

**AMERICANA CENTRE CONDOMINIUM, INC.**

**POLICY RESOLUTION NO. 2017-06-02**

**Resolution Related to Unit Owner Maintenance Obligations**

**WHEREAS**, Article V, Section 3 of the By-laws of Americana Centre Condominium, Inc.(hereinafter referred to as “By-laws” and “Council” or “Corporation,” respectively) states that “The Board of Directors shall have all of the powers and duties necessary for the administration of the affairs of the Corporation and the condominium project and may do all such acts and things as are not by law or by these By-laws directed to be exercised and done by the members;” and

**WHEREAS**, Article V, Section 3(d) of the Bylaws empowers the Board to promulgate and enforce rules and regulations “respecting the use, occupancy and maintenance of the project and the use of the general and limited common elements as are designated to prevent unreasonable interference with the use and occupancy of the condominium project and of the general and limited common elements by the members, all of which shall be consistent with law and the provisions of these By-Laws and the Master Deed;” and

**WHEREAS**, Article I, Section 1(a) of the Council’s Master Deed states:

“Unit” or “condominium unit” means an enclosed space consisting of one or more rooms occupying all or part of one or more floors in buildings of one or more floors or stories provided, always, that any such unit has a direct exit to a thoroughfare or to a common element leading to a thoroughfare. The lower vertical boundary of any such condominium unit in the project is a horizontal plane [or planes], the elevation of which coincides with the elevation of the upper surface of the unfinished concrete subfloor thereof extended to intersect the lateral or parametrical boundaries thereof. The upper vertical boundary of any such condominium unit is a horizontal plane [or planes], the elevation of which coincides with the lower surface of the unfinished concrete ceiling thereof, extended to intersect the lateral or parametrical boundaries thereof. The lateral or parametrical boundaries of any such condominium unit are the vertical planes which coincide with the unexposed surfaces of the perimeter dry-wall, fireplaces, plenums, windows and doors thereof extended to intersect with other lateral or parametrical boundaries of the condominium unit. Mechanical equipment and appurtenances located within any unit and designated to serve only that unit, such as furnaces, appliances, range hoods, outlets, electrical receptacles and outlet, fixtures, and the like, shall be considered a part of the condominium unit; and

**WHEREAS**, Article III, Section 1(d) of the Master Deed states:

Except as otherwise set forth on the Record Plat, the general common elements shall mean and include at least the following:

(d) the compartments or installations of central services such as power, light, gas, hot and cold water, central heating, compressors for air-conditioning [including those designed to serve only one condominium unit, provided such compressor is not located within such unit], pumps, and the like, including, but in no way limited to, all pipes, ducts, flues, chutes, conduits, cables, wires or other utility lines to the extent any of the same are not within any condominium unit; and

**WHEREAS**, Article VIII, Section 3 of the By-laws states:

Except for maintenance requirements herein imposed by the Corporation, if any, the owner of any condominium unit shall, at his own expense, maintain the interior of his condominium unit and any and all equipment, appliances or fixtures therein situate, and its other appurtenances, in good order, condition and repair, free and clear of ice and snow, and in a clean and sanitary condition, and shall do all redecorating, painting and the like which may at any time be necessary to maintain the good appearance of his condition unit and such appurtenances. In addition to the foregoing, the owner of any condominium unit shall, at his own expense, maintain, repair or replace any plumbing and electrical fixtures, water heaters, filters, fireplaces, plenums, heating and air-conditioning equipment, lighting fixtures, refrigerators, freezers, dishwashers, clothes washers, clothes dryers, disposals, ranges, range hoods, and/or other equipment that may be located within such condominium unit. The owner of any condominium unit shall also, at his own expense, keep any other limited Common Elements which may be appurtenant to such condominium unit and reserved for his exclusive use in a clean, orderly and sanitary condition.

**WHEREAS**, Article XI, Section 1 of the By-laws states:

Except for the original construction of the condominium units situate within the project by the Grantor and any improvements to any condominium unit or to the Common Elements accomplished concurrently with said original construction, and except for purposes of proper maintenance and repair or as otherwise in these By-Laws provided, it shall be prohibited to install, erect, attach, apply, paste, hinge, screw, nail, build, alter, remove or construct any lighting, shades, screens, awnings, patio covers, decorations, landscaping, fences, aerials, antennas, radio or television broadcasting or receiving devices, slabs, sidewalks, curbs, gutters, patios, porches, driveways, walls or to make any change or otherwise alter [including any alteration and color] in any manner whatsoever to the exterior of any condominium unit or upon any of the Common Elements within the project until the complete plans and specifications, showing the location, nature, shape, height, material, color, type of construction and/or any other proposed form of change [including, without limitation, any other information specified by the

Board of Directors or its designated committee] shall have been submitted to and approved in writing as to the harmony of external design, color and location in relation to surrounding structures and topography by the Board of Directors of the Corporation, or by an architectural control committee designated by it.

**WHEREAS**, Article VIII, Section 4 of the By-laws states:

Section 4. Windows and Doors. Unless the Board of Directors shall resolve that the exterior surfaces of all windows and/or glass entry doors of the condominium project shall be cleaned and maintained at common expense in accordance with a schedule determined by the Board of Directors, the owner of any condominium unit shall, at his own expense, clean and maintain the interior and exterior surfaces of all windows of the condominium unit and shall, at his own expense, clean and maintain both the interior and exterior glass surfaces of all glass entry doors of the condominium unit, including the interior and exterior surfaces of any door leading to any balcony, deck, terrace or patio appurtenant to such condominium unit and designated on the Record Plat as a limited common element reserved for the exclusive use by the owner of a particular condominium unit. The exterior surfaces of all other entry doors shall be cleaned and maintained at common expense in accordance with a schedule determined by the Board of Directors and the interior surfaces thereof shall be maintained by and at the expense of the individual condominium unit owners; and

**WHEREAS**, Section 11-109(d)(16) of the Maryland Condominium Act authorizes the Board to impose fines for violations of the Corporation's Master Deed, By-Laws and rules and regulations;

**NOW THEREFORE, BE IT RESOLVED** that the Board of Directors duly adopts the following maintenance policies:

**I. DOOR HARDWARE MAINTENANCE AND REPAIR**

- A. Unit Owners are required to maintain and replace all door hardware – interior and exterior – to unit doors as necessary to maintain a pleasing and well maintained appearance.
- B. Before replacing door hardware, unit owners must obtain the prior written approval from the Board of Directors of a committee established by the Board. Applications for the hardware should include the following:
  - 1. A description of the current door hardware (e.g. finish) and a good, color photo of the same.
  - 2. A description and photos or samples of the proposed new door hardware to be installed.
  - 3. Color photos of doors of adjoining units such that the door hardware is visible.
  - 4. The Board and/or the committee has the right to request additional documents and information in considering the application.

## II. REPLACEMENT AND REPAIR OF WINDOWS AND DOORS

- A. Unit Owners are required to maintain and repair the windows and doors in the units. Before replacing windows or doors, unit owners must obtain the prior written approval from the Board of Directors of a committee established by the Board. Applications for the replacement windows and/or doors should include the following:
1. A description of the current door or window (e.g. style and color) and good, color photos of the same.
  2. A description and photos or samples of the proposed new door and/or windows to be installed.
  3. Color photos of doors and/or windows of adjoining units
- B. The Council shall have the right to take on the exterior cleaning of the windows and sliding glass doors by resolution.
- C. The Council shall have the obligation to clean and maintain all non-glass unit doors which are exposed to the exterior of the unit.

## III. UNIT MAINTENANCE

Unit owners are responsible for the maintenance of all items located within the Unit as defined by the Council's governing documents. In addition, to the extent that unit owners have items that are outside the unit but which are the unit owners' responsibility to maintain, those items must be maintained in compliance with the Board's maintenance standards.

## IV. ENFORCEMENT

The Board of Directors shall have the right to enforce this resolution by all means available to it, including, without limitation, the imposition of fines after notice and an opportunity to be heard.

This resolution supersedes and replaces all prior resolutions related to the investments. The effective date of this Resolution shall be June 15, 2017

This resolution was adopted pursuant to §11-111 of the Maryland Condominium Act.

AMERICANA CENTRE CONDOMINIUM, INC.

  
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Janet Wilson, President

AMERICANA CENTRE CONDOMINIUM, INC.  
POLICY RESOLUTION NO. 2017-06-02

Resolution Type: Policy No. 2017-06-02

Pertaining to: Unit Owner Maintenance Obligations

Duly adopted at a meeting of the Board of the Americana Centre Condominium, Inc. held,  
June 1, 2017

Motion by: John Becker Seconded by: Janet Wilson

VOTE: YES NO ABSTAIN ABSENT

<u>Janet Wilson</u> Janet Wilson, President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Sam Brewster</u> Sam Brewster, Vice President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Debbie Jackson</u> Debbie Jackson, Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Shashi Koduru</u> Shashi Koduru, Treasurer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>John Becker</u> John Becker, Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Tyler Bennett</u> Tyler Bennett, Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>absent</u> Connie Mar-Pawloski, Director	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ATTEST:  
Debbie Jackson  
Secretary

June 30, 2017  
Date

Resolution effective: June 15, 2017.