

Buffalo Commons Multi-Family HOA HOA vs. Owner Responsibility Guide

Based on the 2017 Restated Covenants and the 2024 First Amendment

1. HOA / ASSOCIATION RESPONSIBILITIES

1.1 General Common Elements - Maintenance

- 1.1.1 Exterior siding
- 1.1.2 Roofs and roof shingles
- 1.1.3 Gutters
- 1.1.4 Entrance streets
- 1.1.5 Driveways
- 1.1.6 Sidewalks
- 1.1.7 Front steps
- 1.1.8 Lawns and landscaped areas
- 1.1.9 Multi-Family Common Area

1.2 Landscape and Irrigation Systems

- 1.2.1 Routine maintenance of landscaped areas
- 1.2.2 Landscape sprinkler distribution lines
- 1.2.3 Individual sprinklers
- 1.2.4 Master control boxes
- 1.2.5 Individual zone control boxes
- 1.2.6 Supply lines from the termination point of the City water supply main

1.3 Common Fencing and Utilities

- 1.3.1 Common fence running the full length of the northernmost boundary
- 1.3.2 Central service installations for power, light, gas, water and sewer located within utility easements, except portions designated as Limited Common Elements

1.4 Replacement Cost Share for Certain General Common Elements

- 1.4.1 HOA pays 40% of the replacement cost of exterior siding
- 1.4.2 HOA pays 40% of the replacement cost of roof shingles
- 1.4.3 HOA pays 40% of the replacement cost of driveways leading to individual garages
- 1.4.4 HOA pays 40% of the replacement cost of sidewalks and steps leading to individual Townhouses
- 1.4.5 HOA pays 40% of the replacement cost of entrance streets

1.5 Insurance - Association Master Policy

- 1.5.1 Maintain fire and other hazard insurance in force at all times
- 1.5.2 Pay master-policy premiums from Association assessments
- 1.5.3 Insure all Common Elements and improvements at 100% of current replacement cost, subject to policy terms and exclusions
- 1.5.4 Cover insured losses involving the Common Elements, including the exterior to the framing of the Townhouses
- 1.5.5 If a damaged or destroyed Townhouse is covered under the Association policy, the Association coverage rebuilds the shell

1.6 Damage or Destruction of Common Elements

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- 1.6.1 Arrange for and supervise prompt repair and restoration of insured Common Elements
- 1.6.2 Obtain estimates when required and pursue repair or reconstruction of damaged Common Elements

2. OWNER RESPONSIBILITIES

2.1 Interior Maintenance, Repair and Replacement

- 2.1.1 Keep the interior of the Townhouse in good repair
- 2.1.2 Foundation
- 2.1.3 Structural elements of the walls
- 2.1.4 Basement
- 2.1.5 Entrances and basement entrances
- 2.1.6 Windows
- 2.1.7 Exterior doors
- 2.1.8 Plumbing and plumbing fixtures
- 2.1.9 Electrical wiring, electrical fixtures and lighting fixtures
- 2.1.10 Heating system
- 2.1.11 Air-conditioning system, including the condensing unit

2.2 Limited Common Elements

- 2.2.1 Decks
- 2.2.2 Deck supports
- 2.2.3 Deck beams
- 2.2.4 Deck railings
- 2.2.5 Patios
- 2.2.6 Patio fences
- 2.2.7 Utilities designated as Limited Common Elements
- 2.2.8 Maintenance, repair, replacement and upkeep of Limited Common Elements reserved for that Townhouse

2.3 Deck and Patio Upkeep

- 2.3.1 Keep private decks and patios clean, safe and orderly
- 2.3.2 Timely removal of accumulated snow from private decks and patios

2.4 Owner Share of Replacement Costs

- 2.4.1 Owners within a Townhouse building share equally in 60% of the replacement cost of exterior siding for their building
- 2.4.2 Owners within a Townhouse building share equally in 60% of the replacement cost of roof shingles for their building
- 2.4.3 Individual Owner pays 60% of the replacement cost of sidewalks and steps leading to that Owner's Townhouse
- 2.4.4 Individual Owner pays 60% of the replacement cost of the driveway leading to that Owner's garage
- 2.4.5 Owners benefiting from an entrance street share equally in 60% of the replacement cost of that entrance street

2.5 Landscaping Upgrades

- 2.5.1 Owner pays for any Owner-requested landscaping upgrade approved by the Architectural Review Committee
- 2.5.2 The HOA continues routine maintenance of an approved upgraded landscaped area

2.6 Damage Caused by Owner or Related Parties

- 2.6.1 Owner pays the expense of Common Element repairs made necessary by the Owner's intentional act, negligence, carelessness or improper use
- 2.6.2 Owner is also responsible when such damage is caused by the Owner's employees, agents, business invitees or tenants
- 2.6.3 Owner must promptly notify the Association in writing of any known accident or defect requiring repair

2.7 Owner Insurance

- 2.7.1 Maintain an owner's policy insuring the interior of the Townhouse
- 2.7.2 Sheetrock / drywall
- 2.7.3 Decorated or finished surfaces
- 2.7.4 Cabinetry
- 2.7.5 Flooring
- 2.7.6 Fixtures
- 2.7.7 Anything related to the interior unit as a whole
- 2.7.8 Personal liability coverage
- 2.7.9 Owners are also recommended to insure personal property such as furniture, clothing, artwork and jewelry
- 2.7.10 If an insured loss is covered by the Association policy, the Owner is responsible for reconstructing the interior of the Unit

Important Note: The 2024 First Amendment replaced Article XI, Sections 2.1 and 2.2 regarding insurance. The maintenance and replacement-cost provisions in the 2017 Restated Covenants remain in effect except where specifically amended.

QUICK REFERENCE TABLE

This table summarizes the primary maintenance, replacement-cost, and insurance responsibilities described above.

Item	HOA	Owner
Exterior siding - maintenance	HOA	
Exterior siding - replacement cost	40%	60% - affected building Owners
Roof / shingles - maintenance	HOA	
Roof / shingles - replacement cost	40%	60% - affected building Owners
Gutters	HOA	
Entrance streets - maintenance	HOA	
Entrance streets - replacement cost	40%	60% - benefiting Owners
Driveways - maintenance	HOA	
Driveway replacement cost	40%	60% - individual Owner
Sidewalks / front steps - maintenance	HOA	
Sidewalk / step replacement cost	40%	60% - individual Owner
Lawn and routine landscaping	HOA	
Owner-requested landscaping upgrades		Owner
Irrigation / sprinkler system	HOA	
Northern common fence	HOA	
Decks		Owner
Deck supports / beams		Owner
Deck railings		Owner
Patios		Owner

Item	HOA	Owner
Patio fences		Owner
Snow removal from private deck / patio		Owner
Foundation		Owner
Structural wall components		Owner
Windows		Owner
Exterior doors		Owner
Interior plumbing / fixtures		Owner
Interior electrical / fixtures		Owner
Heating system		Owner
Air conditioning / condensing unit		Owner
Interior finishes / drywall		Owner
Cabinetry		Owner
Flooring		Owner
HOA master insurance - shell / exterior to framing	HOA	
Owner insurance - interior reconstruction		Owner
Personal property insurance		Owner
Damage caused by Owner / tenant negligence		Owner