

Termite Infestation Policy

This policy conforms to the California Civil Code, Section 1364.

1. The Association is responsible for the repair of damage to the exterior siding of the buildings, including that caused by termites and/or other wood-destroying pests, except that damage resulting from negligent actions of the homeowner is the homeowner's responsibility.
2. Examples of homeowner negligence might include, but not be limited to, storing termite-infested firewood on the premises, letting debris collect against the siding, adding improvements without proper flashing, piercing the exterior surfaces with nails or other objects that damage the surface, and/or hanging ornaments on the siding in a way that allows water to collect and damage to occur.
3. To assure architectural uniformity, the Association will repair the exterior damage caused by homeowner negligence and assess that owner for reimbursement. All internal and alternative dispute resolution procedures are available to a homeowner who disputes a finding by the Association.
4. The homeowner is responsible for any damage, including pest damage, to the interior of a home as well as damage to the doors, windows, trim, frames, screens, the exterior sheathing, underlayment, and insulation unless that damage resulted from provable gross negligence of the Association.
5. The Association will enforce the removal of termites and other wood destroying pests. This may involve relocation of occupants and the tenting of a building. If such action is necessary, the Association will give written notice to each affected occupant no less than 15, but no more than 30 days before they must vacate their building. Homeowners are responsible for finding their own accommodations while pest removal is in progress, and are personally responsible for any expenses they incur.
6. The homeowner will be required to eradicate termites from the interior of a home before the Association will replace the siding in those cases where the Association accepts responsibility for siding repair.
7. If an infestation that spreads from one home to another was caused by homeowner negligence, that homeowner is responsible for all repairs, both inside and out, for all affected homes. Responsibility for all interior damage will be resolved between the affected homeowners except that the Association will enforce corrective action.