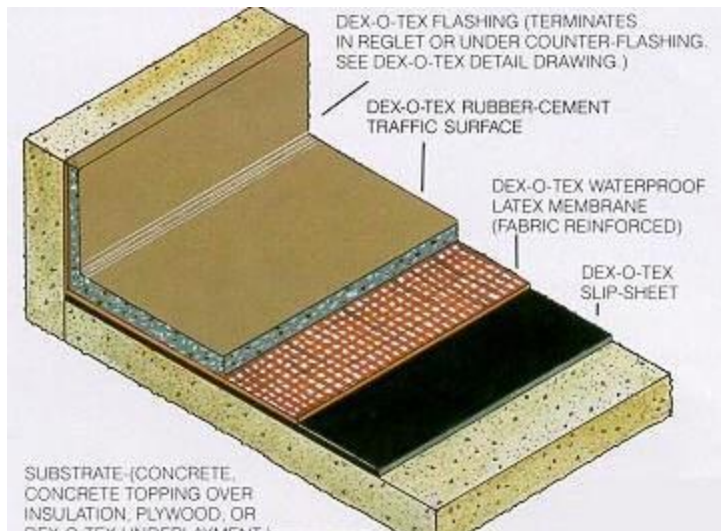


Sea View Villas: Western Balcony Deck Maintenance (2/25/2023)

Many Sea View Villas homeowners have expressed confusion about how to maintain their western decks and who's responsible for that maintenance. The goal of this document is to clarify this issue.

Background

Each elevated western deck has a Dex-O-Tex layered waterproofing system installed on it. The image below should give you a sense of how the waterproofing is constructed in multiple layers. **The final layer is a single component self-crosslinking acrylic waterproofing sealer called AJ-44XL (BRIGHT GRAY, see image below) Topcoat. Maintenance of this top-coat is critical to preventing leaks.**



The following information comes directly from the Dex-O-Tex website (<https://dex-o-tex.com/>):

- Do not lay rubber mats or exterior carpet-type surfacing over AJ-44XL. In order to function properly, AJ-44XL must “breathe”. Prolonged coverage with impermeable matting may result in “bubbling” of the AJ-44XL surface. Avoid heavy point loads being applied directly to the deck. Do not expose the deck covering system to harsh chemicals or acids. Do not subject the deck covering to continuous heavy rolling loads

- Over a period of time you will need to reseal with Dex-O-Tex AJ-44XL. This is required when traffic patterns become visible in the decking. This should be approximately 5 to 7 years in normal traffic areas.

Homeowner Responsibility

Each homeowner is responsible for the care and maintenance of their decks. This has been explained multiple times in the HOA Minutes and is detailed on the SVV website in the “Jackson Tidus Opinion Letter” from 2010. In practice, this means **each homeowner is responsible to resurface the top-coat as needed.**

If you neglect to resurface your deck, small hairline cracks will appear. These cracks are due to normal movement of the buildings as well as prolonged exposure to water and sun. They are a normal part of wear and tear and need to be maintained similar to any part of a home.

While this work can be performed by the owner (it requires cleaning, sanding, and then proper application of the sealer), the HOA has a preferred deck resealing vendor (on the website) that you can contract with to reseal your deck for around \$1500, depending on repairs that may be necessary to your specific deck.

Water Intrusion Project

Some of the confusion around deck maintenance is due to the ongoing (and hopefully concluding this year) water intrusion retrofits. Please note that the water intrusion issues were primarily due to poorly installed windows / doors / decks / waterproofing / flashing dating back to the 1980s. The water intrusion projects focused on replacing windows and doors on the deck wall, opening up wing walls and replacing wood framing and building paper where necessary, and finally rebuilding the layers of the decks. In most cases, a leaking deck has nothing to do with the water intrusion project, especially if the unit has already been retrofit.

HOA Responsibilities

The HOA is responsible for leaks related to the “deck edges”. There are a variety of items related to the edges that the HOA is responsible for including the railing system, stainless steel flashing which can rot over time, penetrations of the flashing by the railing and gutters which can expand and let water in, and broken gutters which can cause leaks.

If one of these items fails, and if the HOA, upon inspections, potentially by a waterproofing and/or deck expert, agrees that the failure is not the result of negligence on the part of the homeowner, then the

HOA will pay to repair that portion of the deck edge that failed. **Repair of the failed portion does not include a complete resurfacing of the deck.** That is still the responsibility of the homeowner.

Additionally, if there is any water damage due to the leak inside your unit or an adjacent unit, that is the responsibility of each homeowner and their condominium insurance policy which each homeowner is required to maintain. The HOA does not have coverage for this type of interior damage.

Leaks From Your Neighbor

Because this building was constructed in such a way that many of the decks are on top of another owner's unit, water leaking from your deck can cause damage to your neighbor's interior. The leaks may be visible or may not be seen until damage is done to the interior of a wall or ceiling, potentially causing dry rot over time. In this situation, the homeowner with the interior damage would still make a claim against their own policy and their insurance company could subrogate against their neighbor's policy if the insurance company believed the neighbor was negligent in their deck maintenance.

Conclusion

We hope this clarifies the situation and responsibility of our decks. Resurfacing your deck every 5-7 years (or more often in some cases as excessive use and/or lack of maintenance of your gutters can hasten the deterioration of your deck) is a reasonable cost of maintaining what we believe are the most beautiful views in all of the city. Most of the decks were rebuilt 6-10 years ago with no maintenance performed in the interim. The board encourages owners to inspect your decks and arrange to have your deck examined and possibly resurfaced. If you have further questions, please reach out to the board at svvhermosa@gmail.com