

# HALE PAU HANA

## House Rules

### **General:**

**All owners must be familiar with the following Owners House Rules and Occupant Rules and Information (Guest Rules). Each owner must, directly or (if the owner's unit participates in the Resort) through the Resort Office, provide copies of the HPH Guest Rules to the owner's guests by placing the HPH Guest Rules in a prominent place in the unit.<sup>1</sup> ("Guest" and "occupant" are used interchangeably in these Rules and mean any non-owner who occupies or uses a unit.)**

1. All owners, guests, and/or workers entering the HPH complex shall notify the Resort Office of their presence and obtain a Parking Pass. The Resort Office is located due west of the main Kihei Road entrance of the HPH complex (across the parking lot from the entrance). Workers must also notify the General Manager, as provided in the Contractor Rules.

Note: The Resort Office prepares a list for the General Manager on a daily basis giving the names and unit numbers of owners and guests on property. This is required for security and safety reasons, so that the General Manager will know who is on property and allow him/her to comply with County Fire and Safety Code.

2. Owners not in the Resort organization shall be responsible to distribute keys to their guests. Owners are required to notify the General Manager in advance by fax or e-mail when they and/or their guests shall arrive, including length of stay.

Note: The Resort Office distributes keys and grants access to units that participate in the Resort.

3. Unless the Board gives advance written consent in each and every instance, owners/occupants shall not install or operate in the premises any machinery, refrigerating or heating devices, air conditioning apparatus (other than in the bedroom), or illuminating devices (other than electric). No inflammable oils or fluids, such as gasoline, kerosene, naptha, benzine, or other explosives or articles deemed to be hazardous to life, limb or property shall be brought into the premises or stored in the basement locker area.

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<sup>1</sup> Some owners are members of a separate entity known as Hale Pau Hana Resort, LLC (the Resort), whereby the Resort handles guest use of those owners' units. The Association currently leases certain office and associated space (the Resort Office) to the Resort.

4. The General Manager must have access to every unit or on-property storage area in case of emergency. (Access to locked closets and cabinets inside a unit is not required.) Owners shall leave keys with the General Manager for the regular door locks, dead bolts, padlocks, and any stored cars.

Note: The General Manager's office is located at the opposite end of the breezeway from the elevator of the high-rise building (sometimes referred to as Building A), just past the door for Unit #107.

5. Only one (1) car (owner or guest) per unit is allowed in the HPH parking lot.
6. Owners not renting their unit may store a car when they are not in residence. Storage must be on the Kihei Road side of the parking lot, past the first dumpster, opposite the two-story buildings (sometimes referred to as the low-rise buildings or Buildings B and C). A car key must be left with the General Manager, so that the car can be moved in case of emergency.
7. Resale, open house, or other realtor signage shall be limited to one (1) sign at the driveway entrance to the parking lot. No other signs, materials or graffiti referencing a unit that is for sale shall be placed anywhere on the premises.
8. An owner who plans to remodel a unit must comply with the HPH Remodeling Standards and Procedures and the HPH Contractor Rules contained herein and made part of these House Rules.
9. Regarding the exterior appearance of a unit (including the lanai, windows and doors), owners must comply with the HPH Building Appearance Standards contained herein and made part of these Rules. It is the policy of the Association to present and maintain a uniform exterior appearance of the building and facilities.
10. Owners are allowed to perform maintenance work in their units. To minimize noise and disturbances to other owners and guests, work should be confined to 9:00 a.m. to 5:00 p.m., Monday through Saturday.
11. All damage to buildings and/or the common elements caused by the owner, their guests or contractors shall be paid by the owner or person causing the damage.
12. Pursuant to Hawaii law, no smoking is permitted at Hale Pau Hana, except for the three areas indicated below. Smoking is not permitted on or in any lanai, the lawn, the pool area, the laundry room, the elevator, the General Manager's office, the Resort Office, stairwells, walkways, or the corridors or "breezeways" between buildings. Smoking is permitted only in the following three areas:
  - a. To the ocean-side of the barbecues on the lawn area (but in no event within 20 feet of any building or lanai). If other individuals are nearby, the smoker should exercise discretion and courtesy.

- b. On the street-side of the parking lot (but in no event within 20 feet of any building or lanai) and the northeast quadrant of the parking lot (i.e., beyond the big tree in the center of the lot). If other individuals are nearby, the smoker should exercise discretion and courtesy.
- c. The interior of any unit (unless the owner has prohibited smoking in the unit).

In addition, smokers must properly dispose of their cigarette or cigar butts and related ashtrays and litter.

- 13. Some units might evidence exceptions to these rules. Generally, exceptions existing as of June 1, 2009, were deemed grandfathered for historical and other reasons.
- 14. A fine may be imposed on an owner, as determined by the Board, for non-compliance with these Rules. Refer to the HPH Fine Policy also included herein.

# HALE PAU HANA

## Occupant Rules and Information

ALOHA!!!!!! WELCOME TO HALE PAU HANA, Hawaiian for “House of No Work”

We hope you enjoy your stay with us on the greatest beach on Maui!

**Hale Pau Hana is a condominium of individually-owned residential units. Some owners are permanent residents. The owners want you to enjoy and treat the unit you have rented as if it were your “home away from home.” You should think of Hale Pau Hana as your own residential “neighborhood,” and the people you meet here as your “neighbors.”**

We ask that you and your family be aware of the following rules. Please take a few minutes to review the information presented below.

- Please be considerate of residents and guests. Please refrain from disturbing noises, or any acts which may interfere with the rights, comforts or convenience of others. Television, radios, computers, video games and other sound systems need to be turned down so that sounds do not travel beyond the unit.
- Children must be supervised at all times to assure privacy and quiet to other guests and residents. Running on the walkways and playing in the elevators or stairways is not allowed. For safety reasons children under twelve (12) years of age are not allowed to use the elevator without an adult. All active, noisy games, including any ball games that involve throwing, are to be played on the beach, not on the grounds.
- To help maintain an orderly appearance and for the safety of others, do not hang **ANY** articles including beach towels and laundry over the railings, and do not sweep, throw or empty **ANYTHING** from the lanais, windows or walkway railings.

The following sections give you and your family and friends important information concerning your stay with us. This information is about:

- SAFETY AND SECURITY
- HOUSEKEEPING
- ENERGY AND CONSERVATION
- HOSPITALITY AND AMENITIES
- EVENT POLICIES

We hope you will enjoy your stay and return often to “The House of No Work.”

## **SECTION I SAFETY AND SECURITY**

### **POOL**

The pool area is accessed (and exited) by means of your unit's key.

Pool hours are from 8:00 a.m. to sunset. Please note that there is no lifeguard on duty. Children twelve (12) years of age and under **MUST** be supervised by an adult within the pool enclosure. Toddlers shall wear leak-proof diapers under swim garments. No food and drink are allowed in the pool area. Other important rules are posted at the pool.

### **BEACH AND OCEAN**

The Association does not provide any lifeguard on the beach or in the ocean.

**ENTER THE OCEAN AT YOUR OWN RISK.** Please be careful of surf conditions, which may vary from day to day, hour to hour.

**READ THE POSTED SIGNS ON OR NEAR THE BEACH** for your safety and be alert to the red flags, which may be posted at the south end of the beach. These red flags indicate unsafe swimming conditions.

### **NO SMOKING**

Pursuant to Hawaii law, no smoking is permitted at Hale Pau Hana, except for the three areas indicated below. Smoking is not permitted on or in any lanai, the lawn, the pool area, the laundry room, the elevator, the General Manager's office, the Resort Office, stairwells, walkways, or the corridors or "breezeways" between buildings. Smoking is permitted only in the following three areas:

1. To the ocean-side of the barbecues on the lawn area (but in no event within 20 feet of any building or lanai). If other individuals are nearby, the smoker should exercise discretion and courtesy.
2. On the street-side of the parking lot (but in no event within 20 feet of any building or lanai) and the northeast quadrant of the parking lot (i.e., beyond the big tree in the center of the lot). If other individuals are nearby, the smoker should exercise discretion and courtesy.
3. The interior of any unit (unless the owner has prohibited smoking in the unit).

In addition, smokers must properly dispose of their cigarette or cigar butts and related ashtrays and litter.

## **HOUSE SECURITY**

The Association does not employ a security guard. For your safety and security please lock ALL doors and windows while sleeping or away from your unit. Also close or control windows to avoid damage from gusty winds.

## **STATE LAND**

The strip of lawn overlooking the beach is used by the HPH complex pursuant to an agreement with the State of Hawaii, with the understanding that, among other things, members of the public may walk along that strip if they so desire. Accordingly, please be aware that some passersby might not be associated with the HPH complex.

## **EMERGENCY AND OTHER CONTACTS**

In the event of an **EMERGENCY** requiring fire, police or ambulance service **PHONE 911**. Next, please contact one of the following:

1. The General Manager, either at:
  - a. The General Manager's office, located at the opposite end of the breezeway from the elevator of the high-rise building (sometimes referred to as Building A), just past the door for Unit #107.
  - b. The General Manager's cell phone (as of August, 2009, the number is (808) 357-0416 or office phone at (808) 874-0916.
2. The Resort Office, located due west of the main Kihei Road entrance of the HPH complex (that is, across the parking lot from the street entrance). The Resort Manager's number is (808) 879-2715.

## **EMERGENCY WARNINGS**

Very infrequently, coastal resort areas experience natural disasters such as tsunamis or hurricanes. Both the telephone book and Maui disaster preparedness guide in your unit have instructions for such occurrences. All islands have a siren warning system, tested on the first business day of each month.

To facilitate response and restoration efforts by the Association and its staff and owners in connection with and following certain emergency situations (fire, flood, earthquake, tsunami and hurricane), the Association has developed an "Emergency Management Procedure." A copy of that document is available from the General Manager on request.

## **SECTION II HOUSEKEEPING**

### **HOUSEKEEPING SERVICES**

Services vary with type of accommodation:

*Guests of non-Resort owner or rental agency:*  
Please consult agency/owner for services provided.

*Guests of the Resort:*  
Every other day trash pick-up.  
Every other day towel, including beach towel, change.  
Weekly linen changed, units vacuumed, bath(s) cleaned.

### **WASTE AND TRASH DISPOSALS**

Please keep in mind that the HPH complex was constructed in the late 1960s. Accordingly, care must be taken to avoid placing unnecessary burdens on its waste and other systems.

Fibrous materials (pineapple cores and peels, celery, avocado and mango seeds, corncoobs, and artichokes) tend to bind up the garbage disposal and the plumbing below. Use the trash baskets for these and similar items. Use plenty of cold water during the grinding process of garbage disposals. Please, no cooking grease down the sink. Please make sure that your trash basket is emptied regularly. Disposal bins are located in the fenced areas on the parking lot.

### **TOILETS/SHOWERS**

Do not place in toilets any items (rags, paper, sanitary napkins, and tampons) which cause blockages to toilets.

Use outside showers to remove any sand and ocean activity.

### **ANIMALS**

No pets are allowed on the premises or in the units. The sole exception to this rule is for professionally trained service dogs (for example, Seeing Eye dogs, hearing and signal dogs, and psychiatric-service dogs).

Please refrain from feeding any animals or birds, in order to keep the grounds and lanais free of messy bird and animal droppings, ants, bugs and rodents.

### **SECTION III     ENERGY AND WATER CONSERVATION**

Electrical energy on Maui, produced from oil, is extremely expensive! The Association also aspires that the HPH complex be as “green” a facility as is practicable. For example, the complex has been retrofitted with solar water-heating systems, has been updated with high-efficiency hot water heat pumps, and has a photo-voltaic energy production system.

**PLEASE HELP US CONSERVE** by turning off all unneeded lights, fans, radios, TVs and air conditioners, especially when leaving the unit. When running the bedroom A/C unit, please make sure windows and bedroom door are shut. These A/C units are too small to cool the entire unit! Please use only when bedroom is occupied. Also, please help us conserve water whenever possible!



## **SECTION IV HOSPITALITY AND AMENITIES**

### **COFFEE AND PUPUS**

You are invited to join other guests/residents for coffee on or near the lawn from 10 to 11 a.m. daily except Sunday. Each Thursday at 5:30 p.m. on the lawn is a no-host adult cocktail and pupu (appetizer) gathering. Bring your beverage and a pupu to share with other guests/residents.

### **BARBECUES**

Gas barbecues are available at two locations on a first-come first-serve basis. Please read the posted instructions. For the convenience and safety of others, please brush the grill clean and turn off burners after use. Leave the pilot flame on, as that will benefit the next user. Please finish your barbecuing before 9:30 p.m.

Note: The posted instructions are very important, and not only for safety reasons. The barbecues are used heavily. They also are exposed to high winds and other oceanic conditions. The instructions are based on HPH experience and also seek to enhance the use of the barbecues and to preserve their useful life.

### **MAIL/MESSAGES**

Mail and messages will be placed in the boxes located in the Resort Office. Outgoing mail should be placed into the mailbox by the Resort Office before 10 a.m.

### **TELEPHONES**

Local island calls are free. All other calls, including those to other islands, must be made by credit card, collect, or charged to your home phone. Look for telephone numbers of other Hale Pau Hana units on a list placed in your phone book.

### **INTERNET**

Free internet access is provided through a cable modem located in each unit. Follow the connection instructions located in each unit.

### **LAUNDRY**

Coin-operated washers and dryers are available next to the Resort Office from 8 a.m.-5 p.m. Change is available at the Resort Office.

## **LAWN FURNITURE**

Chairs and chaises are available on a first-come first-serve basis. They may be held while swimming or away for short periods only. They are not to be held for long periods of time. They are not to be taken down to the beach or off the premises. For your protection from falling tree fronds, care should be taken about sitting under palm trees, especially during the high winds.

## **CONCIERGE SERVICES**

As a courtesy, the Resort Office will provide you with information, or direct you to the appropriate source for activities on the island.

## **SUGGESTIONS**

We encourage you to submit any suggestions or complaints in writing to the Association to help Hale Pau Hana continue to be a preferred return destination. Please direct any comments to the owner or, if applicable, the Resort on the form provided. Should you prefer, write Hale Pau Hana Association of Apartment Owners, Attention: President, c/o General Manager.

## **SECTION V EVENT POLICY**

All events and details must be approved by the AOA board. Please complete the Event Request Form following this section and provide to the general manager.

### **CAPACITY**

For the purposes of this policy, any gathering larger than 20 people shall be considered an event. No event may exceed a maximum person count of 50, excepting official Hale Pau Hana events.

### **HOUSE RULES**

All existing Hale Pau Hana house rules must be reviewed and followed.

### **FOOD**

All food must be prepared and served by a caterer properly licensed by the state. Food preparation will be completed off-site or within the confines of the unit; limited use of a BBQ is acceptable so long as it doesn't impede normal use by others.

### **BEVERAGES**

Any alcoholic beverages must be served by a company properly licensed for such by the state. The group is responsible for the proper and respectful behavior of attendees. No minor consumption is allowed according to local law.

### **USE OF GROUNDS**

No portion of the facility or grounds may be sectioned off for the event except as approved as part of the overall event plan. The group must leave standard lawn furniture (tables, chairs, etc) for other guests. The group is required to supply any furniture or equipment at their own cost. The general manager must be notified of any rental supply service delivering furniture to the facility.

### **DECORATION**

All decorations and/or displays must not compromise public safety. Special effects such as smoke, fog and fire machines, sparklers, etc are not permitted. No use of adhesives, balloons, glitter, rice, confetti, or similar materials is permitted. No open flames. Candles must be enclosed.

### **NOISE LEVELS**

Due to the small nature of our facility, noise levels must be minimized. The use of sound amplification equipment is not allowed, except that live or recorded music

or entertainment is permitted only with prior written permission. In all cases, there may not be any noise that causes a disturbance to other residents. No Bon Jovi.

### **SAFETY**

No decoration or furnishing may block doors, fire extinguishers, sprinklers, emergency equipment signage, emergency exits or lighting systems. All public walkways and thoroughfares (including shoreside public path and beach access) may not be impeded.

### **HOURS**

Daytime events must begin after noon and conclude by 4:30pm. Evening events must begin after 5:30pm and conclude by 10pm.

### **PARKING**

Parking is not guaranteed and is based on availability. Guests shall be encouraged to park on the street or across the road in the public lots.

### **SUPPLIERS**

All outside parties (decorators, caterers, bartenders, clowns, etc) must be approved prior to the event and must sign and deliver the applicable Certificate of Insurance.

### **CLEANUP**

The facility must be returned to its pre-event state. No trash or debris may be left behind; on-site dumpsters may be used with permission from the general manager. The furniture must be returned to its original layout.

## **HALE PAU HANA**

### **Event Scheduling Form**

**To: HPH AOA President**

**Event Date:** \_\_\_\_\_

**Owner/Guest:** \_\_\_\_\_

**Unit No:** \_\_\_\_\_

**Description of Event:**

By signing below, the owner/guest warrants that he/she has reviewed Hale Pau Hana's event policy and agrees to abide by its requirements.

**Owner/Guest Signature:** \_\_\_\_\_

**Board Approval:** \_\_\_\_\_

**Date:** \_\_\_\_\_

# **HALE PAU HANA**

## **Building Appearance Standards**

### **General:**

It is the policy and objective of the Association to ensure that all exteriors are presented and maintained in a manner consistent with preserving the uniform look of the property.

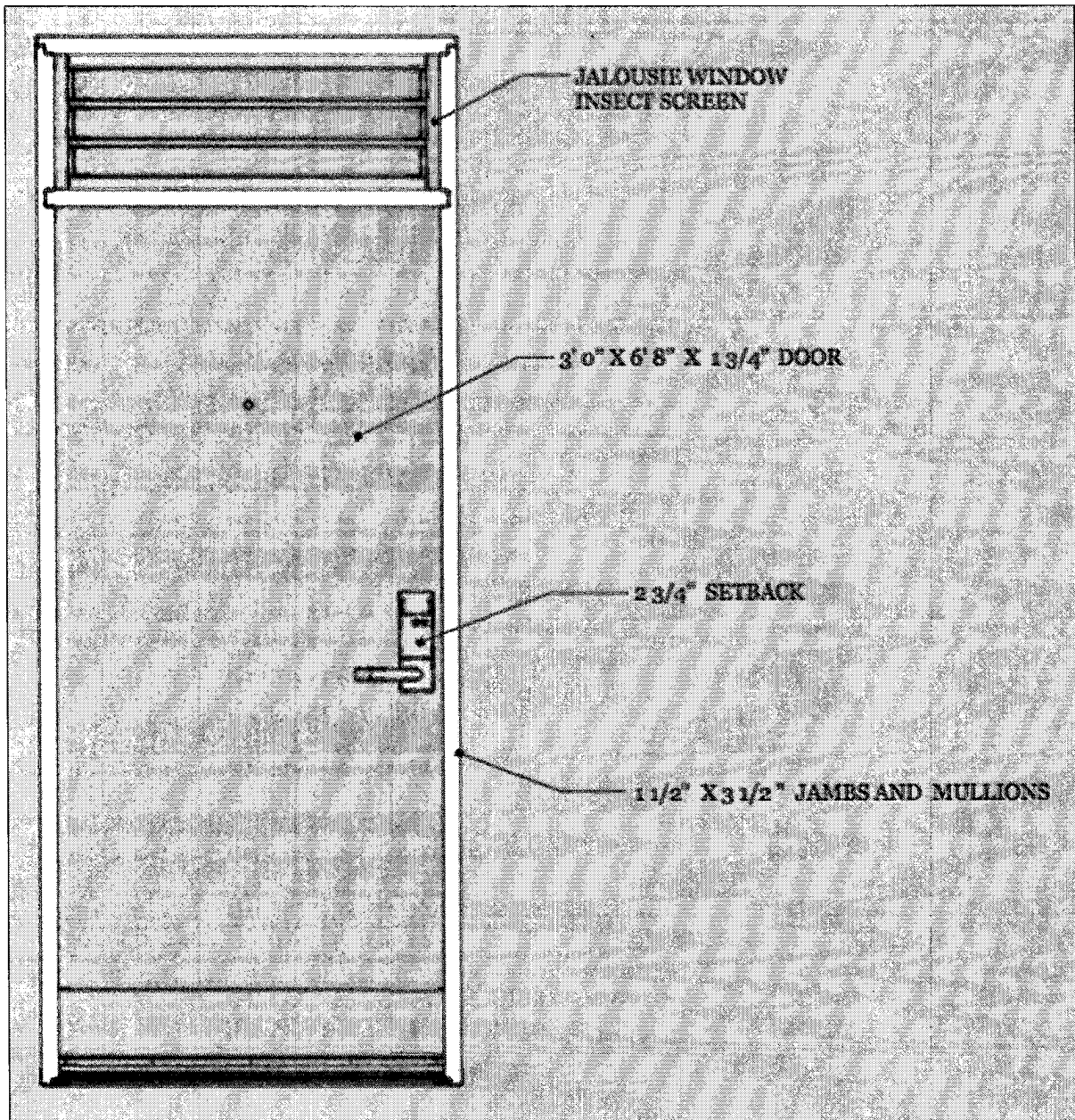
1. No signs, name plates, shades, awnings or window guards shall be used or installed except as approved by the Board.
2. All drapes, lanai window or door coverings and/or decorations, clearly visible from outside the building, shall conform in color and appearance with standards set by the Board. Standard color for window coverings is off-white. Standard color for window sun tint is gray.
3. No laundry, beach towels, or other objects shall be hung from the lanai railings.

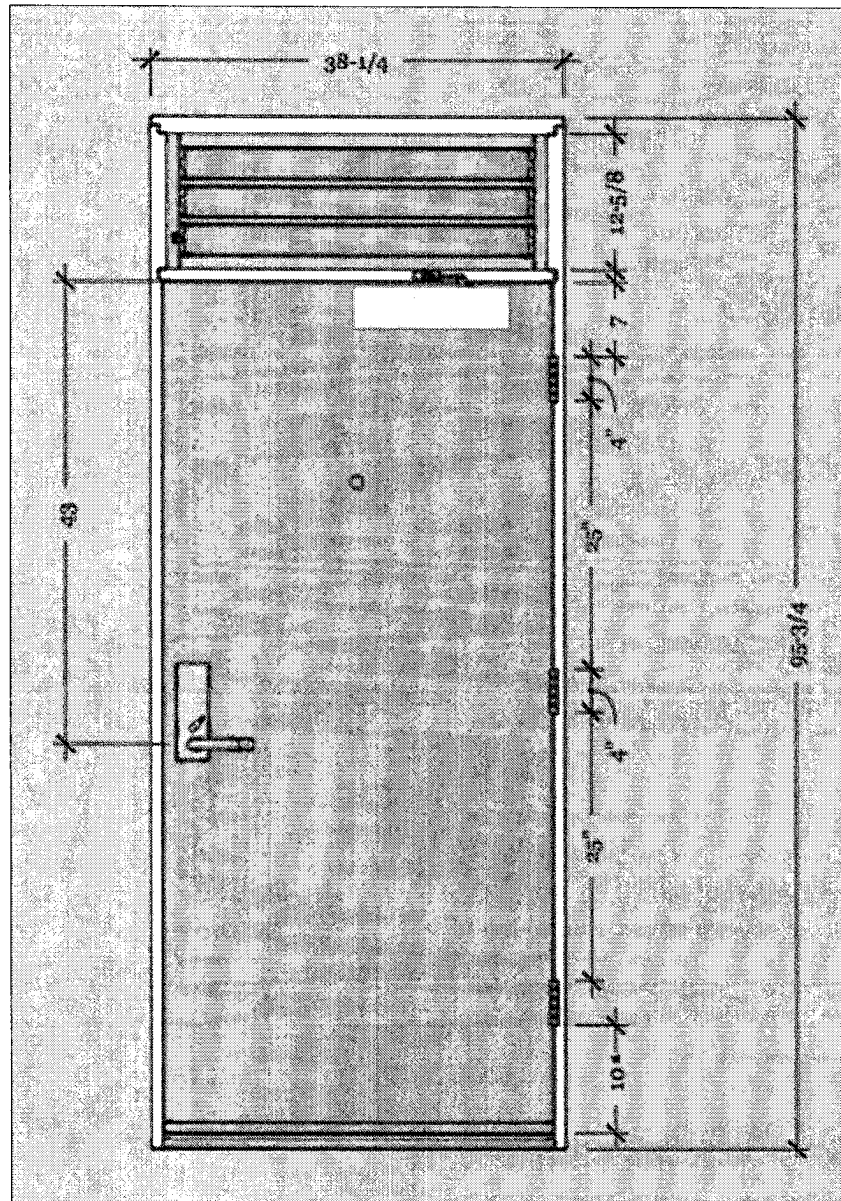
### **Exterior Doors and Windows:**

1. The dimension of all exterior doors and windows shall not be altered.
2. Exterior windows and doors if replaced shall be of aluminum construction, or equivalent, if approved by the Board in advance, with the appropriate locking mechanisms, of the same finish and/or color as presently exists. Lanai sliding doors and screens shall be equipped with key locks, especially for these doors located on the ground and second-floor units. Window and door frames other than specified above will require Board review and approval.
3. The existing vent windows may be replaced with “jalousie” or “louvre” style windows materially matching the example below. Venting shall be at the top for unit security.
4. Unit entry doors (front doors) shall be of standard construction, flat paneled, and fire rated. See below for precise requirements. All exterior doors and frames shall be solid wood, metal, or UL approved fiberglass with foam sandwiched inside. Any exceptions must first be approved by the Association insurance underwriters. All entry door knobs shall be lever handled for ADA compliance with brushed stainless steel or satin chrome finish and have a conventional or digital keyed lock mechanism. See below for a compliant digital lock example. Backplates or under-plates are not allowed on the door exterior. All locks shall be compatible for master-key/code access. Each door shall have a deadbolt, and a door knocker with people viewer.

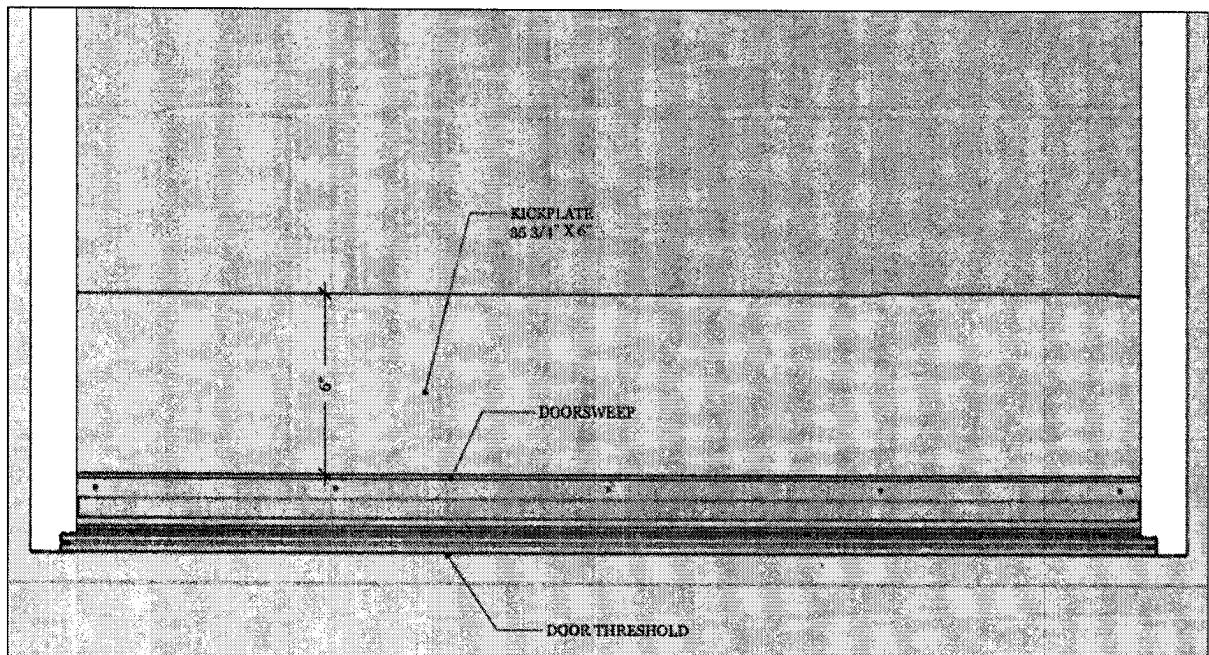
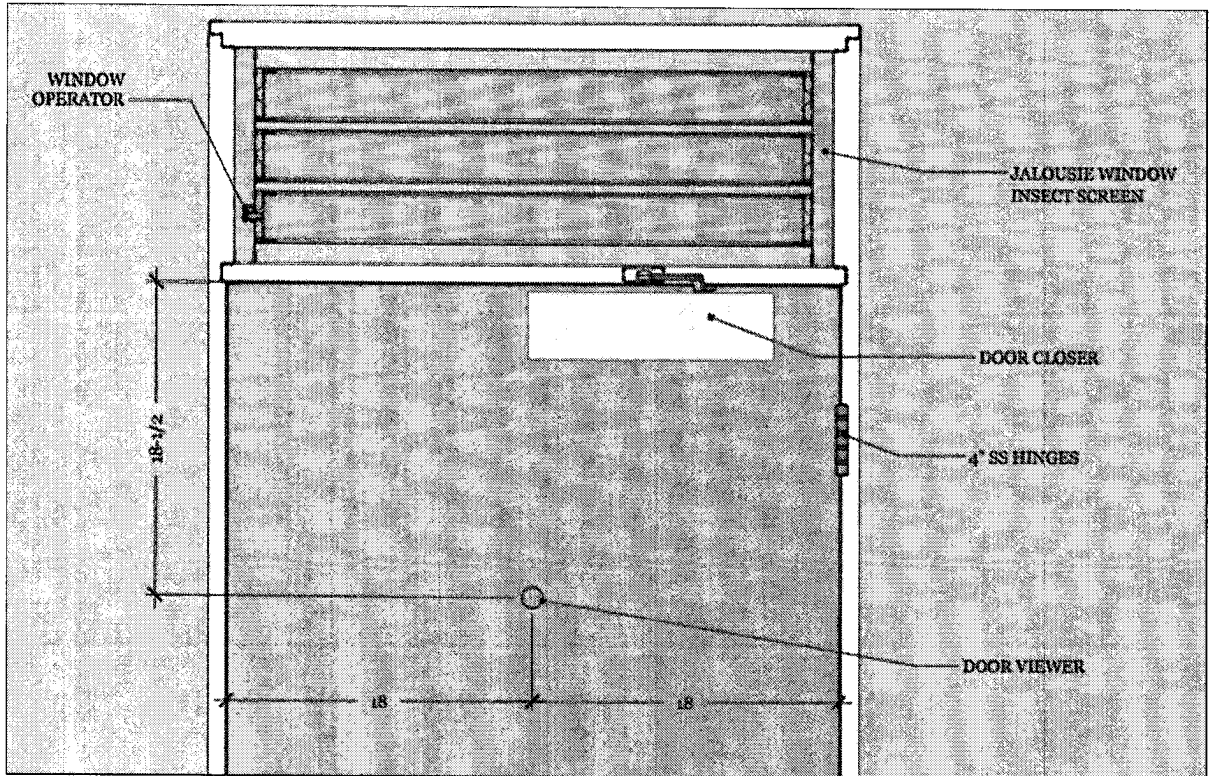
Doors shall be painted the same color for doors throughout the HPH complex. Doors shall have a stainless steel kick plate as seen in the example below. The use of hotel “lock bars” is strongly discouraged, as they can cause significant door damage.

5. Windows shall not be blocked or built over by internal unit appliances and/or furnishings.









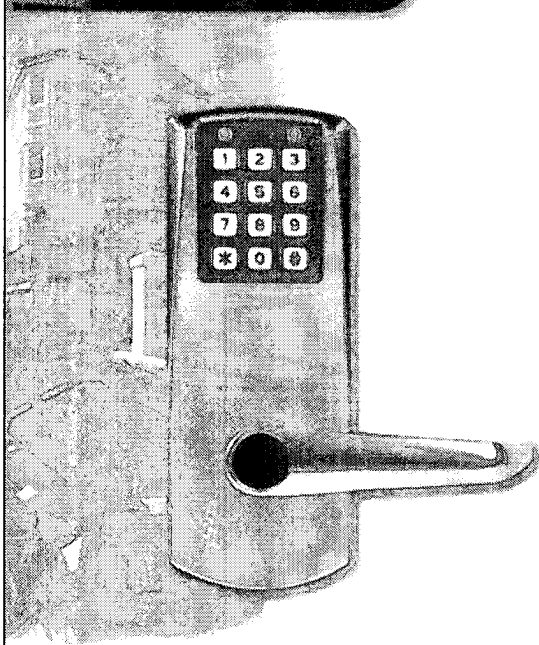
# ORACODE

## Series

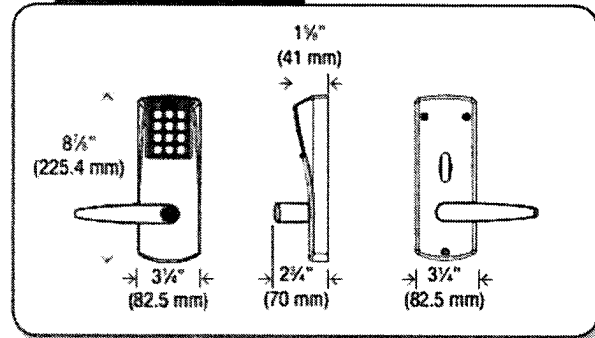
Electronic Access Control Systems

## Specification Sheet

Access Control at the touch of a button



### Dimensions



### Application

Suitable for facilities from 1 to 15,000 rooms. Ideal for property management, apartments, condos, corporate suites and time share resorts. Replaces existing cylindrical or mortise locks. Interior or exterior applications.

### Outside Decks and Lanais:

1. Lanai walls are common element and the property of the Association and shall not be altered in any manner or fashion.
2. Lanai walls shall not be painted any color other than the prescribed building color. No permanent attachments shall be made to the walls. Mirrors on one lanai wall will be permitted with the specific approval of the Board. Refer to Mirror Standards and Installation Practices below. Wall decorations are permitted, but must be securely fasten to prevent damage in high winds and mounted at least two feet from building edges, floor, and ceiling.
3. Lanai lighting shall be subtle and bright lights that shine out on to the grounds shall not be allowed. Security lighting activated by a motion sensor on ground floor units is permitted and recommended.

4. Lanai floors can be carpeted with outdoor grade carpet or tiled having a neutral color. Carpet shall be installed with a water mastic/sealant under the carpet. Tile (which includes rock tile, such as travertine or slate) shall have a non-slip surface and installed sloping away from the unit.
5. Lanais shall be furnished with outdoor/patio furniture. Furniture shall be of a neutral color.
6. The use of individual BBQ's, foot lockers, and storage lockers on lanais is prohibited.
7. Lanai window air-conditioning (A/C) units are prohibited. External venting of portable A/C units is prohibited.

**Mirror Standards and Installation Practices:**

1. Lanai mirrors shall be installed by a licensed contractor specializing in mirror and glass installation.
2. Owners shall obtain the approval of the Board and his/her adjacent neighbor in order to insure the adjacent neighbor's privacy.
3. Mirrors shall be at least 1/4" tempered stock and shall be no more than 5 feet wide by 7 feet in height and centered between unit outside wall and no more than 6" from lanai handrail and floor.
4. Mirrors installed on ground floor unit lanais shall be "half mirrors" to maintain privacy of neighbors and mounted at least 4 feet from the lanai floor for safety.
5. Mirror shall be positioned to minimize glare.
6. Mirrors shall be securely fasten to the wall utilizing the following procedure:
  - Contractor shall clean and prep wall surface to insure flush mounting of the mirror.
  - Contractor shall install a factory approved "mechanical fastening track" for mounting large mirrors.
  - The "fastening track" shall be securely fasten to the wall with concrete anchor screws and mastic.
  - Contractor shall apply a commercial grade adhesive like "Palmer Mirror Mastik" or equivalent to back of mirror for mounting and adherence to the wall.

- Contractor shall mount mirror into the “mechanical fastening track” and then push mirror against the wall.
  - Once mirror is mounted and secured, the perimeter edges shall be sealed with silicone calking to prevent moisture entering the back of the mirror.
7. Owners shall inspect mirrors annually for damage, marring, or blackening. Mirrors shall be repaired in a timely manner and/or removed at owner’s expense.

# HALE PAU HANA

## Remodeling Standards and Procedures

### **General:**

Remodeling has become a major issue at the Hale Pau Hana. As time goes by and the buildings age, it becomes even more important that the AOA provide guidance to all Owners planning to remodel in order to protect the safety of the total property and value of our homes. These Standards and Procedures amplify the AOA House and Contractor Rules.

1. All remodeling plans, including a sign copy of the Contractor Rules as described below shall be submitted by the Owner to the AOA Board for approval well in advance of commencement of work and that all work must be done by qualified, licensed contractors. Remodel plans and Contractor acknowledgment of the Contractor Rules shall be submitted directly to the Board, Attn President. Owners shall utilize the Remodel Submittal Form attached herein, along with any applicable building permits. This form along with applicable permits may be given to the General Manager who will then forward it to the Board for approval. Although the General Manager does NOT have the authority to approve remodel plans, he/she has the authority to monitor and enforce compliance with these Standards and Procedures, including the HPH House, Contractor Rules, and Building Appearance Standards.
2. Approvals for a proposed remodel shall be given to the Owner in writing by the Board within sixty (60) days of an Owner's submittal of the required submittal form. If in its response, the Board requires modifications to the plans, the Owner shall be required to resubmit his/her plans with an accompanying revised submittal form requesting final approval. The Board will respond within thirty (30) days of this re-submittal. All remodel projects will be registered with the General Manager in accordance with the House and Contractor Rules.
3. The Owner shall be responsible for obtaining a signed copy of the Contractor Rules from his/her contractor and submitting such form along with his/her signature in acknowledgment of these Rules to the AOA Board prior to the commencement of work.
4. The planned remodeling must be done by qualified, licensed contractors. Owners MUST inform contractors and workmen that the work must be done between the hours of 8:00 am to 5:00 pm, Monday through Saturday, unless agreed to prior by the General Manager. Noise shall be held to a minimum. No work is allowed on Sundays. Clean up of walkways and the elevator after each workday is mandatory.

5. The Board does not need to approve plans for interior decorating or furnishing of individual units.
6. Critical to the structural integrity of the building, no electrical wiring shall be concealed in expansion joints or notched or channeled into the slab floor/ceiling or concrete walls.
7. During the course of any remodel work and to keep the appearance of the HPH property looking its best, the Owner or his/her contractor shall not store unit furnishings, equipment, or material on the unit lanai.
8. The exteriors of all the units consist of AOA Common Element and Owner property. The exterior appearance of the unit shall not be altered in any way and shall be maintained consistent with the HPH Building Appearance Standards contained herein and made part of these House Rules. It is the responsibility of the Board to insure that all exteriors are maintained in a manner consistent with preserving the uniform look of the property.

**Washer/Dryer Replacement:**

1. Replacement Clothes washers are only allowed in apartment that have been “grandfathered” by the existing House Rules established by the AOA.
2. Prior to replacement of any existing washer or dryer, the apartment owner shall provide written notification to the Resident Manager and obtain approval from the AOA BOD.
3. Washer must be installed by a licensed plumber, not by an owner. Installation shall meet all current code requirements for installation of residential clothes washers.
4. Waste and water services shall be from a “washer wall box” that is normally used for this purpose.
5. Washer shall discharge to a piped drain that is no less than 1 1/2” diameter and vented to a piped building plumbing vent.
6. Hot and cold water service to the washer shall have quarter turn ball valves installed and be easily accessible.
7. All water service pipe up to the washer wall box shall be type “K” copper, soldered or brazed joint.
8. Washer must be new and must be energy star rated.

9. Washer must be installed in a stainless steel pan or equivalent water tight pan with a minimum volume of 5 gallons. An electronic moisture detector shall be installed in the pan. Upon detection of moisture an alarm shall be activated. Alternatively, a drain line from the pan to a existing apartment drain pipe may be installed.
10. Washers that are made inaccessible (i.e. locked in a cabinet), owner shall provide a key or lock combination to the Resident Manager to allow for the Resident Manager to gain access.
11. Dryers shall not be vented to the apartment space, attic, or to the building venting/exhaust system. Dryers shall be ventless or ventless dryer traps shall be used.

# HALE PAU HANA

## Remodel Submittal Form

**To:** HPH AOA President

**Date:** \_\_\_\_\_

**Owner:** \_\_\_\_\_

**Unit No:** \_\_\_\_\_

**Description of Scope of Work:**

- |   |        |        |
|---|--------|--------|
| A. Attach Plans/Sketches if applicable:                     | Y_____ | N_____ |
| B. Is Plumbing Work involved including Fixtures and Piping: | Y_____ | N_____ |
| C. Is Electrical Rewiring involved:                         | Y_____ | N_____ |
| D. Applicable Building Permits, if required:                | Y_____ | N_____ |

**Anticipated Schedule:** \_\_\_\_\_

**Name of Contractor:** \_\_\_\_\_

**Address/Office/Cell Phone No:** \_\_\_\_\_

**State of Hawaii License:** Y\_\_\_\_\_ N\_\_\_\_\_

**Contractor License No:** \_\_\_\_\_

**Owner Signature:** \_\_\_\_\_

**Board Approval:** \_\_\_\_\_

**Date:** \_\_\_\_\_



# **HALE PAU HANA**

## **Contractor Rules Form**

The following Contractor Rules apply to all contractors retained to perform work on property for the Association of Apartment Owners (AOAO) and/or for the respective Owners:

1. All contemplated work at Hale Pau Hana must be reviewed by the General Manager prior to the work commencing. All remodeling or major modifications to a unit must have prior approval of the AOAO Board of Directors in accordance with the Remodeling Standards and Procedures.
2. Upon arrival at HPH, each contractor must contact the General Manager for his/her authorization to begin work. It is the responsibility of the contractor to obtain a Parking Pass from the Resort Office and park in designated areas.
3. Contractor parking will only be allowed along the north property line and/or along Kihei Road beyond the first dumpster. Please observe the No Parking around the center island in the main parking area.
4. Work hours are limited to Monday through Saturday between the hours of 8:00 am and 5:00 pm unless agreed to by the General Manager. Such work beyond 5:00 pm will be limited to un-invasive work creating no noise and must be supervised by the Owner or the General Manager.
5. Noise should be minimized and limited to morning hours, if possible.
6. If the work requires utility mains or service equipment to be turned off, the General Manager must be advised as to the requirements and duration at least two days in advance to allow ample time to post notice to affected Owners and guests. The General Manager will supervise the actual turning off and on of these systems. "Clearances" will be issued to each contractor and the effected equipment/utility mains tagged by the General Manager. It will be the responsibility of each contractor to release the "clearance" upon the completion of the outage.
7. If the elevator is required to haul large/bulky items to the job site, its use should be minimized. For interior protection of the elevator, appropriate panel padding/blankets will be installed by the contractor at his expense. The elevator is for Owner and guest use, please do not inconvenience them.

8. At the end of each work day, it is the contractor's responsibility to clean unit entries, walkways, and the elevator of any evidence of construction activity.
9. All construction trash and debris must be removed at the end of each work day and not placed in the HPH dumpsters. With prior General Manager approval, the contractor may arrange for a special dumpster at his expense
10. During the course of any remodel work and to keep the appearance of the HPH property looking its best, the Owner or his/her contractor shall not store unit furnishings, equipment, or material on the unit lanai.
11. All contractors performing work on HPH property must be qualified and licensed and must comply with State and local requirements.
12. The contractor shall submit the following documents in accordance with the attached Contractor Requirements Form. Contractor shall do no work on property until the documents required are provided and found acceptable by the General Manager.
13. Contractors violating the above Rules are subject to a stop work order and a request to leave the premises by the General Manager. The contractor may also be subject to a fine as determined by the Board for each violation occurrence.

A copy of these Rules have been given to the contractor and, through his/her acknowledgment below, has agreed to comply with them.

Agreed to By: \_\_\_\_\_

(Name of Contractor/Date)

Contractor Address: \_\_\_\_\_

\_\_\_\_\_

Phone/Cell: \_\_\_\_\_

Fax: \_\_\_\_\_

If Applicable:

Unit No.: \_\_\_\_\_

Name of owner: \_\_\_\_\_

Owner's Acknowledgement of the Contractor Rules: \_\_\_\_\_

(Signature)

# HALE PAU HANA

## Contractor Requirements Form

Any contractor doing work on property for an owner or directly for the AOA must provide the following to the General Manager:

12. Affirmation of receipt and understanding of the Building Appearance Standards and the Remodeling Standards and Procedures documents by way of signature below;
13. A signed copy of the Contractor Requirements Form (this page);
14. A signed copy of the Contractor Rules Form;
15. A completed and signed copy of the Remodel Submittal Form;
16. A copy of Contractor's License card issued by DCCA;
17. Proof of liability insurance; name of insured must match name on license;
18. Proof of Worker's Compensation Insurance; name of insured must match name on license; if contractor is self employed and/or sole employee, Worker Compensation Insurance not required;
19. Any applicable building permits, if required.

Contractor shall do no work on property until the documents required above are provided and found acceptable to the General Manager.

Questions concerning a contractor, his/her status with the State, or complaint history can be referred to the State of Hawaii at (808) 587-3295.

Submitted by: \_\_\_\_\_ (Contractor)

# HALE PAU HANA

## Fine Policy

1. As provided in the Bylaws of the Association of Apartment Owners of Hale Pau Hana, the powers and duties of the Board include the power and duty to enforce the provisions of the project documents and establish, assess and collect such penalties and fines and any interest as the Board deems appropriate with respect to such enforcement, including penalties, fines and interest for failure or refusal to pay on demand all costs and expenses required to be paid hereunder; provided, that such penalties, fines, and interest are not inconsistent with the law or the provisions of the Bylaws or the Declaration. If unpaid, the amount of such penalties and fines against an unit owner will constitute a lien against the unit owner's interest in the unit, which may be foreclosed by the Board or the Managing Agent in the same manner as provided in the Condominium Property Act for the foreclosure of a lien for common expenses. The amount of any such penalty, fine or interest will be due and payable by the unit owner against whose unit such penalty, fine or interest has been imposed with the owner's next common expense installment payment.
2. As authorized by the Condominium Property Act of Hawaii, (a) failure to pay late fees, legal fees, fines, and interest may result in the deduction of such late fees, legal fees, fines, and interest from future common expense payments, so long as a delinquency continues to exist; and (b) late fees may be imposed against any future common expense payment that is less than the full amount owed due to the deduction of unpaid late fees, legal fees, fines, and interest from the payment.
3. If a fine is assessed, this policy provides the following appeal rights to the unit owner:
  - A. If the unit owner desires to appeal the fine, the unit owner must, first, appeal to the Board for reconsideration of the fine, with notice and an opportunity to be heard. To be timely, the unit owner must file the request for reconsideration with the President of the Board within fourteen (14) days after the date of notice of the fine. The request may be made either in writing or by e-mail.
  - B. If after reconsideration by the Board the unit owner wishes to further appeal the fine, then, providing that the fine is paid, the unit owner has the right to initiate (i) mediation in accordance with Article XII of the Bylaws, and (ii) thereafter, the unit owner has the right to either initiate a dispute resolution process as provided by Condominium Property Act of Hawaii, or file a request for an administrative hearing under a pilot program administered by the State Department of Commerce and Consumer Affairs.

## **KAYAK & BOARD STORAGE**

### **Hale Pau Hana AOA**

#### **Policy & Procedures**

**October 2016**

This policy concerns the use of a kayak and paddle/surf board storage racks constructed by the AOA in a location on the North side of D-Building. Windsurf boards may also be stored in the racks, including the mast/sail rig.

Storage in the racks will be available to owners in good standing (current in payment of maintenance fees) at an initial cost of \$200 and an annual maintenance cost of \$20/year payable to the AOA the first of each year. One storage slot per unit will be available to owners on a first come, first serve basis and assigned by the AOA General/Resident Manager. Initial and annual registration with the AOA General/Resident Manager will be required to keep a kayak or board in the racks. Owners are not to offer their stored kayaks/boards as amenities if their condo is rented. Unregistered items will be removed and disposed of by the AOA. If a kayak or board remains in the racks for more than one year without re-registration, the owner will be notified and the item will be removed by the AOA and disposed of. If items are placed in another owner's space, those items will be removed and disposed of by the AOA.

Kayaks and paddle/surf boards shall not be stored on either a temporary or a permanent basis on Hale Pau Hana grounds, other than the storage rack, or State lands, including the adjacent beach. Items not properly stored in registered racks will be removed and disposed of by the AOA.

Non owners (rental guests) may use the racks based on space availability with the same limit of one per unit and will have to register with the AOA, but may only use the racks during their stay at Hale Pau Hana. When they leave they must also vacate the storage racks.

It will be the sole responsibility of every user of the rack to secure their property to the racks. Hale Pau Hana AOA shall have no liability in regards to securing or protection of stored property. All users of the racks must agree to and sign an acknowledgment of this condition upon registering their kayak or board.

If demand for storage becomes greater than rack capacity, space will be made available if storage slots become vacated by an owner, or said owner releases his/her slot, or fails to renew his/her registration. Space will be awarded from a waiting list on a first come, first serve basis.

This policy & procedures shall be subject to revision by the AOA Board of Directors from time to time.

### **Instructions for Kayak and Paddle Board renters**

1. When storing paddle boards, make sure you store with skag facing up.
2. You are responsible for securing your kayak/board with a lock.
3. A copy of combinations/keys are to be kept by the General Manager of AOA.
4. Rents are due to the AOA on January 1st of each year.

SJN: 10/19/10

Revised 11/8/2010

Revised 10/20/2016

# HALE PAU HANA

## Contractor Rules

### **General:**

The following Contractor Rules apply to all contractors retained to perform work on property for the Association of Apartment Owners (AOAO) and/or for the respective Owners:

1. All contemplated work at Hale Pau Hana must be reviewed by the General Manager prior to the work commencing. All remodeling or major modifications to an apartment must have prior approval of the AOAO Board of Directors in accordance with the Remodeling Standards and Procedures.
2. Upon arrival at HPH, each contractor must contact the General Manager for his/her authorization to begin work. It is the responsibility of the contractor to obtain a Parking Pass from the Resort Office and park in designated areas.
3. Contractor parking will only be allowed along the north property line and/or along Kihei Road beyond the first dumpster. Please observe the No Parking around the center island in the main parking area.
4. Work hours are limited to Monday through Saturday between the hours of 8:00 am and 5:00 pm unless agreed to by the General Manager. Such work beyond 5:00 pm will be limited to un-invasive work creating no noise and must be supervised by the Owner or the General Manager.
5. Noise should be minimized and limited to morning hours, if possible.
6. If the work requires utility mains or service equipment to be turned off, the General Manager must be advised as to the requirements and duration at least two days in advance to allow ample time to post notice to affected Owners and guests. The General Manager will supervise the actual turning off and on of these systems. "Clearances" will be issued to each contractor and the effected equipment/utility mains tagged by the General Manager. It will be the responsibility of each contractor to release the "clearance" upon the completion of the outage.
7. If the elevator is required to haul large/bulky items to the job site, its use should be minimized. For interior protection of the elevator, appropriate panel padding/blankets will be installed by the contractor at his expense. The elevator is for Owner and guest use, please do not inconvenience them.

Revised 12/29/09 (replaces pps 17-19)

8. At the end of each work day, it is the contractor's responsibility to clean apartment entries, walkways, and the elevator of any evidence of construction activity.
9. All construction trash and debris must be removed at the end of each work day and not placed in the HPH dumpsters. With prior General Manager approval, the contractor may arrange for a special dumpster at his expense
10. During the course of any remodel work and to keep the appearance of the HPH property looking its best, the Owner or his/her contractor shall not store apartment furnishings, equipment, or material on the apartment lanai.
11. All contractors performing work on HPH property must be qualified and licensed and must comply with State and local requirements.
12. The contractor shall submit the following documents in accordance with the attached Contractor Submittal Requirements. Contractor shall do no work on property until the documents required are provided and found acceptable by the General Manager.
13. Contractors violating the above Rules are subject to a stop work order and a request to leave the premises by the General Manager. The contractor may also be subject to a fine as determined by the Board for each violation occurrence.

A copy of these Rules have been given to the contractor and, through his/her acknowledgment below, has agreed to comply with them.

Agreed to By: \_\_\_\_\_  
(Name/Date)

\_\_\_\_\_  
(Name of Firm/Contractor)

**Contractor Contact Information:**

Address: \_\_\_\_\_

Phone/Cell: \_\_\_\_\_

Fax: \_\_\_\_\_

SJN: 11/16/08

Revised 12/29/09 – Added Item #12



# **HALE PAU HANA**

## **Remodeling Standards and Procedures**

### **General:**

Remodeling has become a major issue at the Hale Pau Hana. As time goes by and the buildings age, it becomes even more important that the AOA provide guidance to all Owners planning to remodel in order to protect the safety of the total property and value of our homes. These Standards and Procedures amplify the AOA House and Contractor Rules.

1. All remodeling plans, including a sign copy of the Contractor Rules as described below shall be submitted by the Owner to the AOA Board for approval well in advance of commencement of work and that all work must be done by qualified, licensed contractors. Remodel plans and Contractor acknowledgment of the Contractor Rules shall be submitted directly to the Board, Attn President. Owners shall utilize the Apartment Remodeling Submittal form attached herein, along with any applicable building permits. This form along with applicable permits may be given to the General Manager who will then forward it to the Board for approval. Although the General Manager does NOT have the authority to approve remodel plans, he/she has the authority to monitor and enforce compliance with these Standards and Procedures, including the HPH House, Contractor Rules, and Building Appearance Standards.
2. Approvals for a proposed remodel shall be given to the Owner in writing by the Board within sixty (60) days of an Owner's submittal of the required submittal form. If in its response, the Board requires modifications to the plans, the Owner shall be required to resubmit his/her plans with an accompanying revised submittal form requesting final approval. The Board will respond within thirty (30) days of this re-submittal. All remodel projects will be registered with the General Manager in accordance with the House and Contractor Rules.
3. The Owner shall be responsible for obtaining a signed copy of the Contractor Rules from his/her contractor and submitting such form along with his/her signature in acknowledgment of these Rules to the AOA Board prior to the commencement of work.
4. The planned remodeling must be done by qualified, licensed contractors. Owners MUST inform contractors and workmen that the work must be done between the hours of 8:00 am to 5:00 pm, Monday through Saturday, unless agreed to prior by the General Manager. Noise shall be held to a minimum. No work is allowed on Sundays. Clean up of walkways and the elevator after each workday is mandatory.

5. The Board does not need to approve plans for interior decorating or furnishing of individual apartments.
6. Critical to the structural integrity of the building, no electrical wiring shall be concealed in expansion joints or notched or channeled into the slab floor/ceiling or concrete walls.
7. During the course of any remodel work and to keep the appearance of the HPH property looking its best, the Owner or his/her contractor shall not store apartment furnishings, equipment, or material on the apartment lanai.
8. The exteriors of all the apartments consist of AOA Common Element and Owner property. The exterior appearance of the apartment shall not be altered in any way and shall be maintained consistent with the HPH Building Appearance Standards contained herein and made part of these House Rules. It is the responsibility of the Board to insure that all exteriors are maintained in a manner consistent with preserving the uniform look of the property.

SJN: 05/09/08

Revised: 03/29/10

## **Hale Pau Hana AOA**

### **Contractor Rules – Submittal Requirements**

Hale Pau Hana Contractor Rules specify that any contractor doing work on property for an owner or directly for the AOA must provide the following to the General Manager.

1. A copy of Contractor's License card issued by DCCA
2. Proof of liability insurance. Name of insured must match name on license.
3. Proof of Worker's Compensation Insurance. Name of insured must match name on license. If contractor is self employed and/or sole employee, Worker Compensation Insurance not required.
4. Any applicable building permits, if required.

Contractor shall do no work on property until the documents required above are provided and found acceptable to the General Manager.

Questions concerning a contractor, his/her status with the State, or complaint history can be referred to the State of Hawaii at (808) 587-3295.

Submitted by: \_\_\_\_\_  
Contractor

SJN: 12/29/09  
Revised 03/29/10

# HALE PAU HANA

## Apartment Remodeling Submittal

**To: HPH AOA President**

**Date:** \_\_\_\_\_

**Owner:** \_\_\_\_\_

**Apartment No:** \_\_\_\_\_

**Description of Scope of Work:**

- |   |        |        |
|---|--------|--------|
| A. Attach Plans/Sketches if applicable:                     | Y_____ | N_____ |
| B. Is Plumbing Work involved including Fixtures and Piping: | Y_____ | N_____ |
| C. Is Electrical Rewiring involved:                         | Y_____ | N_____ |
| D. Applicable Building Permits, if required:                | Y_____ | N_____ |

**Anticipated Schedule:** \_\_\_\_\_

**Name of Contractor:** \_\_\_\_\_

**Address/Office/Cell Phone No:** \_\_\_\_\_

**State of Hawaii License:** Y\_\_\_\_ N\_\_\_\_

**Contractor License No:** \_\_\_\_\_

**Owner Signature:** \_\_\_\_\_

**Board Approval:** \_\_\_\_\_

**Date:** \_\_\_\_\_

SJN: 05/09/09; Revised 03/29/10

## **Hale Pau Hana**

### **Washer/Dryer Replacement**

Replacement Clothes washers are only allowed in apartment that have been "grandfathered" by the existing House Rules established by the AOA.

Prior to replacement of any existing washer or dryer, the apartment owner shall provide written notification to the Resident Manager and obtain approval from the AOA BOD.

Washer must be installed by a licensed plumber, not by an owner. Installation shall meet all current code requirements for installation of residential clothes washers.

Waste and water services shall be from a "washer wall box" that is normally used for this purpose.

Washer shall discharge to a piped drain that is no less than 1 1/2" diameter and vented to a piped building plumbing vent.

Hot and cold water service to the washer shall have quarter turn ball valves installed and be easily accessible.

All water service pipe up to the washer wall box shall be type "K" copper, soldered or brazed joint.

Washer must be new and must be energy star rated.

Washer must be installed in a stainless steel pan or equivalent water tight pan with a minimum volume of 5 gallons. An electronic moisture detector shall be installed in the pan. Upon detection of moisture an alarm shall be activated. Alternatively, a drain line from the pan to a existing apartment drain pipe may be installed.

Washers that are made inaccessible (i.e. locked in a cabinet), owner shall provide a key or lock combination to the Resident Manager to allow for the Resident Manager to gain access.

Dryers shall not be vented to the apartment space, attic, or to the building venting/exhaust system. Dryers shall be ventless or ventless dryer traps shall be used..

TF/SJN: 01/15/10

Revised 04/22/10

**ASSOCIATION OF APARTMENT OWNERS OF  
HALE PAU HANA**

**RESOLUTION OF BOARD OF DIRECTORS  
AMENDING HALE PAU HANA RESERVE FUNDING POLICY**

**BACKGROUND:**

The State of Hawaii requires condominium associations to carry at least 50% reserves to cover replacement costs for assets or 100% coverage based on cash flow basis.

By vote of the Association of Apartment Owners of Hale Pau Hana ("Association") Board of Directors on April 26, 2011, a Reserve Funding Policy ("Policy") was enacted. The purpose of the Policy was to provide guidance to the Boards on establishing and maintaining a target reserve funding level.

The Board seeks to amend the Policy to revise paragraph 10 concerning capital assets deposited into the Hale Pau Hana Seawall Fund. Specifically, the Board seeks to amend paragraph 10 as follows, with the underlined language to be added and the stricken through language to be deleted:

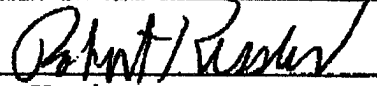
All of the capital assets currently deposited in the "Hale Pau Hana Seawall Fund" shall be transferred to and retained in an interest bearing reserve account, separate from all other Hale Pau Hana AOA accounts. This new account is designated the "Hale Pau Hana Storm Damage Reserve Fund" ("Fund"). Use of this Fund shall be for the exclusive purposes of: (1) repair, restoration and/or replacement of storm damage to the Hale Pau Hana grounds and/or improvements situated thereon (the Premises); (2) repairs to the rock revetment and stairs located on State owned lands contiguous to the Premises, which work may be subject to State approval; and (3) any other work needed to preserve, protect, or restore the Premises as a result of such storm damage. If the cost of storm damage repair is covered by insurance and the work needs to be commenced before insurance monies are available, this Fund may advance the monies necessary to do the work. All insurance monies paid thereafter regarding the event will be deposited directly into the Fund to first replenish the Fund and then to cover additional costs of repair, if any. This Fund may not be pledged as collateral for a loan for any purpose unless it is to make repairs to the Premises resulting from storm damage as outlined herein. If at any time it becomes necessary to withdraw monies from the Fund, repayment of such monies to the Fund shall have the highest priority and supersede all other Hale Pau Hana reserve account deposit obligations, as allowed by law. Any expenditure from this Fund shall be subject to control by the Board of Directors pursuant to procedures set forth in the Third Amended and Restated Declaration of Condominium Property Regime of Hale Pau Hana.

**THEREFORE, BE IT RESOLVED:**

**1. The Reserve Funding Policy attached hereto as Exhibit "A" and by this reference incorporated herein, is hereby approved.**

**2. The Reserve Funding Policy, as amended, shall be binding upon and insure to the benefit of the Association's members and their respective heirs, successors and assigns, and shall be kept with the Association's records.**

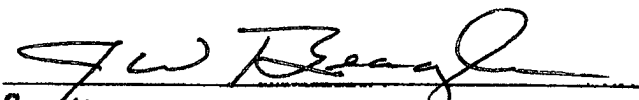
Dated: Sept 30, 2013.

  
\_\_\_\_\_  
Robert Kessler  
President

**CERTIFICATE**

**I, Secretary of the Board of Directors of the Association of Apartment Owners of Hale Pau Hana, hereby certify that the foregoing is a true copy of the Policy duly adopted by a majority of the Board of Directors, and duly entered in the book of minutes of the Association, and this Resolution is in full force and effect.**

DATED: Oct 2, 2013.

  
\_\_\_\_\_  
Secretary  
ASSOCIATION OF APARTMENT OWNERS  
OF HALE PAU HANA

**ASSOCIATION OF APARTMENT OWNERS OF HALE PAU HANA**  
**POLICY REQUIRING MEMBERS OF THE ASSOCIATION TO OBTAIN**  
**THEIR OWN INSURANCE**

Adopted January 9, 2014

**BACKGROUND:**

The Association of Apartment Owners of Hale Pau Hana ("Association") is a Hawai'i nonprofit corporation.

The Association was established pursuant to Hawai'i Revised Statutes ("HRS") Chapter 514A (which has since been recodified as Chapter 514B), and consistent with HRS § 514B-143(g), if at least a majority of the Unit Owners give their vote or written consent, the Board may require owners to obtain their own insurance; and

By November 6, 2013, a majority of the members of the Association consented to the Board of Directors for the Association adopting a policy that requires unit Owners to obtain an "HO-6" insurance policy, or its equivalent, with reasonable levels of insurance.

This Policy to require insurance is important to provide coverage for personal property, unit improvements, betterments, additions and alterations, additional living expenses, and personal liability of each individual owner. Without coverage for an owner's unit, a unit owner who has fire, water damage or any other insured peril may find that they get their unit rebuilt as an original, without any improvements or upgrades.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Association, pursuant to HRS § 514B-143(g), does hereby adopt the following policy which applies to all Owners:

1. Unit Owners are required to obtain insurance for the unit Owner's apartment with minimum limits of \$10,000 for dwelling; \$10,000 for loss assessment; and \$300,000 for liability coverage, which is also known as "HO-6" policy, or its equivalent.
2. The coverage for contents is left to the discretion of the individual Owner.




3. The liability of a unit Owner shall include the deductible of the Owner whose unit was damaged, including any damage not covered by insurance, and the decorating, painting, wall and floor coverings, trim, appliances, equipment and other furnishings.

4. If the unit Owner does not purchase or produce evidence of insurance requested by the Board, the Directors may, in good faith, purchase the insurance coverage and charge the reasonable premium cost back to the unit Owner as a special assessment with an administrative fee not to exceed \$50.00.

5. In no event is the Association or Board liable to any person either with regard to the failure of a unit Owner to purchase insurance or a decision by the Board not to purchase the insurance for the Owner, or with regard to the timing of its purchase of the insurance or the amounts or types of coverages obtained.

IN WITNESS WHEREOF, the Board of Directors on behalf of the Association of Apartment Owners of Hale Pau Hana have executed this Policy the 9th day of January in the year 2014.

ASSOCIATION OF APARTMENT OWNERS OF HALE PAU HANA,  
a Hawaii nonprofit corporation

By:  Bruce Rimbo, Its President

#### CERTIFICATE

I, Secretary of the Board of Directors of the Association of Apartment Owners of Hale Pau Hana, hereby certify that the foregoing is a true copy of the Policy duly adopted by a majority of the Board of Directors and authorized by a majority of the members of THE ASSOCIATION OF APARTMENT OWNERS OF HALE PAU HANA, and duly entered in the book of minutes of the Association, and this Resolution is in full force and effect.

DATED: FEBRUARY 6, 2014.

  
Secretary ASSOCIATION OF APARTMENT OWNERS OF HALE PAU  
HANA