

La Florentine at Renaissance – La Jolla

SOLAR ENERGY POLICY

When requesting to install a solar energy system on Common Area roof shared by more than one homeowner, pursuant to Civil Code §§714 and 714.1, the following requirements apply pursuant to Civil Code §4746:

1. The applicant Owner must notify each other Owner of a condominium in the building on which the installation will be located of the application to install a solar energy system.
2. The applicant Owner and each successive Owner of the same condominium must maintain a homeowner liability coverage policy at all times and provide the Association with a corresponding certificate of insurance within 14 days of approval of the application and annually thereafter.
3. The architectural Application to install a solar energy system must include a solar site survey including a determination of an equitable allocation of the usable solar roof area among all Owners sharing the same roof, garage or carport, as applicable. The solar site survey and its proposed equitable allocation of usable solar roof area will be considered by the Committee or Board in making all decisions on the application.
4. The solar site survey must be prepared by a licensed contractor, or the contractor's registered salesperson, knowledgeable in the installation of solar energy systems to determine usable solar roof area.
5. The solar site survey and the costs to determine useable space shall not be deemed as part of the cost of the system as used in Civil Code §714. The Association may retain the services of an independent expert to review the findings of the Owner's salesperson at the Association's sole expense.
6. The applicant Owner and all successive Owners are responsible for all of the following:
 - a. Costs for damage to the common area, exclusive use common area, or separate interests resulting from the installation, maintenance, repair, removal, or replacement of the solar energy system.
 - b. Costs for the maintenance, repair and replacement of solar energy system until it has been removed and for the restoration of the common area, exclusive use common area or separate interests after removal.
 - c. Disclosing to prospective buyers the existence of any solar energy system of the Owner and the related responsibilities of the Owner under this section.
7. The applicant Owner and all successive Owners must reimburse the Association for any cost of maintaining, repairing or replacing any roof or other building components the Association incurs due to the installation, use, operation or removal of any solar energy system.
8. The applicant Owner and all successive Owners must indemnify, defend and hold the Association and its members harmless for all loss or damage caused by the installation, maintenance, or use of the solar energy system. An indemnity agreement will be provided by the Association and said agreement shall be recorded with the County Recorders office. The cost associated with providing said indemnity agreement will be at the expense of the homeowner. A fee of \$350 will be required as part of the submission process.
9. The Committee, and the Board on reconsideration, may impose any other reasonable conditions of approval as they might deem appropriate under the circumstances. One such condition of approval is that the applicant Owner and the Association, through its Board, execute a recordable covenant setting forth all other conditions of approval regarding the installation, use, operation and removal of the solar energy system. Full execution, with notarized signatures, of such recordable covenant, is a pre-condition to commencement of installation of the solar energy system. The fully executed and notarized covenant will be recorded in the official record of the County Recorder of the County of San Diego, California.