

**ORCHARDS AT MARLBORO CONDOMINIUM ASSOCIATION
POLICY RESOLUTION REGULATING
DRYER VENT INSPECTION AND CLEANING**

WHEREAS, Article IV, Section 4.01 of the By-Laws grants the Board of Directors all of the powers and duties necessary for the administration of the affairs of the Association; and

WHEREAS, Article V, Section 5.01 paragraph (e) and Section 5.02 (a) of the By-laws provides that it is the duty of the Board to care and keep-up the Condominium, common areas, limited common elements and the facilities and to promulgate and enforce rules and regulations for the conduct of the owners, occupants and users of the condominium property; and

WHEREAS, Paragraph 4.02 of the Master Deed contains the description of the Items Included in the Units and provides that included within each unit are the fixtures, systems and other improvements located within the boundaries of the Unit or which are exclusively appurtenant to the unit, although all or part of the improvement may not be located within the boundaries of the unit; including All equipment, appliances, machinery, mechanical or other system, including HVAC systems which serve the Unit exclusively whether or not same are located with or without the unit and

WHEREAS, Paragraph 8.01 provides that each unit owner is responsible to perform all of the maintenance, repairs and replacements that may be required within the boundaries of his own unit, at his own expense, and in accordance with the requirements of the Master Deed and By-laws and any rules and Regulations of the Association. Further, Unit Owners are responsible for all of the improvements appurtenant to his unit described in Section 4.02; and

WHEREAS, it would be in the best interest of the Owner of each unit, as well as the entire community, if the dryer vents and fireplaces were inspected and cleaned on a regular basis; and

WHEREAS, the Board has determined that in order to promote the safety and general welfare of the entire community, the Association shall implement a program for the inspection of dryer vents and fireplaces every other year.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby adopts the following requirements to enhance the safety and the general welfare of the members of the Association:

A. The unit owners shall be responsible for engaging the services of a qualified inspection company for the purpose of inspecting the dryer vents and fireplaces in their units. Such inspection shall be completed whether or not the dryer vent or fireplace is used by the unit owner. The inspections shall take place every other year, to

be completed by October 1, 2005 and by the first day of October every odd numbered year thereafter.

B. All inspections and cleaning should be performed from within the unit where possible. If access to the roof is necessary, a qualified inspector will be permitted such access, upon notification to the Board and approval by the Board. The inspector will be required to sign an agreement to release the Association from liability and to indemnify the Association with regard to any damage or injury that may result from work on the roof. Any damage to the roof or exterior of the unit shall be the responsibility of the unit owner.

C. The inspection shall confirm the proper direction of the dryer vent or fireplace, whether the dryer vent or fireplace and flu are in need of repair or whether it is in need of cleaning. If the dryer vent or fireplace or flu is misdirected or in need of repair or cleaning, the dryer vent or fireplace or flu shall be properly directed, repaired and/or cleaned as necessary. The cost of such inspection, cleaning and repairs of the dryer vents or fireplace or flu shall be the sole responsibility of the unit owner.

D. The unit owner shall submit to the Association a certification of inspection, repair and cleaning of the dryer vents and fireplaces by October 31 of each year in which inspection is required.

E. Enforcement of this Resolution shall occur in accordance with the procedures established by the Association with regard to due process as provided for in the governing documents and any amendments or resolutions thereto.

F. Unit owners found in violation of this Resolution may be assessed a fine pursuant to Article X, Section 10.02 of the By-Laws. The fine shall be collected in the same manner as provided for in the governing documents for the collection of delinquent assessments.