

**381.9175 Upkeep of condominium. (Effective January 1, 2011)**

- (1) Except as provided in subsection (2) of this section, KRS 381.9187(7), or as otherwise provided by the declaration, the association is responsible for maintenance, repair, and replacement of the common elements, and each unit owner is responsible for maintenance, repair, and replacement of his or her unit. Each unit owner shall afford to the association and the other unit owners, and to their agents or employees, access through his or her unit reasonably necessary for those purposes. If damage is inflicted on the common elements, or on any unit through which access is taken, the unit owner responsible for the damage, or the association if it is responsible, is liable for the prompt repair thereof.
- (2) In addition to the liability that a declarant as a unit owner has under KRS 381.9101 to 381.9207, the declarant alone is liable for all expenses in connection with real estate subject to development rights. No other unit owner and no other portion of the condominium is subject to a claim for payment of those expenses. Unless the declaration provides otherwise, any income or proceeds from real estate subject to development rights inures to the declarant.

**Effective:** January 1, 2011

**History:** Created 2010 Ky. Acts ch. 97, sec. 38, effective January 1, 2011.