

# ALOHA LANI HOUSE RULES

Revised: April 21, 2014

The primary purpose of the Aloha Lani House Rules are to help:

- protect all occupants from annoyance and nuisance caused by improper use of the residential apartments
- to provide for the rights, safety, comfort, convenience and well-being of all occupants
- to protect the reputation and desirability thereof by providing maximum enjoyment of the premises

All owners, tenants and their guests shall be bound by these rules and standards of reasonable conduct whether covered by these rules or not. Owners are responsible for ensuring that their rental agents and/or tenants have a current copy, understand and abide by these rules and standards of reasonable conduct.

Aloha Lani personnel, including the Courtesy Patrol, of the AOA are employed under a set of guidelines and policies and operate under the direction of the Resident Manager and Managing Agent.

## I. DEFINITIONS

As used herein, the following terms shall have the meaning hereinafter set forth:

- **Aloha Lani personnel** – refers to anyone employed by Aloha Lani AOA.
- **Association of Apartment Owners (AOA)** – is a non-profit association registered with the State of Hawaii for the purpose of governing the Aloha Lani community in accordance with its By-Laws. It is managed by a duly elected Board of Directors.
- **Board of Directors** – is a governing body elected by the homeowners to represent the homeowners in administering all business matters related to the Aloha Lani AOA.
- **By-Laws** – are the governing regulations of the Aloha Lani AOA.
- **Common Elements** – shall have the same meaning as in the Declarations.

The following are “Common Elements”

- (1) Said land in fee; and
- (2) All foundations, columns, beams, supports, load-bearing walls, roofs, chases, entry halls, stairs, walkways, entrances and exits of said buildings; and
- (3) All yards, grounds, landscaping, access decks, swimming pool, swimming pool equipment and decking, and other recreational facilities and appurtenances; and

- (4) All lobbies, the Resident Manager's office on the first floor, storage areas, mailboxes and equipment rooms; and
- (5) All driveways, loading areas, and parking areas; and
- (6) All pipes, cables, conduits, ducts, electrical equipment, refuse disposal/ trash chutes, wiring, and other central and pertinent transmission facilities and installations which serve more than one residential apartment for services such as power, lights gas water, sewer, telephone, and television signal distribution; and
- (7) The automatic electric passenger elevators with elevators housings and appurtenant equipment; and
- (8) Any and all other apparatus and installations of common use and all other parts of the Project necessary or convenient to its existence, maintenance, and safety, or normally in common use.
- **Courtesy Patrol personnel** – refers to anyone employed by Aloha Lani to staff the Courtesy Patrol office and patrol the premises.
  - **Guest** – refers to all persons visiting the residential apartment for a period of less than 32 days.
  - **Licensed Contractor** – refers to contractors, tradesmen, craftsmen, handy-men and other construction and maintenance personnel maintaining current licenses and permits from the governing state and local agencies.
  - **Managing Agent** – is a professional company hired by the Board of Directors to serve in an advisory capacity and to provide services such as: collection of maintenance fees and assessments, providing financial statements and collection reports, communications with homeowners. The Managing Agent reports directly to the Board of Directors. All decisions are made by a majority vote of the Board of Directors.
  - **Occupants** – owners of residential apartments of the project and their lessees or tenants and their family members and guest(s) and rental agents.
  - **Owner** – the person(s) or entity legally holding title to the residential apartment(s). The owner may or may not be a Resident.
  - **Other Occupants** – all other persons residing in the residential apartment for a period of 32 days or more. These persons include but are not limited to: family members, friends, significant others, live-in domestic employees, live-in medical and personal assistants and any other persons residing in the residential apartment.
  - **Premises** – the project, its building and grounds.
  - **Resident** – an all-encompassing term referring to all persons (Owners, Tenants and Other Occupants) occupying the residential apartment.
  - **Resident Manager** – is hired by the Board of Directors to manage Aloha Lani in collaboration with its Managing Agent.
  - **Rental Agent** – a licensed realtor or another person empowered/employed by an owner to manage that owner's apartment(s).

- **Tenant** – the person(s) or entity executing a valid lease for a residential apartment.
- **Unlicensed Contractor** – refers to contractors, tradesmen, craftsmen, handymen and other construction and maintenance personnel not maintaining current licenses and permits from the governing state and local agencies.

## **II. ENFORCEMENT OF HOUSE RULES**

The Board of Directors (the "Board") of the Association of Apartment Owners of Aloha Lani (the "AOAO") shall be responsible for enforcing these Rules and Regulations but the Board may delegate such responsibility to the Resident Manager. All owners, tenants, other occupants and guests of the residential apartments shall be bound by these House Rules and by standards of reasonable conduct whether covered by these Rules or not; provided, however, neither the Board of Directors nor the Managing Agent shall be responsible for any non-compliance or violation of said rules by the owner, tenants or their guests.

## **III. AMENDMENT OF RULES AND REGULATIONS**

The Board shall make such other House Rules from time to time or amend the following House Rules as it deems necessary or desirable. The House Rules may be amended only by a majority of the Board at a duly called meeting of the Board.

## **IV. GENERAL OCCUPANCY**

Building security is every resident's responsibility! Do not permit any person(s), whom you do not personally know, to enter when you are entering or exiting the building. Do not prop open security door(s) or in any way disable any lock. Do not give access to anyone unless they are known to you and/or are expected. Refer all other persons to the Resident Manager or Courtesy Patrol personnel.

All residents are required to register with the Resident Manager's office within 48 hours following their arrival. An "Aloha Lani Registration Form" can be obtained from the Courtesy Patrol office. Anyone not registered on an "Aloha Lani Registration Form" shall be deemed unauthorized to enter the premises without resident accompaniment and may be charged with trespassing. Failure to register shall not relieve the offending party from obligations and penalties hereunder.

A residential apartment shall be used only as a residence and shall not be used for any business, commercial or other purposes.

Subject to the terms of the residential apartment lease and the By-Laws of the AOAO, a residential apartment owner may lease his residential apartment or make it available to friends, but the person(s) leasing, renting or living in the residential apartment shall abide by the House Rules, By-Laws, and Declaration, and the owner shall assume responsibility for the conduct of their occupant(s). The owner must notify the Resident Manager of the names and length of anticipated occupancy of lessees, tenants or guests and must de-

liver to lessees, tenants or guests a copy of these House Rules. The owner(s) or rental agent shall deliver to the Resident Manager prior to occupancy a signed statement that they have read, understand, and agree to abide by these Rules.

Any residential apartment that is unoccupied for more than seven (7) consecutive days should, at the owner's expense, have a rental agent, friend or employee conduct periodic inspections of such residential apartment, assuming responsibility for the contents thereof. It is the responsibility of the resident(s) to notify the Resident Manager of their contact information prior to departing on extended trips; in the event of an emergency.

The Resident Manager shall be notified of any residential apartment for sale and also prior to any open house to be held. One open house sign may be placed outside the building and one business card may be placed next to the enterphone device located at the entrance of the building. All persons permitted entry into the building to visit the open house will be accompanied by the owner or sales agent/realtor while in the building.

A residential apartment owner shall be responsible for the conduct of his lessees, tenants and guests and all other occupants of his residential apartment and shall, upon request of the Board or Managing Agent, immediately abate and remove, at his expense, any structure, thing or condition that may exist with regard to the occupancy of his residential apartment by his lessees, tenant and guests contrary to the interest and meaning of the provisions hereof, he shall, upon request of the Board or Managing Agent, immediately remove such lessees, tenants and guests from the premises, without compensation for the lost rentals or any damage resulting there from.

Owners and/or their rental agent(s) are responsible for the conduct and behavior of all persons occupying their residential apartments, their guests, employees, and contractors. Particular attention should be considered during "quiet hours" of the evening from 10:00pm to 7:00am. When requested by Courtesy Patrol personnel or the Resident Manager to take action with respect to the conduct of themselves or others occupying their residential apartment(s) to conform to the House Rules, they shall comply promptly. Upon failure to comply, Aloha Lani Courtesy Patrol personnel and/or the Resident Manager may take steps to have the offending persons removed from the premises, including arrest if necessary.

No physical or verbal harassment, swearing or profane gestures, insults, taunts, or challenging of any Aloha Lani personnel, residents or guests, in a manner likely to provoke an immediate violent response or cause someone to reasonably believe that the individual intends to cause bodily harm or injury to the recipient, another person or damage to the property of the recipient or another person will be tolerated. No inappropriate touching of any residents, guests or Aloha Lani personnel will be tolerated. A violation of these rules may be referred to Police authorities.

Owners shall be responsible for designating a rental agent to represent their interest if they reside outside of Hawaii or if they will be absent from their residential apartment for more than thirty (30) days. Such owners shall file with the Resident Manager their out-of-town information and of their rental agent in the State of Hawaii. Such information shall be used for cases of emergency and notification of tenants' violation of house rules, by-laws or governmental regulations.

Residential apartments may not be rented for fewer than thirty (30) days (short term lease), as vacation rentals or time share. Violation of this rule will result in an automatic fine.

All common area access keys and garage remote transmitters are distributed for use by residents of the project. All remotes and keys are distributed in accordance with the policies of the project.

#### **A. MOVING**

Moving will be defined as the act of moving/removing one or more item(s) with the potential of disrupting others in terms of causing noise and/or inhibiting access in any common areas. Generally, an item occupying a space larger than 5 cubic feet to/from a residential apartment or making three (3) or more trips to transport multiple objects to/from a residential apartment will be recognized as moving. All participants involved in the move must comply with the following:

- All moving activities shall be made known to Courtesy Patrol personnel no later than 24 hours prior to moving.
- All move-ins/outs must be completed between the hours of 9:00am and 5:00pm.
- While moving in/out, all elevator use will be restricted to the second floor, and the floor which the occupant will be residing on.
- All moves must be completed using the designated freight elevator.
- Absolutely no moving will be conducted in the lobby area.
- Moving vehicles will be parked as directed by Aloha Lani Courtesy Patrol personnel.
- Parking for moving vehicles shall be limited and based on the availability of space.
- Damages caused by moving employees, guests and residents will be addressed and repaired at the expense of the AOA, then assessed to the owners of the residential apartment where the item(s) were being moved to/from.
- Violation of any rules applying to the use of the elevators or moving will result in an automatic fine.

## **B. DELIVERIES**

All deliveries must be accepted by a resident of the building. Aloha Lani Courtesy Patrol personnel or any other Aloha Lani personnel will not sign for, accept or take responsibility for the delivery of any such item or package. Aloha Lani personnel will not be liable for any item(s) or package(s) that have been delivered.

Any items or materials deemed hazardous to the safety of Aloha Lani and/or its residents shall not be moved/removed to/from a residential apartment without the permission of the Resident Manager or Managing Agent. Any hazardous materials or items will be handled in accordance with all applicable state and federal requirements. Violation of this rule will result in an automatic fine.

## **C. EXTERIORS OF RESIDENTIAL APARTMENTS**

No object whatsoever is to be hung on or from railings or in doorways, windows, or louvers in such a manner as to be in view from the outside of the residential apartment.

To present a uniform appearance from the outside, all drapes or window coverings shall be white or off-white in color as viewed from the exterior of the building.

Owners wishing to tint their windows shall use the product and color in accordance with the policies of the project.

Bedroom windows will be kept clean on both, the inside and outside surfaces.

Owners and/or occupants will be responsible for replacing bedroom glass windows and/or louvers if they are broken, cracked or missing. Louvers must be replaced with like kind. Upon notification by way of violation notice or other written request by the Resident Manager, owner shall clean and/or replace damaged glass within 14 days or be subject to a fine of \$10.00 per day until the situation is remedied.

Owners and/or occupants will be responsible for the repair, replacement or repainting of residential apartment front doors and/or storage locker doors if they appear broken or unsightly. Upon notification by way of violation notice or other written request by the Resident Manager, owner shall repair, replace or repaint the door(s) within 14 days or be subject to a fine of \$10.00 per day until the situation is remedied.

All residential apartment front doors, storage locker doors and residential apartment windows/louvers shall not be altered from their original, as built, design without the written consent of the Board. Each door and/or window must also comply in accordance with the policies of the project.

No shoes, slippers, shoe cabinets, or any other personal items shall be left outside of the residential apartment in the entry walkway; with the exception of a floor mat.

Air conditioners are permitted to be installed upon obtaining written approval from the Board or the Resident Manager. Installation of an air conditioning unit must comply with air conditioning policies/guidelines of the project. Any air conditioner that does not comply or cannot be maintained to comply with the policies of the project must be removed. Each violation of House Rules or policies pertaining to the use or installation of an air conditioner will result in an automatic fine. Upon the third notification, by way of violation notice or other written request by the Resident Manager or Managing Agent, the owner shall remove or replace the air conditioner within 14 days or be subject to a fine of \$25.00 per day until the situation is remedied.

#### **D. INTERIORS OF RESIDENTIAL APARTMENTS**

“Open flame” cooking shall not be permitted within any residential apartment space. Waterbeds are not permitted on the premises.

Owners and rental agents are responsible for their residential apartments to be kept in such condition as not to cause damage to the common elements or other residential apartments, or to jeopardize the rights, comfort, or health of other occupants: such as, for instance, by causing the spread of roaches.

All cleaning of rugs, mops, or dust cloths are to be done so within the residential apartment or outside the boundaries of the property. Nothing whatsoever is to be swept, dusted, beaten or thrown outside a residential apartment and/or residential apartment window.

No objects may be projected, ejected, forced, tossed, or persuaded out of a residential apartment window. Should an owner, occupant or guest violate this rule, it will result in an automatic fine.

#### **E. LANAI/PATIO**

Residential apartment owners shall be responsible for the care and maintenance of their lanai area included in their residential apartment.

Unsightly lanais within the public view or from other residential apartments are not acceptable. For this purpose, "unsightliness," is in the discretion of the AOA and its Managing Agent, and Resident Manager, and includes, but is not limited to the following: laundry on lanais; litter or trash containers except as specially provided; inappropriate, broken, scarred or offensively ugly furniture, appliances, large plants hanging off lanais of residential apartments; equipment, cans, bottles, ladders, trash, boxes, barrels, etc., or improperly shaded lights and other objects creating objectionable glare.

Only appropriate furniture and small plants shall be used for lanais. All plants shall be placed in a container to prevent the dripping of water or soil onto other residential apartments or common elements. Lanais areas are not to be used for storage purposes of any kind.

Residents may not paint or otherwise decorate the walls and ceilings of lanais or observation decks without the prior written approval of the Board. It is intended that the exterior of the buildings shall present a uniform appearance and, to affect that end, the Board may require the painting of the walls and ceilings of each lanai and regulate the type and color of paint to be used.

Care shall be taken in cleaning lanais to prevent water from running down the exterior of the buildings. Dry mopping is recommended to avoid runoff of cleaning water and cleaning products from lanais.

Textile items, including towels, bathing apparel and clothing, brooms, mops and cartons shall not be placed on lanais, passages, or in windows of residential apartments so as to be in view from outside the building from any other residential apartment(s) around or above.

Nothing that may cause damage or harm the surface of any lanai may be stored, kept or used on the lanai area.

Cooking is not permitted on lanais.

Windows, decks and/or lanais are not to be enclosed, altered, decorated, landscaped, or covered by any awnings, shades, window guards etc... without the written consent of the Board. Owners of tenth-floor residential apartments may install and/or replace their aluminum awnings if the design, installation and materials are approved by the Board.

## **F. COMMON AREAS**

Any activities or actions deemed inappropriate, unsafe or offensive to the comfort, conditions and health of Aloha Lani residents, guests and property within the common areas will not be allowed.

Unapproved modifications or damage to common and/or limited common elements is restricted. Costs for repair or replacement of common elements and any legal fees incurred may be assessed by the Board against the parties responsible, including, but not limited to, any Owner for damages caused directly or indirectly by his tenants, other occupants, employees, contractors or guests.

No one shall loiter in the corridors, elevators, the parking garage, stairways sidewalks, or lobbies of the project. These areas shall be used for purposes of ingress or egress only and shall not be used for recreational activity of any nature whatsoever.

While on the premises, all residents and guests must wear appropriate clothing and footwear at all times. Aloha Lani Courtesy Patrol personnel may deny someone the use or access of common areas until such violations are remedied.



It is unacceptable to track water or any bodily fluids throughout the premises. Persons using the pool and other facilities must dry off and clean up after use.

Fires & fireworks of any type in or around the common areas are expressly prohibited, per Hawaii State Law.

No smoking of any substance (including but not limited to cigarettes, pipes, and cigars, and the use of devices that simulate the act of smoking if the device discharges vapor or other substances, such as certain electronic cigarettes) is permitted in any common area.

Consumption of alcoholic beverages and possession of open containers containing alcoholic beverages are prohibited in all common areas. Failure to comply with this rule will result in an automatic fine.

Bicycles, mopeds, surfboards, and other large sports equipment/recreational vehicles are not permitted in residential apartments, lobby areas, elevators, bridge walkways or stairwells. Failure to comply with this rule will result in an automatic fine.

Skateboards, roller skates, roller blades and foot-powered scooters shall not be ridden in any common area; they must be carried.

Bicycles and mopeds shall not be stored upon the common elements, chained or secured to any pipe of the common elements. They may only be stored in the owner's assigned parking stall or bicycles within the bicycle storage area. The AOA shall not be liable for theft or damages to property stored in the common areas.

Sidewalks, passages, lobbies, stairways, walkways, corridors, emergency exits and roadways must not be obstructed or used for any purpose other than ingress and egress.

No items or personal belongings shall be stored in any common areas; unless the common area facilities are exclusively designated for storage purposes of such items.

Littering or abandonment of items is strictly prohibited on these premises. Failure to comply with this rule will result in a fine if compliance is not met upon receipt of a violation notice.

Common area entrances and emergency exit doors are to remain closed. Anyone responsible for manipulating an entrance or exit door so that it would remain in an open position will be in violation of this rule.

Residential apartment doors should be closed with caution so that they do not slam shut and create a disturbance.

Use of common area electrical outlets and water hose-bibs without the consent of Aloha Lani's Resident Manager is not permitted.

No owner, resident, or guest of Aloha Lani shall be permitted to solicit, promote, distribute or sell any services or goods, or distribute any informational letters or flyers, within any common areas on the premises.

Residents, owners and guests are not permitted to hang or display items in the common areas; with the exception of the Aloha Lani bulletin board. Policies for the bulletin board, outside the lobby, are listed on the board itself. The bulletin board inside the lobby is reserved for information approved by the Board.

### **G. FACILITIES**

Following are the hours that Aloha Lani's facilities are open and closed, unless closed for cleaning or maintenance.

<b>Facility</b>	<b>Open</b>	<b>Closed</b>
Swimming pool & deck	8am – 10pm	10pm – 8am
BBQ area	8am – 10pm	10pm – 8am
Recreation/meeting room	8am – 10pm	10pm – 8am
Saunas	8am – 10pm	10pm – 8am
Fitness center	7am – 10pm	10pm – 7am
Laundry room	6am – 12am	12am – 6am

Use of all facilities shall be limited to residential apartment owners, lessees, renters, members of their families and guests. Non-residents shall not use these facilities or areas unless accompanied by a resident of the building at all times.

The number of guests may be limited if any facility is being occupied by a large number of residents. The number of guests may also be limited if the resident responsible or their guests are not compliant with the House Rules.

Residents and guests must be aware of the posted rules, policies and hours of use for each recreational area and or facility. Abuse of safety, rules, policies or posted hours may result in suspended facility use by an individual or all occupants/guests of a residential apartment.

## **Pool**

There is No Lifeguard on duty at the Swimming Pool.

Access to the pool shall be restricted to those with a security key. Family members or guests found in the area shall be presumed to be there with the full knowledge and consent of the owner or resident.

Owners and residents shall be responsible for the health and safety of themselves, their family members, and their guests who use the pool. Owners and residents must ensure that family members and guests who are non-swimmers or weak swimmers are accompanied at all times in the pool area by someone who will ensure their safety.

Glass containers are prohibited in the pool, pool areas and BBQ area.

No food or drink shall be permitted in the pool.

Towels, brushes, combs and drinking cups are prohibited in the pool.

Running, boisterous or rough play and excessive noise are forbidden in and around the pool and pool deck and BBQ areas.

Persons with a skin disease, open cut, sore or inflamed eyes, nasal or ear discharges or any communicable disease shall not enter the pool. No spitting or nose blowing into the pool.

Hair pins and other such materials must be removed before entering the pool. Persons with long hair shall wear swim a cap in the pool.

Persons using the pool shall take a shower before entering. If a bather leaves the pool to use the toilet, a second shower must be taken before re-entering the pool.

Splashing of water, other than that accompanying normal swimming is not permitted. No diving or jumping into the pool is allowed.

No life rafts, tubes, balls, toys or other such objects shall be permitted in the pool. Arm floats for non-swimmers or weak swimmers are acceptable.

The BBQ area on the pool deck is shared by all residents of the project. Use of the BBQ grills should be limited to 45 minutes per party and may be used on a "first come first serve" basis.

Persons under the age of 18 must be accompanied by someone who will ensure their safety while operating or cooking on the BBQ grills.

The BBQ grills may not be used for any purpose other than cooking food. Any cooking deemed excessive or unsafe will not be allowed.

### **Sauna**

Persons under the age of 16 must be accompanied by someone who will ensure their safety while using the sauna facilities.

Proper clothing must be used in the sauna facility.

### **Recreation/Meeting Room**

Reserved use of the Recreation/Meeting Room will be handled by the Resident Manager. A refundable \$100 cleaning/damage deposit will be required for the use of the area. This will be arranged on a first come first serve basis. However, if damages caused exceed the refundable amount of \$100, excess charges will be assessed to the homeowner's account of the responsible parties involved. A reservation form is available at the Courtesy Patrol office. Policies and use of the area are detailed on the reservation form. A violation of these policies will result in an automatic forfeiture of the deposit.

## **H. PARKING AND VEHICLE OPERATION**

Each owner, tenant and other occupants shall park only in parking stalls assigned to the owner or tenant's residential apartment (if any).

Owners and tenants temporarily using the parking stalls of other owners and tenants must obtain written permission from the owner or tenant prior to parking in the stall. This written permission must be filed with the Resident Manager's office during business hours. Persons parking in stalls not assigned to their residential apartment(s), parking in stalls where a rental agreement does not exist or parking in stalls where expressed permission has not been granted by the owner or tenant of the residential apartment where the parking stall is assigned may be fined by the AOA and/or towed from the parking stall by the owner and/or the rightful tenant of the parking stall.

Vehicles shall be centered in parking stalls and may not extend on or beyond the painted boundary lines.

All vehicles parked on the premises must be registered with the Resident Manager's and/or Courtesy Patrol office(s).

There are no designated "guest" parking stalls on the premises.

All guests and/or residents should be aware of signage stating allowable use of loading zones or common areas for parking. Vehicle owners parking in these areas must sign-in with the Courtesy Patrol office. Any parked vehicle that does not comply with the posted signs in these areas may be towed off property at the expense of the vehicle owner.

Parking in unmarked areas is prohibited.

Aloha Lani Courtesy Patrol personnel will have any vehicle parked inappropriately on common area grounds, obstructing access to the building or any other walkway towed away without notice. Violators of parking regulations shall have their vehicles towed at the vehicle owners' expense.

Owners of vehicles on the premises shall provide current paperwork for their vehicles stating ownership, payment of vehicle tax, safety check and insurance upon request.

Any vehicle that is not operated outside of the premises within a period of 6 consecutive months will require a car cover. The car cover must remain on the vehicle until it is operated off of the premises again. The cover must be secured in a manner which will not allow for disturbances or damages to other vehicles, should a gust of wind arise.

No vehicles or other devices of any nature whatsoever shall be ridden in any portion of the project, other than for ingress and egress to and from the driveways and parking area. However, vehicles or devices relied upon by persons with limited mobility shall be exempt from the provision.

Vehicle entry into parking garages shall be limited to access through the main garage gate entrances. No vehicles shall be transported or travel through doorways or designated pedestrian entryways.

Vehicles operated within the parking garage structures shall use their headlights at all times.

No vehicle operated on the premises shall exceed 5 miles per hour.

All persons operating vehicles on property shall yield to pedestrians and use caution while navigating corners and areas surrounding the lobby.

Trailers, mobile homes, mobile storage units and aquatic vehicles are not permitted to park on the premises.

Each homeowner assigned to a parking stall will be responsible for keeping their stall clean and free of vehicle fluids, debris, clutter, litter, grease and/or any other item deemed inappropriate by the Resident Manager. Failure to do so will result in notification by way of violation notice and/or written request by the Resident Manager or the Managing

Agent. Should the condition of the stall not be remedied within 5 days of notification, Courtesy Patrol personnel or the Resident Manager will arrange for the stall to be cleaned at the expense of the homeowner.

Changing of tires, batteries, and all other minimal repairs shall be permitted in no area other than a resident's assigned parking stall. Major repairs and changing of motor oil/transmission fluids are not allowed on the premises.

Vehicles may not be washed within the parking garage.

## **I. REFUSE DISPOSAL**

Residential trash may be bagged and deposited in the refuse disposal/trash chute for disposal. Remodeling, demolition and construction materials must be removed from the premises. Any dumping of these materials will subject the owner of the residential apartment to an automatic fine and/or the cost for proper disposal/removal.

When using the refuse disposal/trash chute or stairwell, do not allow the doors to slam.

The refuse disposal/trash chute may only be used between the hours of 7:00am and 10:00pm.

All garbage deposited in either the refuse disposal/trash chute or trash bin on the ground level shall be wrapped and tied securely.

Heavy items must be transported to the trash bin on the ground level. Heavy items deposited in the refuse disposal/trash chute will damage the chute and trash compactor.

No bottles, large boxes or any breakable, bulky or inflammable objects shall be placed in the refuse disposal/trash chute.

All large boxes are to be flattened and taken to the trash bin on the ground level. Large boxes should not be deposited in the chute.

All newspapers are to be rolled and tied before deposited in the chute.

Christmas trees will be disposed of with regard to notices posted during holiday seasons.

Trash items shall not be left in the refuse disposal/trash chute area, parking garage or other common areas of the premises. Trash items that cannot be placed in the refuse disposal/trash chute should be hand carried to the trash bin on the ground level.

## **J. ANIMALS**

Pets are not allowed on property

All animals on the premises shall comply with the Aloha Lani Animal Policies. Animals and/or animal owners that act in non-compliance with these policies will be held to the consequences described in the Aloha Lani Animal Policies.

Assistance animals must be registered with the Resident Manager promptly within 5 days of the animal accessing any part or portion of the premises.

Feeding any stray fowl/animals on property, i.e. birds, cats, dogs, rodents, pests is prohibited. Each violation of this rule will result in an automatic fine.

## **K. CONTRACTORS AND CONSTRUCTION**

Contracting and construction activities are only authorized between the hours of 9:00 a.m. and 5:00 p.m.

Workers conducting construction and contracted activity within the property must use the designated freight elevator car with regard to moving and deliveries of materials.

All workers conducting construction and contracted activity within the property will register their names, contact information, vehicles and the nature of their visit with the Courtesy Patrol office.

Contractors and persons performing work within residential apartments will be treated as guests of the residence in which they are working.

## **L. VIOLATIONS, SCHEDULE OF FINES AND WARNINGS**

Witness to violation of House Rules and damage to common elements should be reported promptly to the Resident Manager and/or Courtesy Patrol.

Violation of any House Rules adopted by the Aloha Lani AOA shall give the Board or its Managing Agent the right to:

Enjoin, abate, or remedy by appropriate legal proceeding, either at law or in equity, the continuance of any such breach, and all costs thereof including attorneys' fees and costs shall be borne by the defaulting residential apartment owner or tenant.

Damage to common elements shall be evaluated by the Board or the Resident Manager at the direction of the Board. Costs for repair or replacement of common elements and any legal fees incurred may be assessed by the Board against the parties responsible, including, but not limited to, any Owner(s) for damages caused directly or indirectly by their

tenants, other occupants, employees, contractors or guest(s). Owners will be notified in writing of action to be taken.

Violations of House Rules are reported to owners, tenants, occupants or guests by way of a violation notice. Prior to the AOA levying a fine, the Resident Manager, Courtesy Patrol personnel or Managing Agent will issue a prescribed number of violation warnings associated with the violation. Once a prescribed number of violation warnings have been issued, the Managing Agent will issue the owner a violation notice/violation letter assessing fines, damages and/or any associated legal costs to the owner's account.

**M. FINES**

***FINING POLICY for violating the HOUSE RULES is as follows:***

First offense – A violation warning will be given, sent or delivered to the residence, resident or residential apartment occupant.

Second offense – A violation notice will be issued and a violation letter will be given or sent to the residential apartment owner(s) and/or rental agent(s).

Third offense – A violation notice will be issued and a violation letter will be given or sent to the residential apartment owner(s) and/or rental agent(s) and a \$100.00 fine will be assessed.

Fourth and subsequent offenses – A violation notice will be issued and a violation letter will be given or sent to the residential apartment owner(s) and/or rental agent(s) and a \$200.00 fine will be assessed with each subsequent notice.

Repeated violations of house rules [three (3) or more offenses] may be grounds for legal action against the offending party which would include but not be limited to eviction proceeding, recovery of costs and fees, damages, injunctive relief, or both on behalf of the AOA.

House Rule violations will be seen as separate occurrences: [i.e., Parking and Noise Violations will be seen as two (2) different violations and both violations will be subject to first Warnings].



### **AUTOMATIC FINE SCHEDULE**

The prescribed number of violation warnings that apply to the following House Rule Violations is zero. Violating these House Rules will result in an automatic fine without previous warning. A violation letter will be issued to the residential apartment owner(s) and a fine will be assessed.

Any action or violation of rules that endangers the safety of residents, guests of the property, and/or any Aloha Lani personnel: \$100.00

Inappropriate moving, deliveries or other prohibited use of elevators: \$100.00

Consuming alcoholic beverages or the possession/presence of open alcohol beverage containers in any common area: \$50.00

Smoking, or using a device that simulates smoking, any substance in common areas: \$50.00

Dumping or abandonment of inappropriate items in any common area, refuse disposal/trash chute or trash bin on the ground level: \$50.00

Bicycles, mopeds, surfboards, and other large sports equipment/recreational vehicles transported to/through residential apartments, lobby areas, elevators, bridge walkways or stairwells: \$50.00

Violation of House Rules or policies pertaining to the use, or installation, of an air conditioner: \$100.00

Vandalism, harm or threat of intentional harm to the property, its facilities or Aloha Lani personnel: \$100.00

Residential apartments rented for fewer than thirty (30) days (short term lease), as a vacation rental or as a time share: \$100.00

Feeding any stray fowl/animals on property, i.e. birds, cats, dogs, rodents, pests: \$100.00

### **N. APPEAL PROCESS**

Violations must be appealed within ten (10) business days of the date of the violation by forwarding a written response to the Board, c/o the Managing Agent. If no written response to the violation is received within the 10-day period, the violation and fine (if assessed) will be deemed valid.

# **ALOHA LANI HOUSE RULES**

Revised and adopted the \_\_\_\_ day of \_\_\_\_\_, 2014  
by the Board of Directors of  
the Association of Apartment Owners  
of Aloha Lani

\_\_\_\_\_  
(Signed by the President of the Board)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Print Name of President)

REVISED OR NEWLY AMENDED VERSIONS OF THE HOUSE RULES SHALL BE  
MAILED, VIA HARDCOPY, TO THE ADDRESS ON FILE FOR  
EACH MEMBER OF THE ALOHA LANI HOMEOWNER'S ASSOCIATION.

ADDITIONAL COPIES MAY BE PURCHASED AS NEEDED.