



October 7, 2021

Dear Homeowner,

Thank you to those owners who attended the Annual Meeting this year and helped the Association successfully achieve a quorum. A copy of the draft Annual Meeting Minutes is enclosed for your review; these will be presented at next year's meeting for approval. If you were unable to attend the meeting, the minutes will provide Association updates and other information that was shared during the meeting.

Next week, the mild fall temperatures we've been enjoying are forecasted to end and freezing temperatures will once again be back in Vail. In preparation for the cold weather there are several important steps that should be taken to ensure your unit is properly protected.

#### **Winter Reminders:**

- **Remember to turn on your heat**
  - End units in the condominium buildings and all townhome units should have their thermostats set to at least 60° F to prevent frozen pipes (condo units not located on end walls should be safe with thermostats set to at least 50° F).
- **Electric baseboard heat**
  - When your electric heat is first turned on it is normal to encounter a brief period with a singed odor. This is caused by dust that has accumulated on the heating element over the past several months. However, if a burning odor persists or you observe any sparks or other unusual conditions, turn the unit off immediately and have it inspected. Remember to always keep combustible items (furniture, firewood, pillows, draperies etc.) a safe distance from baseboard panels.
- **Natural gas boilers**
  - Owners in Buildings 9 and 10 should have their gas heating system inspected periodically by a licensed mechanical contractor. The original systems are now over 40 years old and are at a higher risk of failing and leaking. If your system is original, consider replacing it or, at a minimum, having an annual inspection.
- **Avoid common water events**
  - The Association has responded to many water events this past year from hot water heaters and washing machine hoses. Unfortunately, it is the units underneath that suffer the most damage as these owners fall victim to circumstances beyond their control. Please be a responsible neighbor and inspect your hot water heater for any sign of external corrosion or leaks. The expected life span for hot water heaters is about 10 – 15 years and washing machine hoses about 10 years. If the ones in your unit are this age or older, then please plan to replace them as soon as possible.



- **Insurance Guidelines - HO6 insurance policy**

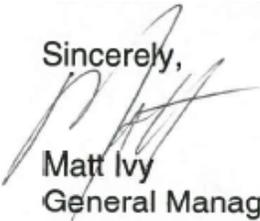
- In order to fully protect your property, the Association's Insurance Guidelines recommend that owners carry an HO6 insurance policy. You should speak with your agent about the policy and make sure it includes loss of use, relocation expense coverage, loss of rental income, and loss assessment for Association deductibles, among others. A copy of the Insurance Guidelines is included following this letter and may be provided to your agent.

As you may be aware, CDOT has begun adding a third lane to I-70 over Vail Pass. Several years ago, there were assurances that the project would include noise mitigation throughout East Vail. However, after a noise assessment study, CDOT has indicated that the noise levels throughout East Vail, including along the Vail Racquet Club, are not loud enough to qualify for noise mitigation.

The Association, and several owners, have sent correspondence to CDOT requesting noise mitigation and making them aware of the disturbances to the community and natural environment. Please join the effort and share your concerns by emailing: [CDOT\\_WVailPassAuxLanes@state.co.us](mailto:CDOT_WVailPassAuxLanes@state.co.us). Thank you!

For more information regarding the project and ongoing construction delays visit: <https://www.codot.gov/projects/i70westvailauxiliarylanes/construction>. The project will last for several years, so this website will hopefully provide you with useful information and assist with your travel plans.

Sincerely,



Matt Ivy  
General Manager

**VAIL RACQUET CLUB OWNERS ASSOCIATION  
ANNUAL MEETING MINUTES - DRAFT  
Saturday – August 13, 2021**

**Attendees:**

Fred Bradford	President
Patty Bortz	Vice President
Hal Naiman	Secretary
Greg Grotke	Member
Rhonda Salinsky	Member
Kathy Summers	Member
Molly Daniels	Member

**Absent:**

Peter Koclanes	Member
Greg Simpson	Member

Matt Ivy	General Manager
John Russell	Director of Finance
James Cannava	Moderator
Jim Cowgill	Plante Moran
Jonah Hunt	Orten, Cavanagh & Holmes, LLC - Association's Legal Council
Lindsay Stadler	Taking Minutes
Heather Gilman	Administrator - Verifying Quorum

Mr. Cannava welcomed everyone and introduced the VRC Board of Directors.

**Call to Order:**

The meeting was called to order at 2:02PM. Notice of the meeting was proven and Mr. Cannava noted that the Association will verify the quorum using the Zoom meeting final attendance list.

**Approval of the 2019 & 2020 Homeowner Meeting Minutes:**

Mr. Cannava noted the Association did not achieve a quorum at the 2020 Annual Homeowner Meeting and therefore did not hold an official meeting, so this year approval of the minutes is still necessary. The 2020 and 2021 Annual Homeowner Meeting Minutes were presented in the owner meeting packet and were approved through the Zoom online poll.

**President's Report:**

Mr. Bradford welcomed and thanked the homeowners for attending the Annual Homeowner Meeting. He is proud to represent such a great group. Mr. Bradford is very pleased to see that the VRC property values have increased tremendously. He noted that the VRC is experiencing an employment shortage and is really struggling to hire Front Desk, Housekeeping and Restaurant staff. He feels owner feedback will be helpful in solving this issue. Mr. Bradford concluded that the VRC has done well so far during COVID and hopefully someday, we will be back to a new normal.

**Treasurer's Report:**

Mr. Ivy introduced Mr. Cowgill, the CPA with Plante Moran (the Association's independent auditing firm). He said Plante Moran has handled the VRC audits and reviews for many years and this year they have completed a review.

Mr. Cowgill reviewed the FY2021 Financials including the Balances Sheet and Income Statement. He said the VRC went into last fiscal year thinking COVID would have a dramatic impact on finances and anticipated losses in the Club and Rental Operations. Even though the income was down from the previous year, business was better than expected and the expenses were very well managed which resulted in surpluses in each of the operations.

Mr. Cowgill confirmed the HOA applied for the PPP loan and received full forgiveness which was very helpful to the financial outlook of the Association.

**Manager's Report:**

Mr. Ivy welcomed everyone and mentioned that the homeowner survey last year indicated that a majority of respondents preferred a virtual meeting. He said there has been very good response to the Annual Homeowner Meeting this year as well and he thanked everyone for participating. Mr. Ivy said they are trying a Friday afternoon meeting this year to free up the weekend and judging by the attendance it looks like this has worked well.

**Staff -**

Mr. Ivy then reviewed the management team and noted how long each employee has been working at the VRCMR. The members included: Craig Holst – Club Manager (22 years), Iris Nelson – Maintenance Office Manager (22 years), Steve Loftus – Director of Facilities and Grounds (16 years), Lindsay Stadler – Owner Relations Manager (13 years), Heather Gilman – Accounting Manager (10 years), Wendy Martin – Director of Sales and Marketing / Revenue Manager (9 years) and Laurel Ames – Front Office Manager (7 years), and JR Cruz - 3E Cleaning/ Contract Housekeeper (28 years) and Mr. Ivy – General Manager (28 years). Mr. Ivy noted that Mr. Russell replaced Mr. Cannava as Director of Finance this spring. Mr. Russell worked for the VRC previously for 7 years

and originally trained Mr. Cannava. Mr. Ivy said the VRC is fortunate to have such longevity with the staff which is unusual for Vail. He said the managers are dedicated and they have worked very hard and diligently and got us through a tough year.

#### **Real Estate -**

Mr. Ivy reported that 40 units have sold from August 14, 2020 to August 12, 2021 and it's unbelievable. He noted that 25 units sold the previous year and typically it's about 15 units per year.

- 27 - One bedrooms sold \$325,000 - \$550,000
- 7 - Two bedroom condos sold \$560,000 - \$809,000
- 1 - Three bedroom condo sold for \$826,300
- 5 - Townhomes sold for \$810,000 - \$1,350,000

Mr. Ivy reported that there is currently 1 unit listed for sale and reviewed the appreciations per unit type. Year over year, one bedrooms increased 12%, two bedrooms increased 6%, n/a for three bedrooms and townhomes were flat, but if you look over the past few years the townhomes have done quite well, for example last year they were up 37%.

#### **Employee Shortage –**

Mr. Ivy said when the state first implemented the COVID lock down, the VRC anticipated very large losses and fortunately things have gone much better than expected. Now, there seems to be a new mindset with a desire to “get out” and town has been packed. People want things to be normal, but businesses are struggling due to a severe employee shortage crisis. Many Local businesses have had to reduce hours of operation and many restaurants are closed a few days just to make their schedules work.

Mr. Ivy said that due to staffing the VRC reduced operating hours to 7AM – 7PM during the week and 7AM- 9PM on Friday and Saturday. He described that the front desk typically operates with 6 staff members and there have been only 2 this summer. Also, there are currently only 2 housekeepers, and the restaurant has been closed this week due to lack of employees. Mr. Ivy said he can assure the homeowners that everyone is trying hard, and thanked the homeowners for their patience, understanding and thoughtfulness as the VRC works towards getting back to what we hope is more normal.

#### **COVID -**

Mr. Ivy explained that at this time Eagle County does not plan to implement any new mandates and they are encouraging everyone to get vaccinated. Unless state orders come in, Eagle County will not clamp down. Either way, the VRC is prepared and ready to implement new protocols as needed.

#### **Bike Storage –**

Mr. Ivy said they have received several questions regarding the new bike storage plan. He noted that the original building plan was smaller and was designed to store less than

100 bikes which seemed adequate based on the owner survey at that time and the number of bikes stored on the property. The plan was then changed to a larger building that can store closer to 200 bikes and the Board of Directors at that time were concerned it was too big and asked management to look at options for the space if it didn't fill up.

Fortunately, the bike storage building has become very popular and the demand the last couple of years has just blown up with many owners on a waitlist. The Board became aware of the issue and initially took a measured approach to solve it. Owners were asked to give up their spot if they were not using their bikes, then a registration system was implemented to ensure only registered bikes were in the storage area. After these efforts didn't solve the issue, the Board decided the most equitable thing to do was to charge a storage fee similar to the Club lockers.

Mr. Ivy continued saying he wanted to clarify that only 44% of bike storage building expense came from the 2016 Special Assessment, and since the structure doubled in size, the rest was taken out of the regular capital fund. Mr. Ivy concluded that the new Bike Storage Plan appears to be working well and he understands that some owners are disappointed, and, on the other hand, some are very pleased.

**Bears –**

Mr. Ivy reported there have been sightings of a bear on property and he encouraged owners to be cautious, always properly dispose of trash and do not feed wildlife.

**1-70 –**

Mr. Ivy said the Colorado Department of Transportation is moving forward with adding an additional lane and he encouraged owners to look at the CDOT website. Mr. Ivy explained that CDOT did a sound study and they determined only a very small amount of sound mitigation was necessary and East Vail did not meet the threshold and qualify for a sound wall throughout the area.

**Survey –**

Mr. Ivy said he expects the 2021 Annual Homeowner Survey to be emailed to all owners this September and it is very helpful to the Board of Directors and Management and provides a better understanding of community concerns and gives direction.

Mr. Ivy concluded that it is nice to see many owners spending more time in Vail and getting out of the city. He said the VRC is a unique property and the tag line "it's not just a Vail experience, but a true Colorado experience" fits the property perfectly. He thanked everyone for the opportunity to work here and he feels fortunate to come to such an amazing place each day.

## **Committee Reports:**

### **Buildings and Grounds Planning Committee:**

#### **Electric Vehicle Chargers -**

Mr. Loftus, the Director of Facilities and Grounds, was pleased to report that 4 new dual Electric Vehicle charging stations are in place and were fully operational by mid-July. Mr. Loftus noted the VRC received the grant for the project, and he reviewed the EV charging station usage. He confirmed that the EV charger usage is not subsidized by the VRC and the fee to charge a vehicle does include a surcharge which is consistent with the fees charged by the Town of Vail and is the recommended standard.

#### **Recycling Center –**

Mr. Loftus said the dumpster enclosure at Building 7 was converted to a recycling center this spring. The conversion has worked out well and the former 96-gallon containers were too small to keep up with the VRC recycle demand and they have been removed. He noted unfortunately a few people are still leaving recycling on the floor by the trash dumpsters and he requested owners not to do this and use the recycling centers.

#### **Landscaping –**

Mr. Loftus confirmed the exterior facelift at the townhomes is complete, but the landscaping has been a challenge as several parking spots are right up close to the entries. The cobble beds have been improved with new pond liners, better drainage and the plastic edging has been replaced with boulders and timbers. They are also working to keep defensible space and skinny up the irrigation to cut down on water usage.

Mr. Loftus showed a photo of the landscaping that was added at Building 5 just four years ago where red feather grasses were added which have proven to be indestructible. He noted during the condo deck replacement projects, the cobble beds are updated with new edging, as well as boulders, grasses and sod have been added.

Mr. Loftus showed a recent photo of the landscaping at the tennis courts which has really taken off and filled in. The area looks completely transformed.

#### **Fireplace Conversion –**

Mr. Loftus reported that 34 gas fireplaces were converted in 2020 and they will have 66 installed through August and then have 44 more to go. The project is on track and the ski closet reconstructions will linger into next year.

#### **Rental Committee-**

Ms. Bortz, Rental Committee Chairperson, reported that the summer rental pacing is fantastic. She noted that short term rental reservations are broken down into 4 categories: Direct, Group, Wholesale and Seasonal. She was pleased to report that direct bookings were up 25% and made up for 45% of all rentals. Also, average daily

rate (ADR) has increased. Ms. Bortz commented that the VRC could book even more reservations, but short-term rental owner participants are using their units more.

Ms. Bortz reviewed the rental outlook this winter and business is back. Unfortunately, staffing issues are having an effect on the rental program as well and housekeeping, maintenance and the reservations department really need more staff. She reported that the housekeeping department is really struggling to staff and can't make it on the current rates since pay rates in the Vail valley are quickly climbing. Ms. Bortz noted that the success of the rental program is important to the HOA, and it provides many benefits to homeowners. She said the staff has done an amazing job keeping the program alive and booming.

#### **Club Committee –**

Ms. Salinsky, the Club Committee Chairperson, reported on the increase in current outside Club Memberships and added that people want to get back to a little more normal and be active. Ms. Salinsky reminded the owners to make sure they have a Club Membership card as they are helpful in controlling access. If anyone needs a new card made, the front desk staff can assist.

Ms. Salinsky reviewed the owner Family Club Membership which includes the direct family line (Grandparents, Parents, Children, and Grandchildren). She said the committee has been listening to owners and they are excited to again offer club punch cards which are available to owners for \$200 for 10 passes. The current club hours are 7am – 7pm during the week and 7am – 9pm on Friday and Saturday. She noted there have been a lot of questions about increasing the Club hours and unfortunately due to staffing concerns the VRC can't extend the hours at this time.

Ms. Salinsky reviewed the current club protocols and cleaning procedures and noted they will continue to be proactive and follow all county, state and CDC guidelines. She thanked the owners for their understanding and patience during uncertain COVID times and she and Mr. Holst are available if any questions.

#### **Finance-**

Mr. Grotke, chairperson of the Finance Committee, said the Committee reviews the annual budgets for the HOA, Garden Level Rentals, Rental Operation and Club and makes recommendations to the Board for approval. He continued and said when the VRC shut down in March 2020 and began planning for the next fiscal year, they had no idea what to expect and were concerned the VRC could lose hundreds of thousands of dollars. Fortunately, the VRC did a great job controlling expenses and stayed in the black. Mr. Grotke said the finances are in good shape thanks to the leadership and staff and they are prepared if more COVID restrictions are required.

#### **Unfinished Business:**

There was no unfinished business.

**New Business:**

Mr. Ivy said they had asked owners to submit any questions ahead of time by emailing [VRC.HOA@vrcmr.com](mailto:VRC.HOA@vrcmr.com). He noted that if you don't hear your questions answered during the meeting then it is more personal and VRC staff will reach out to respond.

1. An owner in Building 11 asked about the replacement of patios. Mr. Ivy said the creek side concrete slabs have not all been replaced yet and the plan is to replace them over the next 10 years along with the remaining decks. The decks and patios at buildings 7, 8, 9, 10 and 11 still need to be replaced as they were not as much of a safety concern as the buildings with wrap around decks. The 10 year capital plan budgets \$250K per year towards deck/patio improvements.
2. Did the VRC get a PPP loan? Mr. Ivy confirmed the VRC received the second PPP loan and they have applied for forgiveness.
3. What is the painting schedule? Mr. Ivy said in the past, around 2-3 VRC buildings were painted per year, but a lot of painting has been dedicated to the townhomes the last few years. There is typically \$120-\$130K per year allocated for painting and sometimes an entire building is done and other times just where the sun exposure is the worst.
4. Has the Town done an evaluation of the defensible space at the VRC? Mr. Ivy said the VRC is very aware of the defensible space guidelines and fire ratings. He said, fortunately, Mr. Loftus is on the Town's Building and Fire Code Appeals Board and has expertise in this area.
5. Will there be gas fireplaces at the townhomes? Mr. Ivy confirmed that there is no natural gas on that side of the creek.
6. What will the bike storage fees be used for? Mr. Ivy confirmed the bike storage fee income would be designated to the capital plan and would likely be used for expanding the bike storage by adding a second tier or adding some additional outdoor storage in certain locations.
7. Could the Board reconsider the restaurant subsidy which would require all owners to purchase a fixed quarterly certificate that could be redeemed for food and drink at Heirloom? Mr. Ivy said this Board, and past Boards, have discussed setting up a monthly or annual minimum fee that would be used in the restaurant. This would be similar to a country club food and beverage minimum charge so the restaurant owners could count on a continuous stream of income which would help to make their operation more viable. He said this question may be included on the homeowner survey.

8. Can there be an age limit and signage for the sauna and steam room so unsupervised kids won't use the area as a playground? Mr. Ivy said having age restrictions for the sauna and steam rooms and adding more signage wouldn't be as effective as having more eyes on the locker room areas. That has been more difficult with the current employee shortage situation, and he encouraged owners to alert Mr. Holst, the Club Manager, or the front desk staff if they see something of concern.

**Board of Director Candidates:**

Mr. Cannava announced the 2021 VRC Board of Director Candidates: Greg Grotke (9-6), Leslie Levin (12-16), Hal Naiman (P4), Rhonda Salinsky (15-5), Kevin Salsich (4-16), Kazim Mirza (H3 & 0905). Each candidate introduced themselves and was given 3 minutes to address the audience. *Ms. Janik read an interest statement on behalf of Ms. Levin and Mr. Mirza was not available to address the audience.*

**Approval of the Actions of the Board of Directors:**

Mr. Cannava asked for an approval of the actions of the Board of Directors this year. The audience voted through the Zoom online poll and the actions of the Board of Directors was approved.

**Vote:**

Mr. Cannava explained that an email containing a vote link will be sent through a third party (Election Buddy) in the next 15 to 20 minutes. Voting will remain open until 8:00PM tonight. He reminded the owners that they can select up to three candidates. Mr. Cannava thanked everyone for participating in the governance of your Homeowner Association.

Mr. Ivy said it appears the VRC has achieved a quorum, but it will be verified using the Zoom attendance list. He thanked all for attending and participating.

**Adjournment:**

The VRC Annual Homeowner Meeting was adjourned at 3:46 PM.

**Voting Results:**

The Homeowners elected to the Board were Greg Grotke, Hal Naiman and Rhonda Salinsky. The voting results of the homeowners in attendance and Board proxies were the same.

# RACQUET CLUB OWNERS ASSOCIATION

## INSURANCE GUIDELINES

Adopted April 28, 2007

### 1. ASSOCIATION'S DUTY TO INSURE.

The Association has the duty to maintain, at all times, insurance policies which satisfy the requirements set forth in the Declaration. In performing its duty, the Association expects to obtain and maintain policies (if reasonably available) that provide the following coverage:

- Property or Casualty Insurance. Property or casualty insurance for the replacement value of the Units, as originally constructed, and for the Common Elements, including improvements to the Common Elements. Improvements, upgrades made by the developer's general contractor, prior Owners or others on behalf of the Owner, decorating, furniture, furnishings, appliances, or other personal property belonging to Owners are excluded and not covered by the Association. The policies to be obtained and maintained by the Association are to cover cabinets, countertops, permanently attached floor coverings, interior walls, plumbing fixtures and light fixtures as originally installed by the Declarant or intended to be installed by Declarant prior to any requested upgrades. The Association's property insurance policy does not cover any of an Owner's personal property in their Unit.
- General Liability. Commercial general public liability and property damage insurance against claims for bodily injury or death or property damage occurring upon or in the Common Elements. The Association's liability coverage does not extend to claims within the boundaries of the Units. Owners are encouraged to obtain sufficient liability insurance coverage for occurrences on their Units.
- Other Policies. Such other policies as the Board of Directors of the Association determines.

### 2. OWNER'S RESPONSIBILITY TO INSURE.

Each Owner is encouraged by the Association to maintain, at all times, the following:

- Unit Owner Property or Casualty Insurance. Such insurance should provide complete comprehensive contents coverage, including furnishings, personal property, upgrades or additions to fixtures, appliances, wall, floor and ceiling materials other than original construction
- Liability insurance. Such insurance should provide coverage against claims for bodily injury or death or property damage occurring upon, in or originating in the Unit.

- Deductibles of the Association. Each Owner is also encouraged to obtain personal insurance coverage which may pay the Owner's portion of the Association's deductible amount in the event of a claim.

**If an Owner lives in the Unit.** The Owner should obtain an HO-6 policy. The Association has been advised that HO-6 policies generally include the following five basic coverages: dwelling coverage, personal property coverage, liability coverage, loss assessment and loss of use. Dwelling coverage should include the amount of improvements/upgrades made and all items specified in the Declaration as the Owner's responsibility. Personal property coverage should include all furnishings and clothing. Liability coverage includes anything that happens within the Unit. Loss assessment coverage is recommended to cover the difference between the Owner's personal deductible and the Association's deductible allocated to the Owner. Loss assessment coverage may also pay for any special assessments levied by the Association to pay for deductibles allocated to the Association. The Association has been advised that dwelling coverage may also cover property losses below the Association's deductible that may be above the Owner's personal deductible.

**If the Owner has their Unit in the Association Lodging Program, or leases the Unit on their own.** The Unit should be covered by a rental policy (landlord's policy). This policy should offer dwelling coverage, personal property coverage, liability coverage and loss of rents if the property must be vacated while being repaired/rebuilt. Many landlords' policies also include loss assessment coverage. The Association has Lodging Rules and Regulations that specify the extent of insurance each Owner of a Unit in the Association's Lodging Program is to maintain.

**Recommended Consultation by Owners with their own Insurance Agent.** The Association recommends that each Owner consult with the Owner's insurance representative to ensure that the Owner has adequate insurance coverage to address his/her needs and ensure that gaps between the Association's policies and the Owner's policies are minimized.

### 3. CLAIMS ON BEHALF OF THE ASSOCIATION.

The following procedures should be followed by the Association (acting through management or the Board of Directors):

- The Association may notify its insurance carrier of the occurrence and determine whether to submit a claim under its policies by balancing the benefits conferred to the Association under the policy with the costs associated with the claim to the Association.
- In the event that the Association determines that it is in the best interests of the Association to submit a claim under its insurance policies; the Association shall follow the procedures set out in the policies describing the insured's duties in the event of an occurrence, claim, or suit.
- In the event that the Association determines that it is not in the best interests of the Association to submit a claim under its insurance policies, the Association shall still be obligated to complete repair of the damages as if a claim had been made. The

Owner will remain responsible for the amount of the deductible as provided in these Guidelines, even if the Association performs the repair of the damages without submitting a claim.

4. CLAIMS ON BEHALF OF AN OWNER.

If an occurrence is made known to an Owner that results in damages or injury to an Owner or a Unit which may come within the Association's coverage as required in the Declaration, the following procedures shall be followed by the Owner:

- The Owner(s) shall promptly notify his or her personal carrier of the damage and follow the procedures set out in the Owner's policy describing the insured's duties in the event of an occurrence, claim, or suit.
- In the event the damage the Owner has sustained may come within the coverage required of the Association under the Declaration, the Owner shall promptly notify the Association of the damage by providing written notice to the Association setting forth the following:
  - a) Owner's home address and phone number;
  - b) The time, place and circumstances of the event;
  - c) Identification of damaged property; and
  - d) In the event of a liability claim, the names and addresses of the injured, and of any witnesses.
- The Owner shall give the Association a reasonable opportunity to inspect the damage, if requested.
- Within 15 days, the Association shall seek to determine whether the occurrence or claim consists of damages for which the Owner or the Association is responsible for insuring under the Declaration. The Association shall so notify the Owner.
- If the Association determines that the occurrence or claim consists of damages for which the Association is responsible for insuring, the Association shall follow the procedures set out above.

5. RESPONSIBILITY FOR PAYMENT OF DEDUCTIBLES AND OTHER AMOUNTS.

The deductible on the Association's property insurance policy is currently \$10,000. The trend in the insurance industry and many similar condominium communities is towards higher deductibles. Whether the Association, in its discretion, chooses to submit a claim under the Association's insurance policy or not, the payment of the deductible amount for claims that the Association is responsible for insuring, shall be as follows:

- Common Elements. The Association shall pay or absorb the deductible for any work, repairs or reconstruction for damage to Common Elements or for damages to Units that would be the maintenance responsibility of the Association in the absence of

insurance. However, if the damage is caused by the negligent or willful act or omission of an Owner, his family, guests, or invitees, the Association shall seek reimbursement of the deductible amount from such Owner as an assessment. In that event, the Association may also seek reimbursement of any such damages which are not recovered from insurance proceeds, including not only the deductible amounts under the Association's insurance policies, but any amount of such damages not otherwise recovered and for which the Association may be held responsible under its governing documents. Such amounts may be collected in the same manner as assessments.

- Units.
  - (a) The Association shall pay or absorb the deductible for any work, repairs, reconstruction or replacement for damage to a Unit for repairs that would be the Association's maintenance responsibility. However, if the loss or damage is caused by the negligent or willful act of an Owner, in which case the negligent Owner shall be responsible for the deductible and any amount of such damages not otherwise recovered and for which the Association may be held responsible under its governing documents. Such amounts may be collected in the same manner as assessments.
  - (b) The Owner shall pay or absorb the deductible for any work, repairs, reconstruction or replacement for damage to a Unit that would be the Owner's maintenance responsibility. However, if the loss or damage was caused by the negligent or willful act or omission of another Owner, in which case, the negligent Owner shall be responsible for the deductible of the damaged Owner, which the damaged Owner may collect from the negligent Owner.
- Multiple Units or Unit and Common Elements. If a claim covers damage to more than one Unit or to portions of the Unit that are the maintenance responsibility of both the Owner and the Association, the deductible shall be allocated between Owners or between the Association and the Owner(s) in the same proportion as that portion of the claim which would be their maintenance responsibility. However, if the loss is caused by the negligent or willful act or omission of the Association or another Owner, in which case, the negligent party shall be responsible for the deductible.
- Association Assistance on Owner to Owner Deductible Claims. If a negligent Owner fails to pay the deductible for damage to another Unit that the Owner is obligated to pay, the Association may, but shall not be obligated to, seek the deductible on behalf of the Owner suffering the loss as an assessment to be collected as provided for in the Declaration.
- Personal Property Exclusions. In the absence of Association negligence, the Association and/or its insurance company will not be responsible for damage to personal property of Owners or tenants or for their deductibles for personal property coverage, regardless of where the loss originates.



# Vail Racquet Club

## The Old Muddy Gazette

*Welcome to Fall!*

October 2021

### VRC Class Update for October



***WINTER SPORTS CONDITIONING  
WITH KINNA BEGINS 10/11***

**Winter Sports Conditioning (Kinna)**

**Monday's & Thursday's @ 5:30pm**

**Yoga (Joey)**

**Wednesday's @ 5:30pm**

**Pilates (Malin)**

**Tuesday's @ 5:30 pm**

Please check the schedule weekly online at  
[vailracquetclub.com](http://vailracquetclub.com).

### Health Club Hours

**We are open everyday**

**7:00 am—7:00 pm**

**Monday—Sunday**

Pool & Hot Tubs close 30 minutes  
prior to closing.



**HEIRLOOM**

We look forward to serving our  
neighbors throughout the Fall. Offering  
great food, service, value and  
convenience.

We will be open Wed.- Sat. @ 5:30 pm

**DINE IN or**

**TAKE OUT**

### Tennis Update

The Tennis Courts (hard courts) will  
remain open until the snow begins to  
fall, usually into November.

The Clay Courts will close sometime in  
October because of freezing.



### Mountain Shoppe

**35% off Clothing Sale**

# Vail Racquet Club



## Member Responsibility Pledge:

Vail Racquet Club

*We're all in this together.*

**By utilizing the Club Facility,**

**I acknowledge that I have read, understand and will follow the  
Member Pledge and the Club protocols.**

I accept personal responsibility for my safety and welfare

I will practice good gym etiquette by sanitizing all machines and equipment before and after I use them

I will stay home and not use any of the Club facilities if I am feeling unwell, sick, or displaying any of the symptoms of Covid-19 or any other illness.

To protect myself and others, I understand that a Face Covering is recommended while using any indoor facilities.

I understand that maintaining at least 6 feet of social distancing is a best practice

I will practice good hygiene and wash my hands before and after facility use, and after using the restroom

I will be respectful and considerate of others who are using the Club