

Sewage Overflow Policy for Pine Village North Townhome Owners' Association

Declaration of Covenants, Conditions and Restrictions Pine Village North:

- Article VI (**Maintenance and Repairs**)
 - o “(Section 2) **Owner’s Maintenance** – The Owner shall maintain and keep in repair the following equipment and lines located outside the residence: air conditioning compressor condenser, including pipes and electrical lines connecting same to the residence, sanitary sewer collection system, electric power service conductors from the exterior of the building to the point of connecting to the electric utility company’s junction box or transformer, electric circuit breakers, any portion of natural gas, and / or telephone service lines located on the Building Plot but not maintained by the gas and / or telephone companies.” (Deed Restrictions for Pine Village North Association, page 7)
 - o An Owner shall do no act nor any work that will impair the structural soundness or integrity of another residence or impair any easement or hereditament, nor do any act nor allow any condition to exist which will adversely affect the other residence or their Owners.” (Deed Restrictions for Pine Village North Association, page 7)
 - o “(Section 3) **Neglect of Owner** – In the event that the need for maintenance or repair is caused through the willful or negligent act of the Owner, his family, or guests, invitees, employees or agents, the cost of such maintenance or repairs shall be added to and become a part of the assessment to which such Building Plot is subject.” (Deed Restrictions for Pine Village North Association, page 7)
 - o “(Section 4) **Authority of Association** – In the event an Owner is responsible for certain exterior maintenance as set forth in the Rules and Regulation of the Association and such Owner shall fail to maintain the premises and the improvements situated thereon in a manner satisfactory to the Board of Directors, the Association, after approval by two-thirds (2/3) vote of the Board of Directors, shall have the right, through its agents and employees, to enter upon said Building Plot and to repair, maintain and restore maintenance shall be added to and become part of the assessment to which such Building Plot is subject.” (Deed Restrictions for Pine Village North Association, page 7)

Pine Village North HOA Rules and Regulation:

- (Section 5.02) **Water** – “Each one is provided with a meter for your own internal consumption and arrangements for this service must be made directly with Texas Environmental Enterprises. Any sewer stoppage or plumbing malfunction in the water and sewer lines inside the townhome and extending outside to the sanitary sewer collection system is the responsibility of the Owner. The Owner’s responsibility for maintenance of the pressure water system begins on the Owner’s side (of the meter) of the shutoff valve of the home. Internal piping, faucet, and appliance malfunction or leaks are responsibility of the Owner.” (Deed Restrictions for Pine Village North Association, page 4)

A. The HOA Property Manager will contract a professional plumbing service to handle all sewage overflow issues in Pine Village North. The plumbing service shall be certified to work and must be versed on all plumbing codes dealing within the **City of Houston**.

B. The contracted plumbing service is authorized to make any initial repairs that are required in order to produce an estimate for the total cost of the project. The initial repairs can include, but are not limited to; clearing the sewage line and scoping the sewer line for breakage or blockage.

The estimate produced by the contracted plumbing service needs to include the following;

1. Clearing the line
2. Scoping the line
3. Repair of the sewer line (if applicable)

Once the estimate is complete, it must be sent to the property manager for review.

C. The property manager needs to prepare a summary of the estimate for the property owners in the building where the overflow occurred. The property manager must immediately notify all property owners of their fair share of the total cost. The repair cost per owner will be calculated by dividing the total estimate of repairs by the number of unites affected. It is the responsibility of the tenants / owners to contact the property manager, after receiving a notice of payment for the plumbing services, in regards to tender of payment. If the property owners fail to contact the property manager, the property manager will add

any unpaid portion to the property owner's maintenance fee. If any portion of the owner's share is in default, the property manager will turn all unpaid fees over to the HOA attorney for collection. If the HOA attorney still is unable to collect, the HOA attorney and Board of Directors have the right to foreclose on the townhome owner's property.

- D. The property manager has the responsibility to prepare a written notice to all tenants and / or owners of the date and duration of pending plumbing work that could adversely affect water service. The notice must indicate if the water will be turned off during the repairs, and the length of time the water will be approximately turned off. It is the responsibility of the tenants / owners of the affected property to contact the property manager in regard to any questions regarding the plumbing work.
- E. The property manager and his / her employees have the responsibility to clean and disinfect the affected area. The disinfectant used must be approved by Harris County Public Health and Environmental Services.
- F. The property manager must keep an active log of all repairs done to the sewer lines. The log must be available upon request to: the board of directors of the HOA, the operator of Pine Village Public Utility District (PVPUD), and Harris County Public Health and Environmental Services.
- G. The property owners have the right if they so wish to request a direct sewer pipe to be install connecting to the main sewer line; pending approval of the property manager and the other owners that share the same connection. If the property owner chooses to enact on their right to request an independent line, they must notify the property manager. The property manager, if approved, will then submit the proposal to the Pine Village Public Utility District (PVPUD) for approval. If approved by all parties, the line will be constructed at the expense of all affected property owners.
- H. Any property owner can invoke this policy if they suspect or have knowledge that their sewer line is broken, and in need of repair.