

KEAUHOU PALENA ABBREVIATED HOUSE RULES

Revised July 2009

- 1. Register upon arrival. This is essential as a protection against unauthorized occupation of condo units and to prevent your car from being towed.**
- 2. Park in your assigned space. Do not back in. Vehicles without a current license plate and inspection sticker may be towed.**
- 3. Your rental agent is responsible for providing keys for the door, pool and mailbox. There is a \$20 charge to replace lost keys.**
- 4. For problems inside you unit contact your rental agent. For problems outside your unit or emergencies contact the Resident Manager.**
- 5. Quiet hours are 10 P.M. to 8 A.M. seven days a week..**
- 6. Pool hours are 8 A.M. to 9 P.M. Glass or china is not allowed inside the pool area. Children under 12 must be accompanied by an adult to ensure compliance with pool rules. Children who are not toilet trained must wear a swim diaper. Swim fins, toys, any styrofoam or any object which may block pool outlets are forbidden because this can cause circulation pump failure.**
- 7. WARNING!! Golf balls have hit people in the pool. There is no lifeguard. People using the pool do so at their own risk.**
- 8. Do not hang any items over the lanai railings. Towels, swimwear or diving equipment may not be dried on the lanai.**
- 9. Keauhou Palena is pet free. No pets allowed (except as provided by the Americans With Disabilities Act).**
- 10. There is a \$50 fine for failure to break down boxes placed in the dumpsters.**
- 11. Smoking is prohibited in all common and limited common areas including unit lanais and pool enclosure. Smoking is permitted on the driveway but must be at least 20 feet away from any unit.**
- 12. Owners or tenants who wish to use the pool area for parties may do so on a limited basis. All parties must be approved by the Resident Manager and shall not be to the exclusion of other owners. Excessive noise is prohibited.**
- 13. As a courtesy to others, cell phones in the pool area should be limited, please keep conversations brief.**

- 14. Every occupant is required to abide by the published House Rules, which are more detailed than this version. If you do not find a set in your unit, contact the Resident Manager for a copy. All violations of the House Rules are subject to fine.**
- 15. The Resident Manager's telephone number is 322-3620.**

KEAUHOU PALENA HOUSE RULES
Revised July, 2009

The purpose of these rules is to protect all occupants from improper use of the condominium units and to protect the reputation and desirability of the Keauhou Palena premises.

The full authority and responsibility of enforcing these House Rules is vested in the Board of Directors, the on-site Resident Manager and the Managing Agent. All occupants, tenants and their guests shall be bound by these rules and by standards of reasonable conduct, whether covered by these rules or not. Neither the Board of Directors, the Resident Manager nor the Managing Agent shall be held responsible for any non-compliance with House Rules.

The By-Laws of this Association and House Rules in existence or subsequently adopted, shall give the Board of Directors, the Resident Manager, or the Managing Agent the right to enter any unit to correct any violation, for emergency purposes, or to make repairs to common elements.

I. GENERAL PROVISIONS

- A. The Resident Manager shall not give access to units without the appropriate permission of the owner, authorized rental agent or long-term tenant, except in cases of scheduled maintenance, inspections or in emergencies.
- B. Owners and/or their agents are responsible for the conduct of their lessees, renters or guests. Owners or their agents shall, upon written request by the Board of Directors, make a diligent effort to remove lessees, renters or guests for house rules violations, including, but not limited to initiating legal action. Owners and their agents shall include a provision in their oral or written leases that violation of the house rules is a violation of the lease and is a basis for terminating the lease after 20 days written notice of the violation. Upon approval of the Board of Directors, cable television service may be turned off in the offending unit.
- C. Upon written request of the Board of Directors, owners shall promptly remove or correct, at their own expense, any structure or condition that violates these rules or improperly impinges upon common areas.

Failure to promptly comply with this provision will result in assessment of fines, daily if necessary, as provided in Section XIII.

- D. No employee of Keauhou Palena shall be asked or required to leave the common areas of the complex for any private purpose by any owner, tenant, renter or guest, including members of the Board of Directors.
- E. The inside maintenance of units is the owner's responsibility.
- F. No owner, lessee, renter or guest shall reprimand or in any way castigate an employee of Keauhou Palena. Complaints about employees shall be made in writing to the President of the Board of Directors, or to the Certified Management Account Executive.
- G. Smoking is prohibited in all common and limited common areas including unit lanais and pool enclosure. Smoking is permitted on the driveway but must be at least 20 feet away from any unit.

II. POOL

- A. The Resident Manager may provide owners, renters, lessees and guests replacement pool keys at a non-refundable cost of \$20.00 per key.
- B. The Association has no lifeguard. Anyone using the pool does so at their own risk. Be aware that the pool occasionally gets golf balls and on occasion swimmers have been hit. The Association is not responsible or liable for any injuries sustained from any source by persons using the pool.
- C. The swimming pool is for the exclusive use of Keauhou Palena owners, and their lessees, renters and guests, plus the guests of lessees, renters and guests. Children under 12 must be accompanied by an adult. The supervising adult will be responsible for assuring the child complies with pool rules. Owners or tenants are responsible for the safety and conduct of anyone using the pool under the owner's pool and host privileges.

- D. The hours for the use of the swimming pool are 8 A.M. to 9 P.M. No one will be allowed in the pool when it is being cleaned, regardless of the hour, and there will be a strictly enforced period for closing the pool after the addition of pool chemicals.
- E. Children who are not toilet trained must wear swim diapers.
- F. Running, pushing, screaming, yelling or horseplay of any kind in the pool area is prohibited.
- G. The use of diving equipment, rafts, swim fins, surfboards, toys and metal articles such as hairpins and other items which may cause damage to the filter system or pool surface are not allowed. The washing of surfboards and/or sea diving equipment in the pool or shower is prohibited. Styrofoam items of any kind are not allowed.
- H. No glass containers are permitted inside the pool fence.
- I. Litter of all kinds must be disposed of in appropriate receptacles.
- J. No smoking will be allowed in the pool area.
- K. Owners or tenants who wish to use the pool area for parties may do so on a limited basis. All parties must be approved by the Resident Manager and shall not be to the exclusion of other owners. Excessive noise is prohibited.
- L. As a courtesy to others, cell phones are to have limited use in the pool area. Please keep conversations brief.

III. PARKING

- A. All gas, diesel powered or electric powered licensable vehicles driven or parked in the Keauhou Palena parking lots must have a current safety sticker and current license plates. Non-complying vehicles may be towed at owner's expense. Owners must always park their vehicles in their assigned parking places. This provision applies to motorcycles and scooters, provided however, that motorcycles and scooters may be parked in the same space as the owner's full size vehicle, if there is enough space to accommodate both vehicles.

Owners who own two vehicles may utilize visitor's spaces on a first-come first-serve basis for their second vehicle. Owners may not store a vehicle in a visitor's space if their assigned space is empty. Any vehicle which is parked anywhere in the Keauhou Palena parking lots, but is not in a designated parking place, or is parked in another unit's assigned space is subject to towing and to a fine as provided in Section XIII.

- B. There will be no repairs to motor vehicles within the parking areas except those of an emergency nature (i.e., flat tires, dead batteries, etc.). If a parking space asphalt is destroyed by leaking oil, the asphalt may be replaced at the owner's expense.
- C. Parking of boats and trailers for any length of time within the Keauhou Palena premises is prohibited.
- D. Abandoned vehicles are subject to removal at the owner's expense, even if the vehicle belongs to a previous or current lessee, tenant or guest.
- E. The Association shall not be liable for theft or damage to vehicles parked in the common areas.

IV. NOISE

- A. Excessive noise will not be permitted within the Keauhou Palena complex. Particular attention must be paid to social gatherings, TV sets, stereos, etc.
- B. Quiet hours will be respected and enforced at all times between the hours of 10 P.M. to 8 A.M. each day.
- C. Fire works of ANY KIND are not allowed on the premises.

V. LANAIS AND ENTRY WAYS

- A. No occupant of any unit may keep anything on the lanai which, in the opinion of the Board of Directors or the Resident Manager is unsightly or inappropriate. Only lanai furniture, potted plants, electric grills and small TV sets may be kept on lanais. Lanais may not be

screened or used as bedrooms. Hot tubs are not permitted on the premises.

- B. Textile items, including clothing, beach towels or swimming apparel shall not be hung on lanais or in the entryways.
- C. Rugs and mats may only be shaken or beaten on the ground floor. Debris, litter and dust must not be swept from lanais or entryways down upon the ground floor, but must be gathered in a dust pan or other appropriate receptacle for disposal.
- D. Occupants are not permitted to put their names in any entryways, doors or stairways of the buildings.
- E. For safety reasons the sidewalks, stairways and entryways shall not be obstructed or used for any purpose other than entry or exit from units.
- F. Upon notification of the Board of Directors, owners must repair broken or unsightly windows and screen doors. Failure to do so will result in repair or replacement by the Board of Directors at the owner's expense. All front screens or security doors and frames must be painted black.
- G. Signs, signals or lettering other than Association approved shall not be inscribed or exposed on any part of the building or common area, nor shall anything be projected out of any window or off any lanai. This includes realtor or rental agency signs with the exception of periods of "Open Houses".

VI. STORAGE OF PERSONAL PROPERTY

- A. Personal property shall not be stored or left in any common area or on any lanais except as allowed in House Rules V. A. or VIII.

VII. GARBAGE, TRASH AND CARDBOARD BOXES

- A. Garbage, rubbish and other trash shall be disposed of in provided dumpsters. Garbage bags must be used and tied shut.

- B. Boxes must be broken down before being placed in dumpsters. Repeat offenders may be fined \$50 for each occurrence.
- C. Construction materials, used furniture, and or other large refuse must be taken to a transfer station, and not placed in the dumpsters.

VIII. SAFETY-HAZARDOUS MATERIALS OR CONDITIONS

- A. No owner or occupant is allowed to install or operate anywhere on the premises any machinery, refrigerating device, heating device, or air conditioning apparatus unless they have obtained, in advance, written permission from the Board of Directors. Any person violating this rule is subject to a daily fine of up to \$100 for the first and subsequent violations. If any such condition is found to exist the Board reserves the right to immediately remove the offending condition without notice, at the violator's expense.
- B. No owner or occupant is allowed to keep or store anywhere on the premises any flammable or explosive material including, but not limited to, flammable oils, barbecue starters, gasoline, diesel, kerosene, naphtha, benzene, propane or butane (except when contained in small lighters). This provision is intended to minimize fire accelerants or explosive material but is not intended to apply to household products like rubbing alcohol or liquor.
- C. Only electric barbecues or smokers are allowed and they must be plugged into the duplex outlets on the lanai. (This is because the lanai duplex outlets have all been wired with ground fault circuit breakers). No charcoal, propane, butane grills or hibachis are permitted.
- D. Recreational activities of any sort in the parking areas and driveways accessing the public streets from Keauhou Palena are prohibited.
- F. The use of roller-skates, rollerblades, skateboards and similar wheeled equipment is prohibited, for safety reasons, anywhere at Keauhou Palena.
- F. Bicycles are permitted, but they must be kept inside the owner's unit when they are not in use. They may not be stored in the common area

or on lanais. Abandoned bicycles will be promptly confiscated and disposed of.

IX. EXTERNAL BUILDING STRUCTURE APPEARANCES

- A. No shades, awnings, structures or window guards shall be used except those approved by the Board of Directors.
- B. Sun blinds for lanais must be roll-up shades of nylon fabric and must be brown or beige. Existing blinds or shades which do not comply will be grandfathered in, but must comply with this rule when replaced.
- C. If any screens or security doors are installed in the front door of a unit they must be black. Owner must also paint front screen doors or security doors black when they become rusty.
- D. Front and back lanais may be bare concrete, green indoor/outdoor carpet or light colored non-slip tile. Non-conforming carpets or tile will be grandfathered, but must conform to this rule when replaced.
- E. No draperies, curtains, shades or other materials other than white or beige may be placed against any window or door that will be visible from the outside. Tinting of windows with material approved by the Board of Directors is permitted.
- F. Seasonal outdoor decorations, such as Christmas lights, are allowed, but any liability resulting from the use of such lights and/or decorations rests solely with the owner or tenant. Seasonal outdoor decorations must be removed no later than 14 days from the event, e.g., Christmas lights would need to be taken down 14 days after Christmas Day. Seasonal outdoor decorations cannot be amplified.
- G. No antennas of any kind including dish- type TV antennas may be installed until their location is approved by the Board of Directors. No such devices may ever be placed on the roof.
- H. Any person who is handicapped, as that term is defined in 24 CFR Part14, 100.201 shall, notwithstanding any other provisions of these House Rules, be permitted to make reasonable modifications to the

existing premises, both external and internal, in order to permit the reasonable enjoyment of the premises, provided that such handicapped person together with the owner of the respective unit shall be responsible for any and all expenses associated with such modifications and the removal of same and provided further that written proposals of said modifications shall be provided in advance to the Board of Directors. All such modifications are subject to the written approval of the Board of Directors and shall be performed under appropriate permits and in keeping with all building regulations. The Board of Directors may, in its discretion, require a bond or other deposit from the owner.

X. PETS

- A. No livestock, poultry, rabbits or other animals, including, but not limited to dogs and cats, shall be allowed or kept in any part of Keauhou Palena, provided, however, that this provision is subject to Rule IX. H.
- B. No occupant will be allowed to maintain a bird feeder, including the practice of throwing large quantities of seeds on the lawn. DO NOT, UNDER ANY CIRCUMSTANCES, FEED THE MONGOOSE OR TURKEYS.

XI. GROUNDS-COMMON AREAS

- A. Owners and occupants may not alter or adjust any part of the irrigation or sprinkler systems, including any and all timing devices or valves. If anyone observes any malfunctioning lights or sprinklers, please report the problem to the Resident Manager.
- B. The night light systems on buildings and grounds are on automatic timing devices and are not to be interfered with.
- C. No owner or occupant shall remove any trees, shrubs or flowers in common areas without written permission of the Board of Directors.
- D. Any activity that could result in the destruction or change the appearance of the common grounds is prohibited. Everyone should know and understand that the area in front of the under stairs storage

area, or under the stairs, IS NOT a temporary or permanent substitute for the dumpsters or storage.

- F. No refuse, garbage, or trash of any kind shall be thrown, placed or kept on any common elements of the grounds outside of the disposal facilities provided for such purpose.

XII. RENTAL UNIT OCCUPANCY

- A. All occupants including owners, lessees, renters or guests MUST REGISTER at the office of the Resident Manager upon arrival. Vehicles not registered are subject to towing at owner's expense.
- B. All renters must be provided with a copy of the current house rules, or an abbreviated version, both of which are available from the Resident Manager.
- C. Hawaii State Law provides that "off-island" owners must have an on-island agent/representative possessing the authority to act on behalf of the owner. On-island agents must be registered at the Resident Manager's office.

XIII. ENFORCEMENT

- A. Any costs incurred by the Association resulting from making emergency repairs or minimizing ongoing damages to preserve an owner's property, or any costs resulting from enforcement of these rules must be paid within 10 days of receipt of a notice or invoice. If an owner fails to pay any and all invoices received within 10 days, the Association is entitled to assert, file and enforce and/or foreclose a lien on the owner's property at Keauhou Palena pursuant to FIRS §51 4A-90. All liens filed pursuant to this rule will bear simple interest at the rate of 10%. Any and all costs of enforcement, including attorneys' fees, incurred by the Association to collect on or foreclose a lien, as provided herein, shall be the responsibility of the owner of the property where emergency repairs were made or the violation occurred, pursuant to HRS §514-94.
- B. The Board of Directors, or the Board's agent, may assess a fine, not to exceed \$100 a day, for each violation. The fine provided for herein

may be assessed against any owner who violates these rules, or whose tenants, renters or guests violate these rules. Additionally, two hundred and fifty dollars (\$250.00) for an offense of any police related violation will be assessed. Fines assessed under this provision are in addition to any costs incurred as provided in XIII. A., above. Any owner who is fined for a rules violation must pay the fine within 20 days of receipt of notice or an invoice, or the Association may perfect a lien against the owner's Keauhou Palena property as provided in XIII. A., pursuant to HRS §514-94.

PLEASE NOTE:

It is the responsibility of the owner, if their unit is used for rental purposes, whether renting privately or through an agency, to openly post in their unit a complete or abbreviated copy of current House Rules. As an owner, you are responsible for the actions of your guests and renters.

Additional copies of these, or an abbreviated copy of the House Rules are available at the Resident Manager's office.

Provide keys to your unit and your car for the Resident Manager. A key is needed for emergency entry or for approved repairs and general Association maintenance, or to move your car when necessary. Owners must notify the Resident Manager or the Management Company of the names, phone numbers, etc., of their rental agents.