

**Park River West Condominium Association, Inc.**  
**Revised Deck Repair Policy, Revised as of February 20, 2023**

With the adoption of this policy by the Membership of Park River West Condominium Association, Inc. ("PRW") at the 2023 Annual meeting, the Deck Repair Policy of the Association adopted by the Board of Directors ("Board") and Members at the August 17, 2017, and amended on August 22, 2022, is revised and superseded.

1. **Unit Owners are Responsible for Deck Repairs.** Under the Condominium Declaration for Park River West Condominiums, ("Declaration") at Sections 3 and 11B to which PRW must comply, deck repairs are the responsibility of Owners and under the Declaration at Sections 1N and 3 Board Rules and Regulations adopted by the Board must be administered in a uniform and non-discriminatory manner.
  
2. **Architectural Control Over Deck Repairs.** Under the Declaration at Section 11E, the Board serves as the Architectural Control Committee for PRW and any decision it makes in that regard is final. It is the goal of the Architectural Control Committee to assure that decks are maintained consistently throughout PRW in terms of appearance, materials, and size.
  
3. **Process of Making Deck Repairs.** Under the Condominium Declaration at Section 11C., Unit Owners are expected to regularly inspect their decks to assure that they are safe, in good repair, and well-maintained. In the event, the Board becomes aware that a deck is in need of repairs, it will so notify the Unit Owner. Thereafter, the following process will be followed:
  - a. Within a reasonable time after discovering or receiving notice that a deck is need of repairs, not to exceed ninety (90) days, Unit Owners will contract a licensed, bonded and insured contractor to make deck repairs so that the decks are safe, in good repair and well-maintained.
  - b. Contracts between a licensed, bonded and insured contractor and the Unit Owner are exclusively between them and PRW is not a party to those contracts.
  - c. Obtaining any licenses or certificates from the City of Estes Park authorizing and repairing decks shall be between the Unit Owner and contractor.
  - d. Prior to starting work on the deck, the Unit Owner will provide the Board with plans for the repairs and, the Board, acting as the Architectural Control Committee, shall review them for approval at its next regularly scheduled meeting after receiving the plans so that decks are consistent with other units with the condominium complex in appearance, materials and size. The Board will notify the Unit Owner of any corrections it requires and/or its approval.
  - e. Upon Board approval and consistent with its recommendations, work may begin on the deck repairs.
  - f. The responsibility for paying the Contractor and keeping the Unit free of liens and encumbrances is exclusively on the Unit Owner.
  
4. **PRW Reimbursement Pays for One Deck Repair Per Unit.** Under previous Board policy adopted August 17, 2022, PRW authorized limited payment for one deck repair per Unit. Through

the first twenty-nine Units repaired the average cost to PRW was \$2,390 per unit. Decks having received their one deck repair are not eligible for reimbursement under this policy.

5. **Scope of PRW Reimbursed Deck Repair.** The one-time reimbursement by PRW is limited to up to \$2,500 per Unit and to repairing or replacing lateral joist deterioration and weather stripping on the top of joists caused by original construction not having strip weatherproofing on the top of lateral joists and/or lateral joists being constructed with non-treated wood. It does not cover the full costs of deck repairs.

6. **Process for Determining Reimbursement Amount.** Following completion of the deck repairs, the Contractor will provide PRW with a written estimate of the total costs of the deck repairs attributable to repairing or replacing rotted later joints and putting weatherproofing on the top of deck joists. If the Board disputes the amount of these estimated costs, it may obtain a second opinion from another contractor and, thereafter, the Board will make payment based on its determination of what the reimbursement should be between the two estimates and in no case more than \$2,500. Board decisions on the amount of reimbursement are final.

7. **Limited Deck Repairs are a Reasonable Common Expense.** The Board has determined that contributing to limited deck repairs is a reasonable common expense based on prior actions, the history of poor deck construction across all Units, and the history of partially contributing for one deck repair per Unit. PRW will budget \$15,000 per year as a capital expense in its Reserve Fund, for up to six deck repairs per year. In its discretion, the Board may carry forward for use in future years any amounts budgeted but unspent when less than six deck repair reimbursements were paid per year in prior years.

8. **Annual Budget for Deck Repairs.** Each budget year, not to exceed \$2,500.00 per unit will be reimbursed to Unit Owners for strip weatherproofing on top of joists and lateral joist replacement, who complete Board approved deck repairs and who have not previously had a one-time repair under earlier policy. Any other repairs or replacements to decks of any kind, other than strip weatherproofing on the top of joists and lateral joist replacement, are the expense of the Owner.

9. **Determining Priority for Reimbursement for Deck Repairs.** Priority will be annually based on a first come first served basis, limited to the amount annually reserved for deck repairs each year. Any amounts reserved each year for the explicit purpose of deck repairs, that are unspent, will be carried forward for reimbursements in following years. The Board may, in its discretion, use such carried-over funds, for limited reimbursement under this policy, to a Unit for deck repairs which has not previously had deck repairs reimbursed or paid by PRW.

10. **Further Responsibility After One-Time Reimbursement.** Any Unit receiving the Deck Repair reimbursement from the Association shall thereafter be solely responsible for deck repairs and PRW shall have no further responsibilities for deck repairs to that Unit, as stated in the Declarations.

11. **Safety Emergencies.** Nothing here shall prevent the Board in an emergency for safety reasons, as decided exclusively by the Board, from providing the one-time reimbursement not to exceed \$2,500, as adjusted, for weatherproofing and lateral joist replacement, out of reserves to a