

MAINTENANCE, REPLACEMENT AND INSURANCE RESPONSIBILITY MATRIX
FOR
TERRA COUNCIL OF CO-OWNERS

The following maintenance, replacement, and insurance responsibility matrix is aligned with and compliant with the Terra Council of Co-Owners (the “Association”) Declaration and other governing documents. Please note the following:

Maintenance by Association – The Association shall maintain the Common Elements.

- **The Common Elements include** all land and buildings except the Units and includes foundations; supporting columns; girders; beams; slabs; supports; dividing walls between two or more Units or between Units and Common Elements; roofs; exterior halls; lobbies; exterior walkways; exterior stairs; stairways; fire escapes; grounds; gardens; covered and open parking; carports; swimming pool; whirlpool; clubhouse; recreational facilities; maintenance storage rooms; electrical lines and cables up to the point of entry into the breaker box of a Unit; plumbing fixtures, pipes and lines installed in the walls of the Buildings or of a Unit; installations of all central services, including power, light, gas, water, heating, air conditioning and waste collection; tanks; pumps; motors; fans; compressors; ducts; driveways; and in general all apparatus and installations existing for the common use necessary or convenient to the operation, maintenance and use of the property as a condominium.

Maintenance by Individual Owner – An Owner shall maintain the portions of his/her Unit specified below.

- **The boundaries of each Unit shall include** interior surfaces of the perimeter walls, floors and ceilings and the exterior surfaces of Balconies. A Unit shall include the portions of the Buildings so described and the air space so encompassed, excepting Common Elements. Included within the boundaries of each Unit, without limitation, shall be any finishing materials applied or affixed to the interior surfaces of the interior walls, floors or ceilings (such as, but without limitation, paint, wallpaper, vinyl wall or floor coverings and carpets); interior walls; and all utility pipes, lines, systems, fixtures or appliances servicing only that Unit (whether or not within the boundaries of that Unit). The boundaries of each Unit shall be the interior surfaces of windows and doors, perimeter window frames and doors as well as door or window glass and hardware shall be part of each Unit and shall not be Common Elements. Visible and exposed plumbing fixtures, lines and pipes shall be part of the Unit in which they are located and shall not be Common Elements.

Insurance summary

- **The Association carries Property Insurance on the Buildings**, including the Units and the Common Elements, against loss or damage by fire and loss or damage by all risks now or hereafter embraced by standard extended coverage policies or endorsements thereto designed for insuring condominium regimes in the State of Texas. *See the Association’s Insurance Deductible Policy for further clarification.*
- **Each Owner shall be responsible for insurance on the contents of his/her Unit** and the furnishings, interior walls, appliances and all parts of the Unit not considered Common Elements, and personal property therein. Each Owner may also obtain insurance covering his/her personal liability.

With respect to both maintenance and insurance, please note the following:

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- **The Association is not responsible for damage due to willful acts or negligence.** An Owner is liable to the Association for the cost of repair to a Unit or common elements necessitated as a result of the negligence or willful acts of the Owner or his/her guest or tenant. The Association is also not responsible for alterations, modifications, or repairs made to the common elements by an owner associated with unit repairs, replacements, or remodeling. Example: An owner opts to replace windows, and window trim is replaced as part of the replacement. The owner who replaced the windows is responsible for ensuring that trim is properly installed and painted to match the building.
- **The Association maintains insurance per the specifications in the governing documents and Texas Property Code.** Damages due to a casualty loss, which is defined as a sudden, unexpected, or unusual event (e.g.: a storm or fire), do not necessarily follow the same guidelines as those for maintenance. In *some* cases, but not all, unit elements may be covered under the Association’s insurance.
- If a Unit is damaged due to a casualty loss and the damage or cost of repair falls below the deductible amount, the Owner of the Unit will be responsible for the cost to repair the Unit. In many circumstances, Owners are responsible for the cost of repairs to their Unit, despite the Association’s coverage of same, because the cost of damage falls below the insurance deductible. *See the Association’s Insurance Deductible Policy for further clarification.*
- **Individual Owners should obtain a condo owner’s policy** and/or a landlord policy. Tenants should consider a renter’s policy. The Association is not responsible for loss of use or rental income regardless of the cause of the loss or damage.
- **The Association is not responsible for personal contents in a Unit** including, but not limited to, floor coverings, cabinets and appliances or other fixtures inside the Unit when such items are damaged as a result of the failure of a common element, for example, a roof leak.

Item	Individual Owner	Assn. (“HOA”)	Notes
AC system	X		Includes AC drain lines Owners are responsible for water damage to other units or common areas caused by broken or malfunctioning AC systems
Chimney caps		X	
Doors (the door only)	X		Require board approval
Door jambs/frames	Replace as part of door replacement	Repair, external part only	HOA: periodic painting per paint schedule
Door knobs/locks/keys and other hardware including hinges	X		Owners are responsible for door adjustments if door sticks in frame due to maladjusted or loose hinges.

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Item	Individual Owner	Assn. ("HOA")	Notes
Door painting	If needed between periodic painting by HOA	Per HOA's schedule for repainting building	
Door thresholds, trim, weather-stripping & glass	X		
Driveways/asphalt		X	
Fencing – metal & wood		X	
Foundations		X	
Gutters & downspouts		X	NOTE: in heavy rain gutters and downspouts will overflow even if not clogged.
Clogged drain lines	From sink/toilet/tub to common drain line	From common line flowing out	
Electrical	All elements from and including the main breaker box (incl. meter)	Elements from Centerpoint's distribution box up to the meter	
Flooring	X		
Heat system	X		Includes ducts / exterior vent covers
Interior fixtures	X		
Lighting	Any fixture for which the Unit Owner has control of the switch including exterior porch/door lights	Fixtures in common area controlled by common timer or photo cells	Owner fixtures require board approval
Main Unit Breaker Box (Electrical Panel)	X		The main distribution point for electrical circuits in your unit

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Meter Box		X	Electrical meter used to measure the electric energy used by the unit
Painting - Exterior		X	
Item	Individual Owner	Assn. ("HOA")	Notes
Painting - interior	X		
Patio Area & Balconies	X		The HOA will maintain only those portions of balcony which are not a part of the Unit to which the balcony is attached.
Pipes & Fixtures in unit interior	X		Owners are responsible for water damage to other units or common areas caused by leaks originating in their unit.
Pipes in walls serving only one unit	X		Owners are responsible for water damage to other units or common areas caused by leaks originating in their unit.
Pipes in walls serving more than one unit		X	
Roof		X	
Sidewalks / Walkways		X	
Siding/stucco/brick		X	
Stair Railings		X	
Stairs	Interior, if any	Exterior	
Spigots (exterior) in Unit perimeter walls	If within fenced patio area	If outside of patio areas	
Sewage back up	From sink/toilet/tub to common drain line	From common line flowing out	If back up is caused by a Unit or Owner, the HOA may bill all costs of repair to the Unit
Shut off valve (for unit) if present	X		
Exterior building trim		X	

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Vents	X		If replacement is needed during prep work for re-roof or painting, the board may replace, and the Owner may be assessed.
Walls coverings	X		Includes paint, wall paper, texture, plaster, etc.
Walls – interior	X		
Item	Individual Owner	Assn. (“HOA”)	Notes
Walls – perimeter		X	Limited to providing “paint ready” sheetrock. Owner is responsible for paint or wall covering.
Water heater	X		Owners are responsible for water damage to other units or common areas caused by broken or malfunctioning water heaters.
Windows - glass	X		Require board approval
Windows - screens	X		
Windows – seal & trim	X		HOA caulks around external windows when painting.
Windows - sill	X		
Windows - frame/sash	X		