

Beacon Hill Townhomes Condominium
Water and Sewer Line Responsibility
February 26, 2019

At some of the Annual Meetings of the Unit Owners, the Council would get the question as to who is responsible for the repair to an individual Unit's water or sewer line.

Council has had several discussions as to whose responsibility it is, but because we were a bit unsure, we contacted our Attorney to get his advice. In a brief explanation, he indicated after reviewing all our documents and referencing court precedents, that should an owner have a leak or damage issue, they must contact the Management Agent or a Council Member of the problem. It is then up to BHTC to acquire a contractor to have any necessary repairs done which would involve the lines between the exterior of the basement wall to the mains in the court. The Council has definitely determined that we certainly don't want any "willy-nilly" contractor digging up our lawns, curbing and blacktop and doing a poor job of patching it up after the repair. We must control that procedure to assure that the restoration is done properly. However, the lawyer did state that according to our Code of Regulations, BHTC does have the legal right to assess the homeowner for the cost of the repair because it involves a specific owner's limited common element. Since we have yet to experience such a situation here in our condo, we have not had to face that actuality. Accordingly, Council cannot give a pat answer, because it might depend on the circumstances of what caused the repair to be necessary. For example, if we had an earthquake and several lines were damaged, it would likely be BHTC to accept the responsibility and cost of the repair. If it were to be determined that the repair was caused by the owner (or anyone hired by an owner, such as a contractor, etc.) or if it were caused by tree roots of a tree on the owner's limited common element or the general common elements, then Council might possibly decide to assess the owner the cost because it would apply to only that specific owner's line.

In addition, please be advised, after some research done by Dick Stausebach, it was determined that the solicitations frequently received in the mail offering an insurance policy on your water and/or sewer line do not apply to condominium communities.

Council for the Beacon Hill Townhomes Condominium