

# Root Invasion Policy

August 2017

## Purpose

The purpose of this policy is to clearly identify responsibilities and set policy when there is root invasion in a homeowner's sewer line. The Declaration of Covenants, Conditions & Restrictions ("CC&Rs"), and specifically Exhibit "D", Maintenance List, to the CC&Rs, allocate the responsibilities for maintenance, repair and replacement of sewer lines. Specifically, they provide that sewer lines underneath a house, and up to the clean-out, are the responsibility of the homeowner ("Homeowner Sewer Line"). Sewer lines from the clean-out to the connection with the City of Oceanside sewer system are the responsibility of the Association ("Association Sewer Line"). This allocation is for total responsibility for the sewer lines – maintenance, repair (including re-lining when appropriate) and replacement.

## Discussion

The sewer lines in Oceanside Community Association are approaching the end of their useful service life. This is due to in large part to the age of the system and the kinds of materials that were used to construct the system.

Each homeowner is responsible for maintenance, repair and replacement of their Homeowner Sewer Line, including when failure is due to aging, broken or corroded pipes, failed seals at pipe joints, root invasion, or any other normal cause. Similarly, the Association is responsible for maintenance, repair and replacement of each Association Sewer Line including when failure is due to aging, broken or corroded pipes, failed seals at pipe joints, root invasion, or any other normal cause. In recent years the Association has undertaken a program to re-line each Association Sewer Line - as necessary - before they fail and require replacement. This is typically much cheaper than replacing a sewer line. Homeowners are encouraged to re-line Homeowner Sewer Lines before failure whenever possible.

This policy deals with the issue of root invasion. Roots enter sewer lines when waste water leaks out into the soil – the fluid attracts the roots. When roots enter a sewer line, they often restrict or block the flow resulting in backups and other problems. Thus, the principal question becomes, where is the leak that attracted the roots? Is it in the Homeowner Sewer Line or the Association Sewer Line? When this fact can be determined, the responsibility will be assigned accordingly.

The usual method to identify the source of a root invasion is to camera the sewer line. The Association usually cameras an Association Sewer Line whenever it learns of a potential root invasion situation or other sewer line issue. Homeowners are likewise encouraged to have a plumber or other service provider camera their Homeowner Sewer Line when possible root invasion occurs. If a homeowner experiences a sewer problem, including a backup, the

Association should be notified immediately. The Association normally will investigate the situation and typically will camera the Association Sewer Line. If it is determined that a root invasion is coming from the Association Sewer line, the Association will take appropriate action to mitigate the situation, including by clearing the sewer line and assuring that the line remains clear. The Association will also consider all other options, including removing vegetation, including trees, that might be contributing to a root invasion problem.

In dealing with root invasion in a Homeowner Sewer Line, alternatives to reduce further sewer line damage include: (1) re-lining the existing sewer pipe; (2) replacing the existing Homeowner Sewer Line pipe; or (3) installing new Homeowner Sewer Line pipe through the common area.

### Policy

If root invasion is due to a leak, damage or other circumstance that originates in the Homeowner Sewer Line, then the homeowner is solely responsible for all repairs and replacement. If root invasion is due to a leak, damage or other circumstance that originates in the Association Sewer Line, then the Association will be responsible for all repairs and replacement. Where it is unclear where the root invasion originated, the Association and the homeowner will seek to reach an agreement on proportionate responsibility for repairs and replacement.