

**WATERGATE AT LANDMARK CONDOMINIUM
UNIT OWNERS ASSOCIATION**

POLICY RESOLUTION NO. 45

EXTERIOR HVAC GRILLES & CLOSET RESTRICTIONS

April 25, 2017

Each unit has a Heating Ventilation and Air Condition (HVAC) utility closet located on their balcony. Although the Unit Owner owns and maintains their individual HVAC unit, the Association is responsible for the structure. Within each utility closet fascia wall is a vent/Grille for the air conditioner condenser. In response to owner installation of unauthorized and nonconforming HVAC Grilles/vents, Policy Resolution 45 – Exterior HVAC Grilles was revised in 2013 and will now be called **SECTION 1 BUILDER INSTALLED EXTERIOR HVAC GRILLES**.

In the fall of 2016 the Association began a complete replacement of the Fascia wall and Grille/vents. The new and improved configuration required an update to this policy to protect the Association's investment. The amended section of PR 45 is called **SECTION 2 HVAC FASCIA RENOVATION PROJECT MODIFIED EXTERIOR HVAC GRILLES**.

SECTION 1

**BUILDER INSTALLED
EXTERIOR HVAC GRILLES**

WHEREAS, Article (2) of the Watergate at Landmark Condominium Declaration defines the vertical boundaries of a unit;

WHEREAS, Section 55-79.50(c) of the Code of Virginia, as amended, indicates that a unit shall include the room containing the HVAC apparatus;

WHEREAS, Article 6, Section 6.7, of the Watergate at Landmark Condominium Unit Owners Association Bylaws provides that no unit owner shall make any alteration to his unit except as provided in Section 55-79.68, Code of Virginia, as amended;

WHEREAS, Article 3, Section 3.2, of the Watergate at Landmark Condominium Unit Owners Association Bylaws gives the Board of Directors the power to do all such acts and things as are necessary for the administration of the Condominium and;

WHEREAS, Article 11, Section 11.1, Paragraph (f), requires the Covenants Committee to regulate the external design, appearance, use and maintenance of the common elements;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors establishes the following policy regarding the exterior HVAC Grilles for individual units:

1. Any unit owner requiring the replacement of the HVAC condensing unit must ensure the new condenser is equipped with the architecturally approved Grille of the same color and design that was installed by the builder, West Alexandria Properties, Inc. A sample of the color and design is available at the Management Office. This clause includes all units on the property except those in Section 2.
2. A post HVAC installation inspection must be conducted with the contractor and a Maintenance representative prior to the contractor leaving the job site. The attached inspection form will be completed at the post-installation inspection and will be a permanent record in the unit owner's file.
3. Any HVAC condensing unit replaced by an owner(s) after the effective date of this Policy Resolution No. 45 in which the HVAC Grille does not match the same color (brown), grade, and style as the original will be required to comply with Exhibit C; Maintenance Responsibilities Chart of the Watergate at Landmark Bylaws;
 - A. Management will provide the Covenants Committee with a list of the units not in compliance.
 - B. The Covenants Committee will notify the non-complying unit owner in writing that they have 90 days in which to comply.
 - C. If a unit owner fails to comply within the 90-day period, the Association will correct the non-compliance and the costs of such correction will be billed to the individual unit owner.
 - D. Failure of the unit owner to pay the invoice will require the addition of the non-payment to the individual unit owner's assessment account.
4. To ensure compliance, an inspection of HVAC Grilles is included as part of the Resale Certificate issued by the Association for the resale of condominium units at Watergate at Landmark Condominium Unit Owners Association.

SECTION 2

HVAC FASCIA RENOVATION PROJECT MODIFIED EXTERIOR HVAC GRILLES

In 2016 the Heating, Ventilation, and Air Conditioning (HVAC) Fascia Renovation Project began. Over the succeeding years sections of the residential buildings will have their outdoor balcony utility closets renovated. Inside this closet is the unit's HVAC. Although the unit owner owns the HVAC system the Association owns and maintains the walls and exterior vent. This project will remove the fascia wall and replace it with a more durable material and a universal vent that will fit HVAC manufacturers' designs.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors establishes the following policy regarding the modified exterior HVAC Grilles for individual units:

1. No unit owner or contractor shall remove, alter, nail or screw into the exterior vent or wall in the HVAC closet. Any and all repair costs for damage caused to the wall or vent will be the responsibility of the unit owner.
2. Before replacing the HVAC condenser, the unit owner and or contractor MUST contact Watergate at Landmark Facilities Maintenance to complete the attached HVAC Inspection Form and review the proper installation procedures.
3. The replacement condenser unit must be installed such that exhaust air does not conflict with the fresh air intake.
4. The HVAC unit must be installed as high behind the Grille as possible by utilizing the platform.
5. The new HVAC unit must be completely sealed to prevent rain water from entering the HVAC closet.
6. A post installation inspection between the contractor and Watergate Facilities Management must be conducted prior to the contractor leaving the job-site. The completed and signed HVAC Inspection Form will become part of the unit owner's permanent file in the Resident Services Office.
7. To ensure compliance, an inspection of HVAC Grilles is included as part of the Resale Certificate issued by the Association for the resale of condominium units at Watergate at Landmark Condominium Unit Owners Association.

SECTION 3

UNIT HVAC CLOSET RESTRICTIONS

The Board of Directors has designated the Unit HVAC Closets as Mechanical Rooms and established the following rules for use:

1. Unit Owners are responsible for insuring A/C closets are maintained in a safe, orderly, fireproof fashion, including:
 - a. Patching any missing duct insulation;
 - b. Insuring that the electrical disconnect boxes are properly mounted; and
 - c. Insure that all connections to the main condensate piping are appropriate and in good repair.
2. Unit owners are responsible for any damage to the closet, as well as to other units, if the unit

leaks or malfunctions.


3. It is illegal to keep any flammable materials in the closet.
4. Closet cannot be used for storage.

*Replacing 7/30/13 version of PR45 Exterior HVAC Grilles
Incorporated AR 158 Unit HVAC Closet Restrictions July 26, 2011 version (Section 3)*

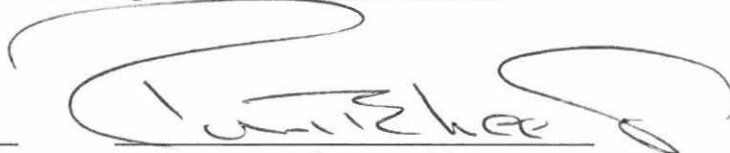
First Reading: 3/28/17
Town Hall: 4/6/17

Book of Minutes ___, of the Board Meeting of April 25, 2017

ATTESTED:



Vivian Moran, Secretary



Robert Lee, Vice President

4/28/17

Date

4/28/2017

Date

**WATERGATE AT LANDMARK CONDOMINIUM
UNIT OWNERS ASSOCIATION**

HVAC INSPECTION FORM

DATE _____

BUILDING _____

UNIT # _____

CONTRACTOR/COMPANY NAME

ADDRESS

TELEPHONE #

COMPLIES _____

DOES NOT COMPLY _____

MANAGEMENT STAFF

UNIT OWNER

PRINT _____

PRINT _____

SIGNATURE _____

SIGNATURE _____

DATE _____

DATE _____

COMPLIANCE DATE _____

MANAGEMENT STAFF

PRINT _____

SIGNATURE _____