

YRVLCC 968 Declaration Article V

MAINTENANCE AND REPAIRS

5.1 Repairs and Maintenance by Owner

(a) Each Owner shall maintain his Unit subject to the provisions of this Declaration, each Owner shall repair his Unit after damage and all improvements and betterments made or acquired by an Owner, all at his own expense. The Owner's maintenance and repair obligations shall include the landscaping of the front, rear and side yards including patios, walkways and driveways within the unit boundaries but shall not include cutting and watering of lawns and snow removal from driveways. Each Owner shall keep the exterior of his Unit in a clean and slightly condition.

(b) The Corporation shall make any repairs that an Owner is obliged to make and that he does not make within a reasonable time and in such an event, an Owner shall be deemed to have consented to having said repairs done by the Corporation, and an Owner shall reimburse the Corporation in full for the cost of such repairs, including any legal or collection costs incurred by the Corporation to collect the costs of such repairs, and all such costs shall bear interest at the rate of eighteen (18%) percent per annum calculated monthly until paid by said Owner. The Corporation may collect all such costs in such instalments as the Board may decide upon. The instalments shall form part of the monthly contributions towards the common expenses of such Owner, after the Corporation has given written notice thereof. All such payments are deemed to be additional contributions towards the common expenses and recoverable as such.

(c) Each owner shall have the right to enter on the Property comprising part of an adjoining Unit, on reasonable notice, for the purpose of maintaining and repairing his Unit.

5.2 Responsibility of Owner far Damage

Each Owner shall be responsible for all damage to any and all other Units and to the Common Elements, which is caused by the failure of the Owner to maintain and repair his Unit. and such parts of the Common Elements for which he is responsible or caused by the negligence or willful misconduct of the Owner, his residents, tenants, licensees, or invitees, save and except for any such damage for which the cost of repairing same may be recovered under any policy of insurance held by the Corporation.

5.3 Repair and Maintenance by Corporation

The Corporation shall maintain and repair the Common Elements at its own expense, however, the Corporation shall not be responsible for those parts of the Common Elements which are required to be maintained and repaired by the Owners pursuant to paragraph 1 of this Article V. The Corporation shall also remove snow from driveways and cut and water lawns within the Units.