

**FAIRLINGTON MEWS CONDOMINIUM COUNCIL OF CO-OWNERS
POLICY RESOLUTION NO. 94-02**

(Water Penetration Policy)

WHEREAS, by virtue of Article IV, Section 2 of the By-Laws, the Board of Directors is vested with the power and duties necessary for the administration of the affairs of the Council and with the power to do all such acts and things as are not by law or these By-Laws directed to be exercised and done by the co-owners; and

WHEREAS, pursuant to the Property Maintenance Agreement, the Council is responsible for maintaining and repairing the common elements and the co-owner is responsible for maintaining and repairing his or her unit.

WHEREAS, the Board of Directors has determined that it is in the best interest of the Council to clarify, by resolution, the liability of the Council and of the unit owners for the repairs, and costs thereof, associated with water seepage damage.

NOW, THEREFORE, BE IT RESOLVED THAT:

The liability for water penetration damage at the Fairlington Mews Condominium shall be determined by the situs of the cause of the damage. If the water penetration is caused by a condition in a unit, as the same is delineated by the unit boundaries described in Article Sixth of the Master Deed, then the co-owner shall be responsible for the repair of the cause of the water penetration and for any damage caused to the common elements. The co-owner shall also be responsible for the costs of the repair.

If the water penetration is caused by a defect in the common elements, as the same is delineated in Article Sixth of the Master Deed, then the Council shall be responsible for the repair of the defect and for the repair of any resulting damage to the unit. The Council shall also be responsible for the costs of the repair. In no event shall the Council be held responsible for consequential or secondary damage (e.g., personal property and improvements to the unit) created by the water penetration.

Individual co-owners are responsible for damage to their units caused by normal wear and tear, settling, cracking of walls and sewer backups.

Individual co-owners are responsible for reporting any condominium property in need of repair as soon as possible. Co-owners must notify the Board or the property manager prior to commencing any repair work for water penetration damage to the unit.

BOARD OF DIRECTORS OF
FAIRLINGTON MEWS COUNCIL OF
CO-OWNERS

By: (s) Rodger Bailey
Rodger Bailey, President

I hereby attest that this Policy Resolution was approved and adopted by the Board of Directors on January 24, 1994 and that this Policy Resolution was mailed or hand delivered to the address of record of the owners of Fairlington Mews Condominium on this 24th day of January, 1994.

(s) Frances Kerns
Secretary