
DEER HEDGE RUN CONDOMINIUM TRUST

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What is “Common” property and who cares?

There are three types of property at Deer Hedge Run:

1: Common Property – This is property owned by the Trust and managed by the Board of Trustees. Common Property is generally everything on the outside of buildings and includes all land areas, the clubhouse, and pool and tennis court. In addition, all of our roadways are private and are common property. What may not be so clear is that Common Property also includes the exterior, roofs etc. of buildings but also includes the building studs, floor supports, roof supports, as well as the portion of water and sewer lines serving the entire building – as opposed to water and sewer lines serving an individual unit.

What does this mean to you? It means that as a unit owner you can change things inside of these common elements. However, you may not change, alter, or penetrate (cut in any way) common property. Specifically this means you cannot drill holes in the roof or siding, cut a stud, floor joist or roof support or do anything to exterior doors and windows (exterior doors and windows are common property, but the Board gets the work done and the unit owner pays for it) without permission in writing from the Board of Trustees.

2: Exclusive Use Common Property – This is Common Property that individual unit owners can use but other unit owners may not use. The basic areas include front porches, decks, and parking spaces identified in the deed as exclusive use of specific units. The fact that something is designated as Exclusive Use does not imply ownership. For example, unit owners may not change Exclusive Use area without permission, residents may walk through parking spaces (but not on porches and decks), and the Trust can “enter” these areas without permission for general repairs/maintenance.

3: Unit Owner Property – This is comprised of everything from the studs in, from the floor supports up and from the roof supports down including carpet, hardwood floors, kitchen and bath fixtures, light fixtures and inside window/door trim. Heating and air conditioning equipment and ducts are unit owner property. Although there is no specific reference to the term in the condominium documents, a safe rule-of-thumb is unit owners may not penetrate the building envelope without permission in writing from the Board of Trustees.

Why should we all know this? First, in the end repair of Common Property is divided among all unit owners so we should all care about the cost of operating the property. Second, mistakes can be costly, as unit owner changes to Common Property that are not approved must be corrected at unit owner expense. It is not difficult to gain approval and help but it can be time consuming and frustrating to correct problems.

In support of all the above, the Trust has an “all in” insurance policy. This means that our insurance covers Common Property, Exclusive Use Common Property and also Unit Owner property. There is a \$5,000 deductible on our insurance policy and when a claim involves Common Property or Exclusive Use Common Property the Trust pays the deductible. If a claim involves Unit Owner property the unit owner is responsible for the deductible – thus unit owners should have their own insurance to cover at least the \$5,000 deductible for casualty damage, liability for injuries inside your unit, and to cover appliances that are not fixed (refrigerators, dishwashers, hot water heaters, air conditioning equipment) personal property (rugs, drapes, clothing, furniture etc.) and other valuables. The amount of deductible unit owners carry is a personal choice.

It is also important that unit owners carry coverage for loss damage assessment. This relatively inexpensive insurance would cover a cost assessment the Trust might have to make should the Master Policy not be sufficient to cover a large loss. In addition, unit owners should carry coverage for various water problems that can occur including leaks from hot water heaters, sewer back-ups etc.

One final item, unit owners may not cover up access to common water and sewer lines that run through each unit. If these utilities ever need repairing, the Trust will pay for the repairs and the cost to expose the utilities, should they be covered at the time repair is needed. Unit owners are responsible to restore sheetrock etc. being sure to provide full access to these common utilities should the need repair in the future. Also, one unit in each building contains the main water shut off valve and this valve should NEVER be covered.