



## ***Bay Hills Townhouses – Tanglewood II Regime***

Sentry Management, Inc.  
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April 19, 2024

### **RE: Revised Sewer Pipe Responsibilities**

Dear Homeowner Association (HOA) member,

The Community Declarations and Bylaws were designed to clarify what the HOA is responsible for and what the individual homeowner is responsible for, regarding maintenance items, damages or catastrophic events. Specific to the sewer lines, the Board of Directors has been using the Anne Arundel County demarcation of responsibilities which is defined to be: the homeowner has responsibility for the pipe from within the house to the outside cleanout pipe – the County has responsibility from the cleanout to the main pipe. We have since learned that this is not the case for our Community.

In researching insurance coverage, we found conflicts between our current practice and our guiding documents. For this reason, we engaged our Attorney to understand their interpretation of the proper demarcation of responsibilities relative to the Declarations, Bylaws and Maryland Condo Act.

The Declarations are clear that the sewer main pipes are a common element and an HOA responsibility. It also states that part of a “unit” is any pipe or plumbing fixture that is not contained within the walls of a unit but which form a connected and integral part of, or is appended or affixed to, the improvements within the unit. This is from Article I, Section 1.A.(ii) and (vi) of our Declarations. This means that the homeowner is responsible for the ~~lateral sewer pipe that originates in the unit all the way to the common sewer main pipe,~~ including the cleanout. Our HOA insurance policy is a shared expense and our ability to obtain affordable insurance is directly influenced by our insurance claims history. Therefore, these pipes need to be inspected periodically.

What does this mean to you? First of all, the HOA insurance policy has coverage for sewer and drain backup, but it also has a \$10,000 deductible as permitted by Maryland law. Therefore, if your sewer backed up and caused damage to your unit, you would be responsible for the first \$10,000 of repair. For that reason, your personal insurance policy (called an H06 policy) should have coverage for the \$10,000 deductible, as well as for your personal items and any improvements.

As you are probably aware, your HOA performed inspections and cleaning of the lateral sewer lines for 66 of our 81 units where cleanouts were accessible. As this is now the responsibility of each homeowner to maintain, yet it is important to the entire HOA membership, the Board of Directors is adopting a new policy for lateral pipe inspections. Again, the reason for the inspections is to find problems, get them corrected and avoid costly insurance claims, which result in higher HOA dues. Since the HOA insurance policy is used to pay for repairs for lateral sewer pipe problems, we need the homeowners to have their lateral pipes inspected periodically. The Board of Directors has approved the following procedure for the inspections:

- The Board of Directors will contract to inspect one third of the laterals in blocks of 3 consecutive years with 4 years between inspection blocks
- The mains will be inspected every 2 years
- For people without cleanout access, they will be required to have a plumber find/install their cleanout or remove their basement toilet and make their basement toilet area accessible for camera equipment and jetting equipment for inspection of the lateral pipe
- If, for any reason, the unit cannot be inspected within the block times, the home owner will need to reschedule the inspection and pay any additional fees that are incurred, and if not performed within 2 months of the inspection date, they will be fined \$20 per day until the inspection results are presented to the Management Company.

The Board of Directors welcomes your comments and questions. Please email our Manager, Antoine Spriggs with any correspondence at:

**Antoine Spriggs**  
**Community Association Manager**  
**Promises Ambassador**  
[aspriggs@sentrymgt.com](mailto:aspriggs@sentrymgt.com)

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Respectfully,

Your Board of Directors

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### **IMPORTANT INSURANCE REMINDER NOTICE**

Please be reminded that the Homeowner's Association (HOA) Master Insurance Policy covers losses for the Common Elements and the buildings. The coverage for the buildings includes the structure and builder grade replacement. If the loss originated in your unit, you will be responsible to pay the Master Policy \$10,000 deductible, as well as any personal contents, betterments or improvements.

Please confirm that your personal insurance has the appropriate coverage for these expenses. If you have questions about this Maryland legislation, contact your insurance agent.

UNITED STATES DEPARTMENT OF AGRICULTURE

REPORT OF THE COMMISSIONER OF THE GENERAL LAND OFFICE  
IN RESPONSE TO A RESOLUTION OF THE HOUSE OF REPRESENTATIVES  
PASSED MAY 1, 1890, RELATIVE TO THE LANDS BELONGING TO THE  
UNITED STATES IN THE TERRITORY OF ARIZONA  
AND  
IN RESPONSE TO A RESOLUTION OF THE SENATE  
PASSED MAY 1, 1890, RELATIVE TO THE LANDS BELONGING TO THE  
UNITED STATES IN THE TERRITORY OF ARIZONA

THESE REPORTS WERE PREPARED BY THE COMMISSIONER OF THE  
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THE LANDS BELONGING TO THE UNITED STATES IN THE  
TERRITORY OF ARIZONA