

**COUNCIL OF UNIT OWNERS**  
**Rock Creek Gardens Condominium**  
**Silver Spring, Maryland**  
**COMMUNITY RULES AND REGULATIONS**

<i>Rule No.</i>	<i>Title</i>	<i>Effective Date:</i>	<i>Page</i>	<i>No of pages</i>
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<i>Bylaw Reference(s)</i>		<i>Maryland Condominium Act Reference(s)</i>	<i>Montgomery County Code Reference(s):</i>	
Article X Sections 3 and 4		Section 11-108.1, 11-111(d)	Sec 8-3; 8-5(a); 22-96	

4-1. PURPOSE

This rule describes the respective maintenance responsibilities of the [Council of Unit Owners](#) and individual unit owners, and identifies specific maintenance requirements that apply to residential [units](#). The scope of this rule does not include renovations, alterations, and capital improvements, which are addressed in [Rule 3](#).

4-2. POLICY

- a. The Council of Unit Owners, through the [management agent](#), is responsible for maintaining the [general common elements](#) at [common expense](#). Common expenses include, but are not limited to building structures, cooling towers, boilers, stairwells, hallways, utilities, grounds and landscaping, walkways, parking areas, and recreational facilities.
- b. Unit owners are responsible for maintaining the interior of each owned unit in good order and repair at personal expense. The portion of each unit for which the unit owner is responsible is generally defined as everything that is installed or located within the interior sides of walls, floors (including subfloors), and ceilings, including—
  - (1) Appliances, such as refrigerators, ranges, dishwashers, garbage disposals, compactors, and the like
  - (2) Cabinets, vanities, and countertops
  - (3) Sinks, tubs, and toilets, including diverters and drains
  - (4) Heat pumps
  - (5) Water shutoff valves located within each unit associated with sinks, tubs, showers, appliances, and heat pumps
  - (6) Windows and doors
  - (7) Flooring and carpeting
  - (8) Electrical fixtures, to include electric lights and electrical appliances located inside the unit
  - (9) Smoke detectors
  - (10) Windows, including both interior and exterior sides
  - (11) Fireplaces, flues, chimneys, and skylights in units so equipped
- c. Unit owners are also responsible for maintaining any [limited common elements](#) included within or attached to the owned unit. Limited common elements include balconies, patios, and storage areas.
- d. Owners of units equipped with wood-frame single-pane windows are encouraged to replace such windows with contemporary energy-efficient double- or triple-pane insulated vinyl- or aluminum-frame windows, as described in [Rule 3](#).

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<p>e. Regardless of specific lease terms, owners of leased units remain ultimately responsible to the Council of Unit Owners for compliance with the provisions of this rule. The respective maintenance responsibilities of unit owners and tenants must be clearly spelled out in the terms of each lease. Except for emergencies involving an immediate threat to the general common elements or any other unit, maintenance and repair requests originated by tenants must be directed to the unit owner or owner's agent, not the <a href="#">on-site office</a>.</p> <p>f. Upon request, the on-site office will provide contact information for known maintenance service providers but will not provide any recommendations or endorsements. Information and recommendations from residents relating to service providers may also be obtained by posting a message to the community listserv.</p> <p>g. The <a href="#">Board of Directors</a> may, at its discretion, assess a service charge in the event water service to multiple units or buildings must be shut down because of the lack of, inoperability or failure of any in-unit water shutoff valve.</p> <p>h. Failure to maintain a unit in a safe and sanitary condition may expose unit owners to civil and/or criminal penalties provided for in state law and/or county code. In addition, unit owners are financially responsible for the first \$10,000 of damages caused to the <a href="#">general common elements</a> or to other units by conditions originating within an owned unit, whether or not caused by improper or inadequate maintenance. See <a href="#">Rule 14</a>.</p>			
<p>4-3. RESPONSIBILITIES</p>			
<p>a. <u>Council of Unit Owners</u>: Through the <a href="#">management agent</a>, ensure the continuing maintenance and upkeep of the general common elements. In this connection—</p> <ol style="list-style-type: none"> <li>(1) Identify and select vendors and contractors that are properly licensed and qualified to operate or maintain specific portions of the general common elements.</li> <li>(2) Ensure contracts or other arrangements for seasonal and non-recurring services are planned for and provided. Examples include snow and ice clearance, and swimming pool operation.</li> <li>(3) Negotiate terms of purchase orders, contracts, or other agreements that are considered to be in the best interest of the <a href="#">Council of Unit Owners</a> and recommend to the <a href="#">Board of Directors</a> the approval, modification, or termination of contracted services.</li> <li>(4) Monitor and provide quality assurance of vendor and contractor performance.</li> <li>(5) Maintain the <a href="#">Landport Automated Work Order Management System</a> as the primary means of reporting damages to or failure or any part of the general common elements, and to track and manage open work requests,</li> <li>(6) Maintain a comprehensive maintenance history of the general common elements based on Landport data.</li> </ol> <p>b. <u>Unit Owners</u>: Ensure the continuing maintenance and upkeep of owned units, including any attached or installed <a href="#">limited common elements</a>, at personal expense. In this connection:</p> <ol style="list-style-type: none"> <li>(1) Maintain sinks, tubs, and toilets, including drains, in good working order and take immediate action to contain, repair, and clean up any leaks detected in pipes or plumbing fixtures. Immediately notify the on-site office or the management agent (301-468-8919 (24 hours)) of any leak or rupture that cannot immediately be contained.</li> <li>(2) Maintain faucets, showerheads, shutoff valves, and diverters located inside the unit in good working order.</li> </ol>			

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- (3) Ensure that any repairs involving water shutoff valves, pipes and drains are carried out by properly licensed plumbers, in accordance with Rule 3.
- (4) Coordinate with the on-site office before contracting to refinish the exterior of any attached chimney as may be needed to remove rust and to repair corrosion.
- (5) Have a current maintenance agreement with a licensed contractor that provides for at least annual inspections of heat pumps for leaks, safety, and efficient operation. Replace expendable filters regularly.
- (6) Maintain electrical systems, appliances, and other potential fire hazards in accordance with Rule 9A.
- (7) Remove any mold detected anywhere within the unit interior; promptly notify the on-site office of mold detected anywhere on the [general common elements](#).
- (8) Maintain the interiors and exteriors of any installed wood-frame windows. In this connection—
  - (a) Promptly replace any cracked or broken glass panes.
  - (b) Repair any indications of wood rot.
  - (c) Periodically repaint the exterior sides of window frames as needed to cover wood repairs and maintain appearance. Ensure that exterior paint used on exterior window frames matches the color used on window frames for the rest of the building, as shown on the following chart of Sherwin-Williams paint specifications:

Building(s)	Color	Color Code
2200 Washington Ave.	Rare Gray	SW6199
2224 & 2248 Washington Ave 8201 Grubb Rd.	Universal Khaki	SW6150
2240 Washington Ave.	Mega Greige	SW7031
8201 Grubb Rd.	Universal Khaki	SW 6150
All others	Relaxed Khaki	SW6149