

## **Altamira Policy for Defective Terraces**

### **Scope**

This policy covers all terraces of the residential properties of Altamira. It defines the general responsibilities for maintenance and repair. It takes account of the Altamira Statutes, the Law on Horizontal Living and was formulated taking into account legal advice and the recommendations of our Management Company SAGESA.

The aim is to have an equitable process that is fair to individual owners and the community of owners as a whole. The program of maintenance and repair will, as is normal, increase as Altamira becomes older. This policy is necessary to set out definitions, responsibility and a process in order that this program can be better managed.

This policy is not retrospective.

### **Definitions**

1. The two Altamira buildings each have a common roof. These are part of the structure so responsibility for maintenance and repair is with the Community.
2. The internal areas of the apartments belong to the Owner. Responsibility for maintenance and repair is with the Owner.
3. Terraces and planters are part of the Community structure but are for private use. There is shared responsibility; the Owners are responsible for general maintenance whilst the Community is responsible for structural repair.

### **Terraces**

#### **Owners**

To prevent problems such as water leaking, owners are required to maintain their terrace in good repair. This includes maintaining the drains, replacing cracked or broken tiles, repairing any defective grout and maintaining a water seal between the floor and the wall. Over time some areas of the terrace may become porous such as the grouting and marble surround. Where necessary a waterproofing solution may need to be applied to ensure integrity of the surface and prevent damage to the structure below.

#### **Community**

The structure of the building includes the concrete floor/ceiling of the terraces and the waterproofing membrane upon which the terrace surface is built.

### **Responsibilities**

Above is a general description of the responsibilities. It is not intended to be exclusive but for the purposes of this policy the responsibility is for practical purposes divided:

- Structural problems are a responsibility of the Community
- Maintenance problems are a responsibility of the Owner

## **Decision Making**

### **Local Staff**

When a problem is identified initial investigation will be undertaken by our own staff and those locally who have some understanding. In conjunction with the Owner it might be necessary to conduct some tests, following which it may be possible to agree a course of action. It will be in everyone's interest to seek the least invasive and least expensive solution. The aim will be to seek an agreed plan.

### **External Expert**

Where the problem is beyond our local staff or where there is dispute as to responsibility then an external expert will be appointed by the Community. The expert will be asked to provide an opinion as to the cause, remedy and responsibility of the problem and whether that belongs to the Owner, the Community or should be shared.

## **Insurance**

This policy does not cover insurance. The Community has an insurance policy to cover the structure and most owners will also have a personal policy. Experience shows that neither of these can be relied upon to pay on all occasions. It is understood that insurance companies will often pay for "consequential" damage, e.g. damage caused by a leak, but not for the cause of the leak. Many companies have a policy of delaying dealing with consequential damage until the underlying cause is remedied.

## **Implementation**

The Board will have a protocol to implement this policy to ensure all cases are treated with consistency. Owners should be aware that all initial efforts would be to ensure the upper surface is watertight and they might be liable for some costs. Where best efforts to achieve a watertight surface have failed and it is concluded there is a structural problem then the costs will fall to the Community.

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<http://altamira-rioreal.eu/publications/publications.html>