

**Effective 7/1/2014**

**Superseded 5/12/2015**

**57-8a-224 Responsibility for the maintenance, repair, and replacement of common area and lots.**

- (1) As used in this section:
  - (a) "Emergency repair" means a repair that, if not made in a timely manner, will likely result in immediate and substantial damage to a common area or to another lot.
  - (b) "Reasonable notice" means:
    - (i) written notice that is hand delivered to the lot at least 24 hours before the proposed entry; or
    - (ii) in the case of an emergency repair, notice that is reasonable under the circumstances.
- (2) Except as otherwise provided in the declaration or Part 4, Insurance:
  - (a) an association is responsible for the maintenance, repair, and replacement of common areas; and
  - (b) a lot owner is responsible for the maintenance, repair, and replacement of the lot owner's lot.
- (3) After reasonable notice to the occupant of the lot being entered, the board may access a lot:
  - (a) from time to time during reasonable hours, as necessary for the maintenance, repair, or replacement of any of the common areas; or
  - (b) for making an emergency repair.
- (4)
  - (a) An association is liable to repair damage it causes to the common areas or to a lot the association uses to access the common areas.
  - (b) An association shall repair damage described in Subsection (4)(a) within a time that is reasonable under the circumstances.
- (5) Subsections (2), (3), and (4) do not apply during the period of administrative control as defined in Section 57-8a-104.