

LA FLORENTINE AT RENAISSANCE LA JOLLA
PROPOSED POLICY FOR PATIO/COURTYARD DAMAGE

The following is a proposed policy addressing damage to Exclusive Use Common Area Patios/Courtyards due to Common Area trees:

1. Owners have an obligation to frequently inspect their Exclusive Use Common Area Patio/Courtyards for any potential damage that may occur due to a Common Area tree or otherwise. Any damage, or potential damage, to an Owner's Patio/Courtyard (e.g., visible cracks and/or uneven surfaces, overhanging branches, potential tree root invasion, etc.) must immediately be reported to the Association. The Association is not responsible for Patio/Courtyard damage caused by a delay in reporting any potential or actual damage to the Patio/Courtyard.
2. The Association is only responsible to repair damage to the Patios/Courtyards that occurs due to Common Area trees.
3. If a Common Area tree results in damage to a Patio/Courtyard, the Association will reimburse Owners for the reasonable cost to repair the portions of the Patio/Courtyard that sustained damage. Prior to commencing repairs, Owners must notify the Association of the cost to perform such repairs and the Association has the right to have its contractors inspect the damaged areas to provide a cost estimate.
4. The Association is not responsible for the difference in cost to upgrade Patio/Courtyard coverings from the original Patio/Courtyard coverings. The Association is not responsible for any costs incurred to match portions of the Patio/Courtyard coverings that were not damaged by Common Area trees, whether in color, material, texture, etc.