

Effective 7/1/2015

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

Amended by Chapter 34, 2015 General Session

Amended by Chapter 325, 2015 General Session

Amended by Chapter 387, 2015 General Session