

UNIT DAMAGE PREVENTION CHECKLIST

Ready to tackle maze of prevention how to's to avoid damage claims? Start with a plan. The more you prepare, the more successful you'll likely be. Follow these "do's" and "don'ts" to get started.

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| ☐ Property Damage Liability and Insurance <ul style="list-style-type: none">- Owner liability for damages caused by negligent actions.- Association responsibility for common elements and master policy.- Segregation process where insurance companies seek reimbursement from at-fault parties. | ☐ Uninsured Owner and No Negligence Scenario <ul style="list-style-type: none">- Uninsured owners are responsible for their unit's damages.- Association pays for common elements if no negligence.- Owner works with the board to mitigate damage and covers out-of-pocket expenses. |
| ☐ Window modification and responsibility <ul style="list-style-type: none">- unit owner responsible for damages from self-modified windows.- hoa typically responsible for original windows and building envelope.- modifications make the unit owner liable for ensuing damages. | ☐ Public Adjuster Services and Benefits <ul style="list-style-type: none">- Public adjusters represent homeowners against insurance companies.- They help clients receive significantly more money for claims.- Services are 'no recovery, no fee' and include policy review and documentation. |
| ☐ Gross Negligence and Insurance Claims <ul style="list-style-type: none">- Gross negligence involves actions that should or should not have been done.- Insurance companies may deny severe negligence claims.- Owner is fully liable for everything that breaks due to negligence. | ☐ Claim Process and Documentation <ul style="list-style-type: none">- First step is to stop the leak or source of damage.- Document damages with short videos or pictures for evidence.- Call insurance company and request their dry-up company to prevent mold. |
| ☐ Impact Windows and Limited Common Elements <ul style="list-style-type: none">- Owner-installed impact windows become limited common elements.- Owner responsible for issues like leaks from self-installed windows.- Association replaces original windows damaged by natural causes. | ☐ Homeowner's Insurance Importance <ul style="list-style-type: none">- Homeowner's insurance is crucial in Florida due to humidity and moisture.- Adequate coverage limits are essential for potential damages.- Some insurance policies have water and mold coverage caps. |
| ☐ Owner Responsibility for Modifications <ul style="list-style-type: none">- Any unit modification makes the owner responsible for its maintenance.- If modifications cause damage, the unit owner is liable.- Condominium insurance restores to original design | ☐ Common Element Failure and Split Responsibility <ul style="list-style-type: none">- Association repairs common elements when system fails without owner fault.- Owner pays for interior finishes damaged by common element failure.- Example: Association fixes pipe, owner pays for drywall, paint, molding. |

UNIT DAMAGE PREVENTION CHECKLIST (CONT.)

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| <p>☐ Sewer Line Responsibility</p> <ul style="list-style-type: none">- Pipes serving multiple units or from building to road are association responsibility.- Unit owner responsible for pipes serving only their apartment.- Association handles external sewer issues, owner handles internal damage. | <p>☐ Determining Negligence and Board Policy</p> <ul style="list-style-type: none">- Only a judge can definitively determine negligence in complex cases.- Boards can establish policies, e.g., mandatory water heater replacement after 10 years, to define negligence.- Boards may choose to fix common elements and seek reimbursement or make negligent owners pay directly. |
| <p>☐ Mold Coverage and Policy Exclusions</p> <ul style="list-style-type: none">- Many policies have exclusions for repeated seepage or accidental discharge.- Hidden and unknown leaks causing mold should be covered.- State Farm policies may lack mold coverage, prompting a need to shop elsewhere. | <p>☐ Resolution for Flood and Electrical Issues</p> <ul style="list-style-type: none">- Boards can create resolutions for specific issues like flooding or electrical failures.- Resolutions outline plumbing priority and responsibility matrix for different scenarios.- These can be incorporated into bylaws and communicated to all owners. |
| <p>☐ Multi-Unit Damage Without Negligence</p> <ul style="list-style-type: none">- Individual unit owners' insurance covers their unit repairs.- Association covers common elements damaged across units.- Uninsured owners pay out-of-pocket for their unit's damages. | <p>☐ Insurance and Wiring Issues</p> <ul style="list-style-type: none">- Outdated wiring (e.g., aluminum) can lead to insurance denial or refusal to issue policies.- If an insurer provides a policy despite outdated wiring, they assume the risk and owe for claims.- Insurance companies may require wind mitigation and 4-point inspections. |
| <p>☐ Multi-Unit Damage With Negligence</p> <ul style="list-style-type: none">- Negligent owner is fully liable for all affected units and association damages.- Downstairs insurance covers their repairs, then seeks subrogation from negligent upstairs owner or their insurer.- If negligent owner lacks insurance, they pay out-of-pocket for subrogation claims. | <p>☐ HO6 Coverage and Maintenance</p> <ul style="list-style-type: none">- HO6 insurance is highly recommended for unit owners.- Regular maintenance of property, fixtures, and plumbing prevents negligence.- Owners should know their documents and update policies for full coverage. |