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ROLLING HILLS CONDOMINIUM ASSOCIATION, INC.  
POLICY RESOLUTION No. 2009-2


Dryer Vent Cleaning and Certification


WHEREAS, Article V, Section 10 of the By-Laws states that "The Board of Trustees shall have and exercise all lawful powers and duties necessary for the proper conduct and administration of the affairs of the Association and the operation and maintenance of a residential Condominium project and may do or cause to be done all such other lawful acts and things as are not by law, by these By-Laws or otherwise, directed or required to be done or exercised by members of the Association or owners of units, or by others."

WHEREAS, the By-Laws requires each member to comply strictly with the By-Laws and the administrative rules and regulations adopted pursuant thereto as either may be amended lawfully from time to time; and

WHEREAS, Bylaws Article IV, Section 1 expressly states that "each Member shall perform promptly as at his own risk, cost and expense, all maintenance and repair work with respect to the portion of each unit owned by him which does not comprise a part of the common elements and which, if omitted, would adversely affect or jeopardize the safety of the Condominium in which he unit is located or any part or parts thereof belonging in whole or in part of other members and each member shall be liable for any damages, liabilities, costs or expenses, including attorney's fees, caused by or arising out of his failure to promptly perform any such maintenance and repair work"; and

WHEREAS, Bylaws Section 9 states in relevant part that "Nothing shall be done or kept in any unit or common elements which shall increase the rate of insurance of any other buildings" and further, that "No owner shall permit anything to be done or kept in his unit or in the common elements which will result in the cancellation of insurance on any of the buildings or contents thereof, or which would be in violation of any law"; and

Prepared by:   
Alan Y. Lowcher, Esq., An Attorney  
at Law of New Jersey

  
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Erma Gormley  
Sussex County, NJ

**WHEREAS**, the Board of Trustees is advised and believes that dryer vent tubing serving the dryers and venting the excess dryer heat of the individual unit owner's dryer must be cleaned on a regular basis to prevent the build up of lint which may be a cause of combustion;

**WHEREAS**, the maintenance, repair, and replacement of the dryer vent tubing and removal of the dryer vent lint build up is the strictly the unit owner's responsibility; and

**WHEREAS**, the Board has determined that in order to promote public safety and general welfare of the unit owners a system of regular dryer vent tubing cleaning and certification is necessary,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby adopts the following requirement to enhance the safety and general welfare of the unit members of the Association:

1. Maintenance, repair or replacement of the dryer vent tubing is solely that of the owner.
2. Every two years, the Unit Owner shall cause the cleaning and inspection of the dryer vent tubing as follows:
  - a. The Owner of each unit in the Association shall be required to have the dryer vent tubing cleaned and inspected by January 1<sup>st</sup> every two years.
  - b. The dryer vent tubing cleaning and inspection shall be performed by a qualified inspector from the exterior of the condominium unit in order to facilitate the prompt and expeditious inspection of the dryer vents with a minimum of inconvenience to the unit owner. "Qualified inspector" means someone regularly engaged in the cleaning and inspection of dryer vent tubing. The certificate of inspection (or substantially equivalent form provided by the qualified inspector) will be provided to the Association within thirty (30) days after the inspection.
  - c. Since this is a matter of public safety whereby the actions of one unit owner may adversely affect other condominium unit owners and the condominium as a whole, and, furthermore, since the inspection and cleaning is undertaken from the exterior of the unit, the Association shall designate the "qualified inspector" and shall use its best efforts to secure a "bulk" pricing for this work. The Association shall cause the qualified inspector to prepare and submit written documentation that the dryer vent

tubing was cleaned and inspected. The cost of this work shall be the responsibility of the Unit Owners.

d. If any dryer vent tubing and related equipment requires maintenance, repair or replacement, the Association shall notify Unit Owner to undertake all required work and submit written documentation to the Association within thirty (30) calendar days. Management shall maintain a copy of all inspection and cleaning certificates and maintenance, repair and replacement documentation in the unit owner file in order to facilitate this procedure.

4. If any owner fails to act in accordance with this Resolution, the owner shall be fined \$50.00 per day that the owner does not comply with this Resolution. Each 24 hour period in which the owner is in violation of this Resolution shall constitute a separate violation. Cumulative fines shall not exceed \$5,000.00.

5. This Resolution shall be effective immediately upon signing.

  
\_\_\_\_\_  
Ron Lorman, President

ATTEST:

Beverly Jones  
Beverly Jones, Secretary

#### CERTIFICATION

I hereby certify that the foregoing was duly adopted at a regular meeting of the Board of Trustees of Rolling Hills Condominium Association, Inc. held on January 26<sup>th</sup>, 2009.

Beverly Jones  
BEVERLY JONES, SECRETARY

STATE OF NEW JERSEY )  
COUNTY OF SUSSEX ) SS:

I CERTIFY that on January 26<sup>A</sup>, 2009, Beverly Jones personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Secretary of Rolling Hills Condominium Association, Inc., the corporation named in this document;
- (b) this person is the attesting witness to the signing of this document by the proper corporate officer who is Ron Lorman the President of the corporation.
- (c) this document was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its Board of Trustees;
- (d) this person knows the proper seal of the corporation which was affixed to this document; and
- (e) this person signed this proof to attest to the truth of these facts.

Beverly Jones  
Beverly Jones, Secretary

Signed and sworn to before  
me on January 26, 2009.

Alan Y. Lowcher  
ALAN Y. LOWCHER, ESQ., An  
Attorney at Law of New  
Jersey

Record and return to:  
Alan Y. Lowcher, Esq.  
19 Rymon Road  
Washington, New Jersey 07882

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02/17/2009 11:31:32 AM RESOL  
Recording Fee: \$60.00  
Tax Fee: \$.00  
Consideration: \$.00  
Buyer's Fee: \$.00  
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