

May 25, 2018

Dear River Oaks Condominium Owner:

The siding on a number of Units in River Oaks Condominium, Inc. (the "Association") was damaged as result of storms with high winds in recent months. Pursuant to Maryland law and the Association documents, the Association must repair the siding, however the Owners of the damaged Units are responsible for the first \$5,000.00 of the replacement costs and will be billed by the Association.

The Unit exteriors are not common elements. Pursuant to Art. V, Section 5(c) of the Declaration of River Oaks Condominium (the "Declaration"), the exterior of the Unit, including all exterior siding is part of the Unit. Maintenance, repair and replacement of siding therefore is the responsibility of the Owner.

Section 11-114(g) of the Maryland Condominium Act (the "Act") provides that the case of an insurable event, the Association shall repair the units and common elements. However the statute goes on to state that in the case of an insurable event, like the recent storms, if the cause of the "damage or destruction of any portion of the condominium originates from the common elements, the deductible is a common expense." If the cause of any damage or destruction of any portion of the condominium originates from the Unit, the Owner is responsible for the first \$5,000.00 in damages and any additional deductible over and above is a common expense and the responsibility of the Association. The Association master policy currently has a \$25,000.00 deductible. Owners are responsible for the first \$5,000.00 in repairs for each Unit, and if the repair costs exceed that amount, the Association is responsible for the next \$20,000.00 in repairs.

An Owner that lost siding should contact their insurance provider and submit a claim under their HO-6 policy. For those Owners that have filed HO-6 claims with their carrier but been denied, make sure the insurance company understands that the siding is part of the Unit, and the responsibility of the Unit Owner.

With the recent storms, siding was lost due to the age of the siding, and because of failing nails and fasteners. The common elements were not the cause of the damage. As a result, the Association cannot use Association funds to repair the siding until the cost of the Unit's siding repair exceeds \$5,000.00.

Please be advised too, that the original siding on the Units is almost 20 years old. Because siding has only a 20/25-year useful life, the Association is considering mandating siding replacement starting in 2025. If an Owner is considering replacement of their siding, please know that the original siding on Units was installed with no waterproof barrier beneath it. The Anne Arundel County Code now requires a waterproof barrier be installed beneath siding if 51% or more of your siding is replaced on a wall. This barrier insulates and waterproofs the Unit.

The ROCA Board has authorized Victory Management to select a siding installer to make the necessary repairs. The brand name, color and type of siding is available and an order will be placed as soon as the installer determines the needs. Repairs of the siding will commence in June, 2018.

Please contact Mirga Dulys, the Association's Property Manager at Victory if you have any questions or wish to discuss - 443-249-0172 ext. 13 or by email at mirga@victorymgt.com.

Respectfully,

Joe Kolb
President
River Oaks Condominium Association Inc.