

PROTECTING PIPES IN FREEZING WEATHER

This article provides some common sense suggestions to minimize damage from freezing pipes at a rental property.

It's never too late to learn, and Mother Nature continues to teach us a few things more about the art of preventing frozen pipes in an apartment community. The form on REDBOOK page 676 is just a starting point that you can use in preparing your own customized notice for your particular apartment community, duplexes, rent houses, etc.

When to sound the alarm. Obviously, it is not necessary for residents to allow the faucets to drip every time the temperature goes below freezing. Also, whether the faucets should be allowed to drip or run continuously is always a judgment call. Good judgment needs to be exercised on each occasion, taking into account the degree and duration of the cold and the existing insulation in the buildings and on the pipes.

Add to your apartment rules. You may want to consider adding some new community policies (or rules) as standard instructions to your residents to protect against freezing pipes. If such rules are attached to your leases, there can be no dispute about whether the residents received the instructions. The *TAA Resident Handbook & Community Policies* booklet, available from your local apartment association, contains such information.

Last-minute notices. Regardless of what your rules say, you still need to deliver a special notice each time a hard or prolonged freeze is likely. The notice should be hand delivered and not just posted or put in mail boxes. It is recommended that the notice be personally delivered to the residents or left inside their dwelling units to minimize the alibi that "I never received the notice." It would not hurt to repeatedly put out notices during a prolonged, hard freeze.

Entering and double checking. It seems imperative that in hard or prolonged freezes you should have your personnel enter each and every apartment unit on a repeated basis during the entire freeze, even if the apartments are occupied and even if it is an inconvenience to your residents. When it is really cold, "still" water in pipes can freeze in just a few hours. If you are short of staff, hire someone else to help you spread the word and check the apartments.

You should assume that some residents will be gone and that others will claim they did not get the notice. Still others will not read the notice or will simply refuse to abide by it. Usually, most residents do try to follow your instructions, but they will often miss the hot water faucets, washer connections, etc., or forget to leave the heat on if they leave for the weekend or holidays. Even the most conscientious residents can start running their faucets in a steady stream at 4:00 p.m. and by midnight it will be only a slow drip or will stop altogether because during that interval residents all over town have dripped their faucets and the water pressure has therefore dropped substantially. Constant monitoring is needed.

The staff time and expense of frequently inspecting the interior and exterior will be considerably less costly than your plumbing bills for broken pipes. You will avoid the tragic results of: (a) irate residents who cannot drink, bathe, cook or use toilets; (b) mad residents who skip; (c) risks of liability for damage to residents' property; (d) costly damage to your walls, carpets, ceilings and furniture; (e) lost time; (f) lawsuits; (g) attorney's fees; and (h) possible loss of your job or your management contract. Don't forget to keep copies of all notices and a log of what you did (and when) just in case your boss, your owner or your residents challenge what you did or didn't do.

Outside precautions. Take care to prevent frozen pipes in common areas or outside, such as water hydrants, laundry room sinks and washers, swimming pool pumps and lines, clubrooms, exposed lawn sprinkler lines and water-cooled central A/C systems. You may have to actually drain some of these types of equipment. Remember to monitor outside dripping often in case the water pressure drops and the faucets quit dripping. If you have disconnected the water in community laundry rooms, you need to post signs; otherwise, the residents may inadvertently burn up the motors if they fail to notice the disconnections. Watch out for ice buildup on steps and sidewalks because of dripping roofs or outside faucets.

TAA lease provisions and statutory provisions. Paragraph 28 of the TAA Lease Contract authorizes the owner to enter the dwelling unit for the purpose of leaving notices, preventing waste of utilities, checking for water leaks and inspections when immediate danger to person or property is reasonably expected. The TAA Lease Contract in paragraph 24 does not outline comprehensive procedures for the resident regarding freezing pipes, although it does address resident duties in freezing weather. Also in paragraph 24 of the TAA Lease Contract, it states the owner has no duty to remove ice, sleet or snow; but the owner may do so in whole or in part, with or without notice.