

## **SEAL BEACH MUTUAL NO. SEVENTEEN**

### **PHYSICAL PROPERTY**

#### **Liability for Damage to Mutual of Third-Party Property**

RESOLVED if an owner causes damage to the Mutual 17 common area or another owner's unit, such owner is solely liable for the costs of repairing such damage.

Owners are responsible for damage such owner causes as a result of construction in a unit, moving furniture, or damage caused by such owner's contractors, caregivers, house cleaner, guests, family members, etc. Causes of damage include, but are not limited to, previous construction work, plumbing failures, water damage, fire and smoke damage, electrical, damage to common area carpets and walls, damage to floors and/or floor coverings, walls, stairways, roofing, elevators, doors, windows, glazing, air conditioning/heating units and other appliances, furniture, artwork, ceilings, lighting, walkways, and all landscaping (including turf, shrubbery, trees, flowers, etc.), together with any personal property belonging to a Mutual resident, including automobiles. Any required repairs or replacements must be satisfactory to the Mutual Seventeen Board and at no cost to Mutual Seventeen.

1. The owner or occupant of the responsible Unit is required to immediately take the following steps:
  - 1.1. Address the situation immediately, to prevent additional damage, etc., by contacting the maintenance department, security and/or the proper authorities.
  - 1.2. Contact your insurance company to start a claim and determine the process for the repair or remediation of the damaged area(s).
  - 1.3. Notify a Mutual Board Member of the incident and provide your insurance information.
  - 1.4. Notify all other affected owners/residents of the incident immediately, provide them with your insurance information, and inform them of the process you will take to remedy the damage.

The owner/resident who caused the damage is solely responsible for all repairs and remediation. The Mutual will not agree to pay any invoice(s) from any vendor and the Mutual will not dispatch any vendor to repair any areas other than the Mutual's common areas. The Mutual shall seek reimbursement for the costs of such repair from the responsible owner.

Owners are required to purchase and maintain liability insurance with a minimum coverage of three hundred thousand dollars (\$300,000), and such minimum amount is subject to change from time to time. Owners must provide the Mutual with proof of current liability insurance annually. Owners are responsible for providing a current Certificate of Insurance at the time such owner's unit is inspected during the annual safety inspection. In the event a unit is rented, the unit owner must provide a copy of their Certificate of Insurance to their renter or the Mutual's Board of Directors **prior to February 1<sup>st</sup> of each year**. Owners who fail to provide a current copy their Certificate of Insurance will be subject to monetary penalties. Collection of monetary penalties will occur in accordance with Mutual Seventeen's collection rule number 17-7520-1.

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Owners are responsible for the damage they cause even if the cost of repairing such damage exceeds such owner's insurance coverage.

Owners and/or their contractors and workers shall be liable for the cost of any damage caused by an owner's failure to completely remove from the premises any debris resulting from their construction activities. This includes but is not limited to any damage to landscaping equipment caused by debris or hardware left on the lawn areas.

**All** debris, including carpeting and pads, resulting from construction, or moving activities shall be completely removed from Mutual property and **shall not be** deposited in the trash or recycle containers in the garage areas. Dust, dirt, or other unsightly condition in the common areas resulting from construction or moving activities shall be cleaned up, and the premises restored to their original condition, at an ongoing basis throughout the day.

The contractor of record, owner, or any other person involved in the work shall be responsible for ensuring that all the above requirements are adhered to by any sub- contractors or material suppliers utilized in the performance of the work.

FURTHERMORE, that the owner shall be financially responsible for all repairs and/or replacements required by this rule if the contractor of record fails to meet his obligations as outlined above.

**Document History**

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