfaces of the boundary ceilings, boundary walls and boundary floors		Unit Owner ¹ <i>Section 8.1</i>	Unit Owner ² <i>Section 8.1</i>	
Doors, glass doors, and windows enclosing a Unit		Unit Owner ³ <i>Section 8.1</i>	Unit Owner <i>Section 8.1</i>	
Any fixtures, equipment or other property within the Units which are to be financed by a mortgage to be purchased within the secondary mortgage market, (regardless of whether or not such property is a part of the Common Elements)				Association <i>Section 11.3</i>
Interiors (from the plane of one surface to the plane of the other surface) of the boundary walls, boundary ceilings and boundary floors and the contents thereof (i.e., electrical wiring, plumbing, or other items) in common use by two or more Units	Common Element ⁴ <i>Section 4.1</i>			Association <i>Section 11.3</i>

¹ Gerry Kelley Opinion dated March 10, 2009 – Unit Owner is responsible for interior of Unit, including surfaces of boundary walls, floors and ceilings. Anything outside of that is the Association’s responsibility. *Sections 1.1(s), 4.1, 4.2(b)*

² The Association is responsible for the costs of repair of any damage to a Unit caused by repairs to the Common Elements. *Section 12.2*

³ Should any damage be caused to any Unit by reason of work done by the Association to maintain or repair the Common Elements, the Association shall bear the expense of repairing such damage as a General Common Element. *Section 8.2*

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The deck, balcony or courtyard, if any, shown on Exhibit "A" adjacent to and contiguous with the Unit	Unit <i>Section 1.1(k)</i> Limited Common Element <i>Section 2.1</i>			Association <i>Section 11.3</i> (to the extent considered a Limited Common Element and not a Unit)
The patio, terrace, or deck, as the case may be, adjacent to each Unit, as shown on Exhibit "A"	Limited Common Element <i>Section 4.3(c)</i>			Association <i>Section 11.3</i>
Courtyards	Limited Common Element <i>Section 4.3(b)</i>			Association <i>Section 11.3</i>
Courtyard boundary walls and fences	General Common Element <i>Section 4.3(b)</i>			Association <i>Section 11.3</i>
The patios, balconies, and fences surrounding the Courtyards		Association <i>Section 8.2</i>	Association <i>Section 8.2</i>	Association <i>Section 11.3</i>
Grass, shrubs, trees, plants, flowers, planting beds, and general landscape within the Courtyards	Limited Common Element <i>Section 4.3(b)</i>	Unit Owner ⁵ <i>Section 4.3(b)</i>	Unit Owner <i>Section 4.3(b)</i>	
Appearance and landscape of the Unit's Courtyard		Unit Owner <i>Section 8.1</i>	Unit Owner <i>Section 8.1</i>	
Appliances, fixtures and equipment contained within the Unit's space	Unit <i>Section 1.1(k)</i>			⁶

⁴ If Two Units are joined, the boundary wall or ceiling which separates them will become the responsibility of the Unit Owner. *Sections 9.2 and 9.3*

⁵ In the event the Unit Owner fails to adequately maintain the Courtyard landscape, the Association may, but shall not be required to, perform the maintenance and specially assess that Unit Owner. *Section 4.3(b)*

⁶ Unless the Board of Directors elects to obtain a blanket personal property or contents policy for the Condominium Owners, no such policy shall be required to be administered by the Association, except with regard to the personal property of the Association. *Section 11.2*

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All electrical and plumbing fixtures, kitchen and bathroom fixtures, and all other appliances or equipment affixed and contained within the Unit		Unit Owner <i>Section 8.1</i>	Unit Owner <i>Section 8.1</i>	
Heating and air conditioning compressor and fan coil heat exchanger servicing a Unit	Unit <i>Section 1.1(k)</i>			
The heating, ventilating and air conditioning system, including the compressor and fan coil units servicing the Unit		Unit Owner <i>Section 8.1</i>	Unit Owner <i>Section 8.1</i>	
Utility services within a Unit, except sanitary sewerage services, which are used only by the Unit	Unit <i>Section 1.1(k)</i>			
All wire, conduit, plumbing, or other fixtures and equipment and their connections required to provide all utility services including, without limitation, water, electricity, telephone, cable television, sewage and sanitary services to the Unit which are affixed and contained within the Unit		Unit Owner <i>Section 8.1</i>	Unit Owner <i>Section 8.1</i>	
Damage caused to multiple Units due to backup in the “drain cleanouts”				Association <i>Gerry Kelley Opinion⁷</i>

⁷ Gerry Kelley Opinion dated August 10, 2009 – The Association’s insurance coverage is obligated for damage to Units caused by backup in the “drain cleanouts.” *Sections 11.1, 11.3*

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All plumbing, wire, conduit, circuit breakers, or other fixtures and equipment and their connections required to provide all utility services to the Unit including, without limitation, water, electricity, telephone, cable television, sewage and sanitary service, and which are located in the boundary ceilings, boundary walls or boundary floors of the Unit and which are not in common use with other Units		Unit Owner ⁸ <i>Section 8.1</i>	Unit Owner <i>Section 8.1</i>	
The electrical wiring providing electrical service to the Unit from the Unit to the electrical meter of the public utility company		Unit Owner <i>Section 8.1</i>	Unit Owner <i>Section 8.1</i>	
Sewer and water service lines outside the Unit Space	Common Element <i>Section 1.1(k)</i>			Association <i>Section 11.3</i>
Parking spaces A. Uncovered parking spaces B. Covered parking spaces	<i>Section 2.1</i> General Common Element <i>Section 4.2(g)</i> Limited Common Element <i>Section 4.3(a)</i>	⁹		Association <i>Section 11.3</i> Association <i>Section 11.3</i>

⁸Gerry Kelley Opinion dated August 24, 2009 (later modified) – The Association is responsible for repair of a leak occurring in the space behind a boundary wall, as it is a Common Element. *Sections 1.1(s), 4.1, 4.2(b)*

Gerry Kelley Opinion dated November 9, 2009 (modification of August 24, 2009 Opinion, later modified) – The Unit Owner is responsible for the repair of utility services within boundary walls, floors or ceilings if those utilities service their Unit alone, with the exception of sanitary sewer and water service lines outside of the Unit space which are considered a “Common Element.” *Section 4.1, 8.1*

Gerry Kelley Opinion dated January 22, 2010 (later modified) – The Association is responsible for a leak under the slab, and all resulting damage to a Unit should be claimed on the Association’s insurance. *Sections 4.1, 4.2(b), 8.2, 11.3, 11.5, 11.2, 11.1*

Gerry Kelley Opinion dated February 16, 2010 (modification of Opinions dated August 24, 2009, November 9, 2009 and January 22, 2010) – Unit Owner is responsible for plumbing, etc. that serves only their Unit, even if that plumbing is located outside of their Unit. *Section 8.1*

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Removal of snow from covered parking spaces		10		
Removal of snow from Common Elements		11		
Land upon which Buildings stand and improvements thereon, except any portion thereof included in a Unit or specifically designated as being a Limited Common Element	General Common Element <i>Section 4.2(a)</i>			Association <i>Section 11.3</i>
Building exteriors and exterior walls, foundations, columns, supports, main walls, roofs, attic space, a Unit's boundary walls, boundary ceilings and boundary floors (excepting the surface thereof)	General Common Element <i>Section 4.2(b)</i>			Association <i>Section 11.3</i>
Structure and exterior of the Buildings		Association <i>Section 8.2</i>	Association <i>Section 8.2</i>	Association <i>Section 11.3</i>
Roof, interiors of boundary ceilings and boundary floors, and exterior of the Buildings		Association <i>Section 8.2</i>	Association <i>Section 8.2</i>	Association <i>Section 11.3</i>

⁹Gerry Kelley Opinion dated February 15, 2010 – The Association may assess a fine to those Owners who allow trash or debris to accumulate in their covered parking space. *Sections 13.12, 13.4, 13.3, 15.1, 15.4*

Gerry Kelley Opinion dated December 6, 2011 – Association is responsible for clearing debris from carports, since they are classified as a Limited Common Element and the Association is responsible for maintenance of Common Elements. *Sections 1.1(c), 5.1, 5.3, 8.1, 8.2*

¹⁰ Gerry Kelley Opinion dated February 15, 2010 – If the Association removes ice and snow from covered parking spaces, it may not charge the individual Unit Owners whose spaces are cleared, but instead must vote for a special assessment of all Owners, since removal of snow and ice are an “infrequently recurring item of maintenance.” *Sections 7.3, 4.3, 1.1(l), 2.1, 4.3(a), 8.2, 8.1, 4.3(b)*

¹¹ Gerry Kelley Opinion dated February 15, 2010 – The Association is not required to remove ice and snow from the Common Elements, however the Board may vote to do so, and vote to cover the costs by way of special assessments. *Section 7.3(a)*

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Buildings				Association <i>Section 11.3</i> ¹²
General Common Elements				Association <i>Section 11.3</i> ¹³
Limited Common Elements				Association <i>Section 11.3</i> ¹⁴
Installations of central services including but not limited to storm sewer, sanitary sewer, water, power and electricity	General Common Element <i>Section 4.2(e)</i>			Association <i>Section 11.3</i>
All plumbing, wires, conduit, circuit breakers, or other fixtures and equipment and their connections required to provide all utility services used in common by Units or by the Common Elements including, without limitation, water, electricity, telephone, cable television, sanitary sewage, storm sewage, heating, ventilating and air conditioning systems		Association <i>Section 8.2</i>	Association <i>Section 8.2</i>	Association <i>Section 11.3</i>
All apparatus and installations existing for common use or for the common elements	General Common Element <i>Section 4.2(d)</i>			Association <i>Section 11.3</i>
All personal property held and maintained for the joint use and enjoyment of all Condominium Owners	General Common Element <i>Section 4.2(e)</i>			Association <i>Section 11.3</i>

¹² If there is substantially total destruction of the Property, or if seventy-five percent of Owners agree not to proceed with repairs, then the proceeds of the sale with proceeds of insurance shall be divided among Unit Owners according to their ownership interests. *Section 19.2*

¹³ See, *Section 19.2*

¹⁴ See, *Section 19.2*

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All personal property and/or interests in real property where title is held by the Association	General Common Element <i>Section 4.2(f)</i>			Association <i>Section 11.3</i>
Personal property and supplies belonging to the Association				Association <i>Section 11.3</i>
All uncovered parking spaces, thoroughfares, roadways, sidewalks, exterior lighting, fences, yard walls, courtyard boundary walls, yards (except the courtyards), shrubs, plants, trees, and landscaping except as are reserved as Limited Common Elements	General Common Element <i>Section 4.2(g)</i>			Association <i>Section 11.3</i>
Neighborhood Recreational Facility and the improvements and appurtenances thereto	General Common Element <i>Section 4.2(h)</i>			Association <i>Section 11.3</i>
All other elements of the Property necessary or convenient to its existence, maintenance and safety, and normally in common use except those specifically designated as Limited Common Elements	General Common Element <i>Section 4.2(i)</i>			Association <i>Section 11.3</i>
Common Elements which are to be reserved for use of certain Units to the exclusion of the other Units	Limited Common Element <i>Section 4.3</i>			Association <i>Section 11.3</i>