



STANDARD 11A: INTERIOR FLOORING FOR SECOND AND OR THIRD FLOOR MANORS

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INTRODUCTION

Quiet Enjoyment. "Quiet enjoyment" for purposes of this standard, is the right of a member or tenant to enjoy his/her property in peace without interference. The Covenants, Conditions & Restrictions (CC&Rs), Article III, Section 6 states:

"No Owner or Resident shall permit or suffer anything to be done or kept within the Project which will increase insurance rates on any Building or Contents thereof, or which will obstruct or interfere with the right of other persons in the Project or annoy them by unreasonable noises or otherwise, nor shall any Owner or Resident commit or permit any nuisance or commit or permit any illegal act within the Project. An Owner and each Resident shall comply with the requirement of all governmental authorities. If by reason of any act of any Owner insurance rates should be increased, the Owner shall be personally liable for the additional premium." (See Supplemental References 5.1 A)

Even though members have the right to quiet enjoyment of their property, that does not mean they have the right to a noise-free environment.

This standard establishes a policy and procedure for alterations, modifications and improvements to a member's unit associated with flooring and resulting sound transference.

1.0 GENERAL REQUIREMENTS

See Standard 1: General Requirements

2.0 DEFINITIONS

2.1 Decibel (dB): a unit used to measure the intensity of a sound.

2.2 ASTM International: Originally called American Society for Testing and Materials now known as ASTM International. It is an international standards organization that develops and publishes voluntary consensus technical standards for a wide range of materials, products, systems and services.

2.3 IIC: Impact Insulation Class is a number rating system (expressed in dB's) used to measure how well a floor or ceiling assembly can absorb impact

sound and isolate vibrations in a lab setting as measured by ASTM E 492. The higher the IIC the better the acoustic insulation.

- A. A floor/ceiling assembly consists of all the individual components i.e. finish floor, underlayment, subfloor, structural floor/ceiling framing members, insulation, ceiling sound tested as one cohesive unit.
- B. Note: Manufacturers IIC ratings are only valid if the factory assemblies match the assembly conditions as found in the field.
- C. California Building Codes set IIC minimum standards at 50 and AIIC minimum standards at 45. (See Supplemental References 5.1 B)
- D. IIC ratings for higher end townhomes set the minimum dB levels at 65 – 70. (See Supplemental References 5.1 C)

2.4 Delta IIC (Δ IIC): a rating that measures (expressed in dB's) how well an underlayment improves the impact sound isolation of a floor/ceiling assembly as measured in a lab setting by ASTM E 2179.

2.5 AIIC: Apparent Impact Insulation Class a unit of measurement (expressed in dB's) that determines the degree of soundproofing of the impact noise of a floor/ceiling assembly in a field setting (rather than in a laboratory) as measured by ASTM E 1007. The higher the AIIC the better the acoustic insulation. Note: Field testing results can run 3 – 5 dB lower than comparative lab testing results.

3.0 APPLICATIONS

3.1 A mutual consent registration will be required prior to work commencing. The mutual consent will be for documentation purposes only. Materials registration will remain on file in the Manor Alterations office.

- A. A minimum mutual consent processing fee will be required.
- B. A registration form will consist of all material specifications, installation instructions and documented installation date provided by the flooring installer (owner-resident).
- C. It will need to be compliant with Sections 3.3 and 3.4.

3.2 Kitchen and bathroom areas are exempt from new flooring guidelines with the exception of underlayment requirements.

3.3 To assist in achieving the overall decibel reduction requirements, all new flooring installations will be required to have an underlayment installed that meets a minimum Delta Δ IIC rating of 20 dB or higher.

3.4 While underlayments have definitive sound rating reduction specifications, finish flooring products DO NOT. Typically, sound rating reduction

specifications for finish floors are included as a part of an OVERALL floor to ceiling assembly. These overall assembly ratings do not apply to the conditions found in Laguna Woods Village. Therefore, it becomes incumbent on the member, when purchasing a finish flooring product, to request from the finish flooring provider, the sound reduction specification FOR JUST THE FINISH FLOORING PRODUCT ITSELF. (A suggested minimum for a sound rating reduction specification would be 10dB or higher.)

- 3.5** REGARDLESS of the finish flooring selected, if or when a field test is requested these selections will become a part of the Grievance Procedure. All new flooring installations will be required to meet an overall ALC rating of 57 dB or higher. This field test will be inclusive of a new finish floor, new underlayment and existing floor/ceiling assembly to the manor below.

4.0 INTERIOR FLOORING GRIEVANCE PROCEDURE

- 4.1** The Grievance Procedure process may result in costs directly charged to the member. Carefully review Section 4.6.
- 4.2** ***APPLICABILITY:*** This Interior Flooring Grievance Procedure shall govern grievances by any owner or resident of a first or second floor condominium that the newly installed interior flooring in any area except the kitchen or bathrooms, in the condominium directly/ immediately above is considered a continued nuisance and/or a direct violation of Article III, Section 6 of the CC&R's as referenced in this Standard 11A: Interior Flooring for Second and Third Floor Manors.
- 4.3** ***WRITTEN GRIEVANCE:*** Any owner or resident who alleges that the flooring in the manor directly above them is in violation of section 4.2 applicability must:
- A. File a "Flooring Grievance Form" with the mutual through the Compliance Division.
 - B. Complete the "Flooring Grievance Form" supplied by, and returned to the Compliance Division.
- 4.4** ***MEET & CONFER:*** The mutual through the Compliance Division will prepare and deliver to both the owner or resident filing the "Flooring Grievance Form" and the owner or resident of the condominium against which the grievance has been lodged, a Grievance Resolution Package within 30 calendar days of receipt of a "Flooring Grievance Form". The Grievance Resolution Package will contain:
- A. A copy of Standard 11A specifically for Section 4 Interior Flooring Grievance Procedure.
 - B. A written demand that as a required first step all affected parties meet and confer in person, in a good faith effort, to resolve the flooring grievance between themselves.

- C. A Notice of Resolution form must be completed and returned to the Compliance Division within 30 days of receipt of the Grievance Resolution Package indicating 1) a resolution was reached or 2) a resolution was not reached.
- D. Refusal of either party to comply with this process will result in a disciplinary hearing.

4.5 INVESTIGATION OF GRIEVANCE: If an agreement is reached, it will be noted by Compliance and the Grievance Process closed. If an agreement is not reached, within the next 30 days the mutual through the Compliance Division will:

- A. Notify both parties that an acoustical test will be performed. Both parties will be required to confirm time and interior manor access for said testing.
- B. Select and retain the services of a licensed acoustical engineer.
- C. The engineer will perform testing in any area, except the kitchen or bathrooms, whichever area is the subject of complaint for compliance with the requirements as established in section 3.4 of Standard 11A.
- D. The acoustic engineer will promptly submit to the mutual through the Compliance Division a copy of the written field- testing report which will include test results, findings, recommendations, and opinions from the engineer. Copies of said report will immediately forwarded to the owners and residents of both parties.

4.6 REIMBURSEMENT OF COSTS/BOARD DIRECTORS: As soon as reasonable, a hearing will be held with the executive hearing committee. The executive hearing committee will undertake a final review of the field-testing report for compliance with Standard 11A.

- A. If the field-testing report is found to be in compliance with the standard, the owners or residents filing the Flooring Grievance will be responsible for all direct and indirect costs associated with the Interior Flooring Grievance Procedure as described in Section 4 of this standard. The board at its sole discretion will determine how said costs are to be levied. A copy of the report is to be filled with the Compliance Division and the Manor Alterations Division.
- B. If the field-testing report is found not to be in compliance with the standard the owners or residents who installed the flooring will be:
 - 1. Responsible for all direct and indirect costs associated with the Interior Flooring Grievance Procedure as described in Section 4 of this standard. The board at its sole discretion will determine how said costs are to be levied.
 - 2. Responsible for modifying or replacing said flooring as needed to bring into compliance with Standard 11A.
 - 3. Responsible for an acoustic retest and all subsequent associated costs performed by the mutual's acoustic engineer.
 - 4. Responsible for retesting until said flooring becomes compliant.

5. Once compliant, this installation will be exempt from any subsequent Interior Flooring Grievance Procedures. A copy of the report is to be filled with the Compliance Division and the Manor Alterations Division.
- C. The board at its sole discretion reserves the right to modify the reimbursement of costs as deemed appropriate for each event.

5.0 SUPPLEMENTAL

5.1 REFERENCES

- A. Excerpts taken from Third Mutual Amended and Restated Declaration of Covenants, Conditions and Restrictions (CC&R's) as recorded May 10, 1988

- B. 2022 California Building Code, Title 24, Part 2, Chapter 12 Interior Environment, Section 1206, Sound Transmission.

BKL Acoustic Consultants Footstep and Impact Noise in Multi Family Dwellings

<https://bkl.ca/features/footstep-impact-noise-in-multi-family-dwellings/>

- C. For reference only: Davis-Stirling/Adam I Stirling: Guidelines – Hard-Surface Flooring Acoustics
<https://www.davis-stirling.com/HOME/H/Hardwood-Flooring-Acoustics>

5.2 RESOURCES

The following underlayment resources are subject to change. No endorsement is implied.

- A. SONOpanX
<https://sonopan.com/floors/>
- B. US Rubber – Intertek Testing
<https://www.usrubber.com/acoustical-testing/>
- C. QQ Step Soft - Keene noise control products
<https://www.keenebuilding.com/products/noise-control>
- D. Acousti-Mat 3/4
<https://maxxon.com/products/acousti-mat-3-4/>
- E. Acoustik Underlay
<https://www.acousticalsurfaces.com/>

F. Quiet Walk

<https://quietwalk.com/>