

## Water Tank and Toilet Gasket Notice

**Hot Water Tanks – Buildings 1 + 4** - There is a serious concern about claims against the Master Policy which are related to unit owner maintenance responsibility. As the property ages, there is an increased potential for damages caused by items which are a unit owner's responsibility. One of those items is water tanks.

The unique design of our condominiums has created a potential water hazard in the form of water mitigation from a broken tank of water into other units through the common element walls, floors, and ceilings. Increased claims against the Master Policy have resulted in increased insurance premiums by approximately \$6,000 in 2014. That expense is passed along to everyone through the condo fees causing an increase by \$3.00 per month per unit beginning September 1, 2014. Continued claims filed against the association's policy may seriously hamper future renewal efforts. Many owners have responsibly replaced their water tanks and the Board applauds this compliance. Unfortunately not all water tanks have been replaced. It is unfair to responsible owners to have to fund those owners who have not yet complied with this repair in the form of increased condo fees.

On that very important note, we wish to remind you that it is each unit owner's responsibility to maintain their hot water tank/heater. Hot water tanks/heaters have an average useful life of 10 years with proper maintenance. Water contains minerals that can collect at the bottom of the heater, causing overheating of sediment and corrosion. This results in shorter life of the heater and possible water leak damage to you and your neighbor's units. Preventative maintenance can increase the efficiency and life of your investment.

Accordingly, the Board has passed a new rule concerning inspection and replacement of hot water tanks/heaters. The rule was put in place to protect every unit owner's property and hopefully prevent even higher Master Insurance Policy premiums next year and, of course, to minimize the chance of substantial water damage to units. On or before September 30, 2014, each unit owner shall provide to the Management Company, information regarding the existing hot water tank's condition within their unit, including a serial number, year purchased and manufacturer warranty and expected life expectancy. Each unit owner must properly inspect and maintain its water heater at least once every two years. In addition, information regarding the installation of a flood control master shut-off switch must also be sent to the property management company, including paperwork stating installation was completed by a licensed plumber.

Each unit owner must replace his/her water tank if it is more than ten years old, regardless of tank style or condition. Hot water tanks replaced after October 1, 2014, must be a stainless steel, aluminum, tankless model. Each hot water tank installation must comply with the City of Concord's specifications and include a catch basin under the tank. All hot water tanks must be replaced before their manufacturer's recommended age of expiration date, if less than 10 years or at a maximum before their 10<sup>th</sup> year of service. All replacement tanks must have guaranteed life spans of at least ten years. Owners are required to install a shut off valve on the water line running into their hot water tanks at the time the hot water tank is replaced if one does not already exist.

Any unit owner who refuse or otherwise fail to provide the information requested above, or otherwise refuse or fail to replace their water tanks when required shall be subject to a fine up to \$100 per week for so long as the violation continue. In addition, if necessary and after the non-compliant unit owner is given reasonable notice and opportunity to be heard, the management company and board may in its discretion replace the non-compliant water tank and assess the unit owner all the related costs incurred to enforce this rule.

Notwithstanding the availability of insurance through the Unit Owner h06 policy must state the unit owner must have a minimum of \$25,000 water damage coverage per incident. Owners whose tanks fail, causing damage to the unit(s), common and limited common areas will be responsible for reimbursing the Association any expense and fees incurred by this incident in repairing the damage, including reimbursement of Master Insurance Policy deductibles. The Association Bylaws specifically state the association board and management company are given expressed right of emergency access to units to effect repairs. The management company shall have the irrevocable right of access to each unit from time to time during reasonable hours as may be necessary for the inspection, maintenance, repair, or replacement of any of the

common areas and facilities or for making emergency repairs necessary to prevent damage to the units, common areas and limited common areas.

**Toilet Tank Gaskets – All Buildings** – All building toilets at Oak Bridge are back-flush toilets requiring special Neoprene gaskets to properly secure the toilet to the flange in the wall.

**The Board** would like to thank all owners who have replaced their toilet gaskets and old water tanks! Unfortunately, not all owners have complied with these requests causing more than 50 water/toilet damage issues since May 2013. This damage has increased our July 1, 2014 Master Policy Insurance by approximately \$6,000 per year. Thus at the Special Meeting it was stated condo dues will increase Sept. 1, 2014 by \$3.00 to make up for the increase.

The Board is working with our Master Policy Insurance company to establish a repair and replacement policy directed to owners who have yet to comply with replacement of toilet gaskets and 10-year-old+ hot water tanks.

### **Previous Communication Re: Water Tanks and Toilet Gaskets**

The attached was sent on Feb. 14, 2016 regarding Water Tank issues and the installation of Flood Master shut off valves and can be found on the Oak Bridge website under “documents/info.” The below can also be found on the Oak Bridge website as indicated:

#### **5/17/13 Toilet Leaks:**

The Board and Management would like to bring to the attention of residents the recent influx of calls regarding toilet leaks, many of which have caused damage to units below and to the parking garage. We are learning that these leaks are primarily due to the neoprene gaskets that are used to seal the base of the commode. In the majority of cases, these are the original gaskets which were installed in the 1980s. These original toilet gaskets are now starting to go bad at a noticeable occurrence and the damages from using wax gaskets as well as time worn gaskets is quite evident.

NEVER USE A STANDARD WAX RING only a NEOPRENE GASKET which must be purchased from a plumbing house (not available at Lowes or Home Depot). NEOPRENE GASKETS must be used for back flow toilets which all our units have. Wax rings are just not suitable and will leak. We suggest that as a proactive measure, owners/residents may want to call in a plumber to replace the old gasket with a neoprene one before the old one wears out. Better to be out a few \$\$ now than to have to deal with flood damages down the road. Thank you for your cooperation.

#### **8/30/2013 “What’s New” Newsletter:**

**Toilet Gasket/Flange Replacement:** We have had 11 units affected by leaking toilets since mid-May. Based on common area water damage from these leaks, the Board must be proactive in ensuring ALL unit toilets neoprene gaskets and cracked flanges are repaired by a licensed plumber. We are in jeopardy of not having our Master Insurance Policy renewed in July 2014 if we do not act now, based on water damage to-date. Many notices have been distributed to owners over the past 2 years. Board may ask for proof such repairs have been completed within the next 6-8 months to conform to legal requirements. (See By-Laws: Section V.4 Maintenance and Repair, pages 14-15)

#### **10/25/2013 “What’s New” Newsletter:**

**Water Damage:** We have now had 38 units affected by leaking toilets, water heaters and kitchen shut-off valve issues since mid-May. Based on Common Area water damage from these leaks, the Board must be proactive to ensure ALL unit toilets’ neoprene gaskets and cracked flanges are repaired by a licensed plumber. We are in jeopardy of not having our Master Insurance Policy renewed in July 2014, or renewed at a dramatically increased cost. **Toilet Gaskets** remain the central issue. The Board was recently informed a local plumbing and heating company has been replacing our gaskets with wax rings in place of the REQUIRED neoprene gaskets since 2005. THIS IS AN INCORRECT REPAIR. This company has been informed of this issue and will correct their process here at Oak Bridge. Back-flush toilets require neoprene gaskets, as other associations and insurance companies also require.

## February 6, 2014 e-mail Blast: HOT WATER TANK POLICY

Dear Homeowners,

It is important to note that the property has experienced a number of serious incidents concerning the failure of hot water heaters in buildings 1 + 4 in the past few months. This has created catastrophic water damage to both the affected unit as well as surrounding condo units. Thousands of dollars of property repairs have been necessary as a result of these serious occurrences. This has created numerous claims being filed against the master insurance policy. In some of the worst case scenarios, residents have had to vacate their homes for many weeks while repairs were completed. As you are aware the master policy does not come into play until the \$25,000.00 limit has been met. All owners are responsible for the first \$25,000.00. If you have not updated your insurance please do so now and inform them of this policy.

These recent disasters have been the result of aging water tanks that should have been replaced. The damage has been very **costly** to many unit owners from both a financial and emotional perspective. Continued damage claims filed against the master insurance policy will serve to increase our premiums and may very well jeopardize our ability to secure continued coverage. Increased insurance premiums from numerous claims will translate into higher future condo fees.

In an attempt to prevent further catastrophic water damage, the Board of Directors is supporting the universal installation of electronic water shut off monitoring device called "**Flood Master**". Please note that unit owners are free to hire a **licensed** plumber of their choice. In addition should you find that you need a new hot water tank the City of Concord requires that a permit be filed with them. The new installation must have an expansion tank as well as a mixing valve. You should mark your hot water tank of the date it was installed. We are requesting that the electronic water shut off monitors be installed by June 1, 2014 and a copy of the invoice of the completed installation is to be kindly mailed to the following address:

Oak Bridge Condominium Association  
PO Box 2019  
Merrimack NH 03054

The Board of Directors is seeking each and every unit owner's full cooperation in this critical matter. Please help us to work together as a cohesive team to avoid any further property damage as well as spare any other fellow residents from the severe hardship and trauma of catastrophic water damage.

If you should have any questions, please direct them to Connie Garland at (603) 429-2019, ext. 338 or by email at [cgarland@harvardmanagement.com](mailto:cgarland@harvardmanagement.com).

Sincerely,  
Board of Directors, Oak Bridge Condo Association