



House Rules

January 13, 2015 Revision

1778 Ala Moana Boulevard
Honolulu, Hawaii 96815

Fire, Safety, and Emergency Procedures are provided in a separate attached brochure.

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Phone Numbers

FIRE, POLICE, AMBULANCE.....911

DISCOVERY BAY
MANAGER'S OFFICE..... 941-3307
FAX..... 946-3201
E-MAIL.....discoverybay@hawaii.rr.com
WEBSITE.....www.discoverybayhawaii.com

SECURITY [24 hours]..... 949-6949

OCEANIC CABLE
TROUBLE:..... 625-8282
REPAIR..... 625-8100
CUSTOMER SERVICE..... 625-8200

HAWAIIAN TELEPHONE..... 643-6633
REPAIR..... 611

HAWAIIAN ELECTRIC..... 548-7311

TAXI COMPANIES
CHARLIES..... 531-2333
THE CAB..... 422-2222
CHECK YELLOW PAGES FOR ADDITIONAL LISTINGS

HANDI-VAN..... 456-5555

THE BUS..... 848-5555

OFFICE HOURS

Monday to Friday: 8:00 a.m. 5:00 p.m.

1778 Ala Moana Boulevard
Honolulu, Hawaii 96815

Definitions

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| RESIDENT | A person living at DISCOVERY BAY. |
| TENANT | Any person renting or leasing an apartment at DISCOVERY BAY. |
| GUEST/ OCCUPANT | Person who is on the premises for a period of time at the invitation of an owner or resident. All guests must be registered with the Manager's Office. They are subject to all rules and are required to check out upon departure. |
| VISITOR | Person who is on the premises with the permission of owners or residents. |
| AGENT | Any Hawaii licensed real estate broker, salesperson, company or individual who is empowered to act on behalf of any owner and has provided the Association with evidence of that authority. |
| ASSOCIATION OF APARTMENT OWNERS(AOAO) | All the owners acting as a group in accordance with the By-Laws and the Declaration of Condominium Property Regime (CPR). |
| BOARD OF DIRECTORS | <u>Number and Qualifications.</u> The affairs of the Association shall be governed by a Board of Directors composed of nine (9) persons, each of whom shall be the sole owner or co-owner of record of an apartment, or the vendee thereof under an Agreement of Sale, or in the case of a corporate owner, shall be an officer or employee of such corporation, or in the case of a fiduciary owner, shall be the fiduciary or an officer or an employee of such fiduciary. The Board of Directors, in all matters relating to the operation of the property, has the power to suspend or amend these rules in the interest of further harmony. |
| MANAGING AGENT | The management firm under contract to the Owners Association. |
| GENERAL MANAGER | The person authorized to exercise the duties set forth by the Board of Directors including enforcement of all rules. |

Section 1: Introduction

Discovery Bay is a privately owned condominium association and subject to the governing documents, Declaration of Condominium Property Regime, By-Laws, and Chapter 514 B, Hawaii Revised Statutes.

The Board of Directors, in accordance with the above, establishes House Rules. House Rules generally apply to the use and operation of the common areas; however, they may also be used to restate and clarify details of the Association Declaration and By-Laws, as well as local, state, and federal regulations.

These House Rules are intended to provide a harmonious relationship among those who live or work at Discovery Bay. They are also intended to provide personal security and to protect the property and the value of all units at Discovery Bay.

The Rules are not intended to be all-inclusive and do not imply that certain actions are permitted simply because they are not specifically addressed in the House Rules.

Section 2: Personal Conduct

1. While at Discovery Bay, owners, tenants, guests, and visitors must:
 - a. Conduct themselves in a polite and considerate manner
 - b. Not address each other or employees in a hostile, aggressive, profane or threatening manner.
2. The Declaration and Bylaws of Discovery Bay give the Board of Directors, through Management, the sole right to control and direct association employees' performance of their work. Owners, tenants, guests, and visitors have no right to tell association employees and contractors how to do their work and are prohibited from doing so. Any questions, comments, or concerns about the performance of an association employee must be sent in writing to the Board of Directors, care of Hawaiiana Management or the association's General Manager, and not directly to the employee or to any other employee.
3. Owners, tenants, guests, or visitors are to avoid creating a hostile work environment for association employees. If it is determined that the actions of an individual create a hostile work environment for an association employee, the Board, through Management, will provide a warning to the individual. If the individual's conduct continues to create a hostile environment for the employee, action will be taken against that individual to protect the employee. For purposes of this rule, creating a hostile work environment includes, but is not limited to: criticizing an employee directly or in the presence of another employee; verbal or physical threats to an employee; harassment of an employee; disrupting an employee's performance of his or her job; and any other conduct the Board or Management determines creates a hostile work environment for the association employee.

Section 3: Occupancy

Rentals:

Discovery Bay By-Laws mandate a minimum rental of 30-days. To ensure compliance with this policy the following procedures must be followed.

1. Leases are required and leases must specify a minimum of 30 consecutive days to one party with no rotation of tenants.
 - a. Any person who occupies a unit under a rental agreement with a term of more than 30 days, but terminates the rental agreement within 30 days will be presumed to be renting the unit for less than 30 days, in violation of the 30-day By-Law Amendment.
 - b. Any business, including any employer, which owns or rents an apartment and allows any person to occupy the unit for less than 30 days, will be presumed to be renting the unit for less than 30 days in violation of the 30-day By-Law Amendment.
2. All owners must register themselves when occupying their unit. Agents/representatives/ owners must register their guests or renters with the Manager's Office prior to occupancy.
3. Owner's personal guests: A personal guest is a friend or relative occupying a unit at no charge. This exception may not be used to rent units for less than the 30-day minimum. For security reasons, all owners **MUST** file a Discovery Bay Registration Form signed by the owner for each of their guests prior to occupancy. Forms signed by anyone other than the owner, or photocopies of an owner's signature submitted by rental agents or caretakers are not acceptable.
4. Rentals by Realtors, agents/representatives, or owners: The current standard Hawaii Association of Realtors Rental Agreement and a Discovery Bay Registration Form must be presented to the Manager's Office prior to occupancy. The use of any other rental forms must be approved by the Manager's Office but must be accompanied by a Discovery Bay Registration Form. Subleasing is not recommended, but Hawaii laws permit subleasing unless specifically prohibited in the lease. Subleasing is subject to the same minimum stay and procedures as all other rentals/leases.
5. Subject to the terms of the apartment lease and the By-Laws of the Association, apartment owners may rent their apartments or make them available to family and friends. However, all occupants must abide by the House Rules, and the owner will assume responsibility for the occupant's conduct and actions. The owners or agent/representative **MUST** notify the Manager in writing of the names and length of anticipated occupancy of renters or guests and must deliver to their renters or guests a copy of these House Rules available at the Manager's Office. Please note item #2 above concerning registration of all occupants.
6. Violations must be resolved immediately with the agent or the owner. Owners are liable for fines and legal costs in connection with the enforcement of the By-Laws. Owners will be notified of all violations of their agents and/or guests.
 - a. Rotation of occupants is not permitted unless each group is registered and observes the 30-day minimum stay.
 - b. For security reasons, any unregistered guest may be considered a trespasser and

subject to the appropriate action.

- c. The Manager has authority to disable building keys for unoccupied units.
 - d. No residential apartment may be used in connection with any time-sharing arrangement.
7. Occupancy is limited to not more than two persons per bedroom, except that this occupancy limit may be increased if all occupants are members of a single-family group.
 8. An apartment will be used only as a place of residence and will not be used for business or other purposes. However, this will not be construed to prohibit the accessory or incidental use of a portion of an apartment for a study or home office which is appropriate or helpful to the conduct of the owner's business affairs, subject to existing zoning laws and ordinances.
 9. A Board-approved Discovery Bay Condominium Agent Authorization Form must be completed and submitted to the Manager's Office. Owners must designate a local agent/representative to represent their interest if their residence is outside of Hawaii, or if they will be absent from the apartment for more than thirty (30) days. Owners must file with Discovery Bay Manager their current out-of-town address and telephone number, and provide the Manager with written notification of the current name, address and telephone number of any rental agent/representative and what the agent/representative is authorized to do.
 10. An apartment owner will be responsible for the conduct and actions of their family, renters, guests, and workers, at all times; and will ensure that their behavior is neither offensive to any employee or occupant of the project nor damaging to any portion of the common elements.

Upon request of the Board of Directors or Managing Agent, apartment owners will immediately abate and remove, at their expense, any structure, item, or condition in contravention of these rules or the standards of reasonable conduct which are caused or permitted by their renter or guest. If the apartment owner is unable to control the conduct of their renter or guest, the owner will, upon request of the General Manager or Managing Agent, immediately remove such renter or guest from the premises.

Section 4: Insurance

1. Hawaii Revised Statute 514B-143 (g) Insurance, states in part: "The board, with the vote or written consent of a majority of the owners, may require unit owners to obtain reasonable types and levels of insurance." At the 2008 Annual Meeting, a majority of the association members voted in favor of having owners obtain their own insurance policy such as an "HO-6" policy. Owners should check with their own insurance agents. Home owners HO-6 insurance policies shall list the AOA Discovery Bay as additional interest or certificate holder.
2. Note that HRS 514B-143(g) specifically states that neither the association or the board will be "liable to any person ... with regard to the failure of a unit owner to purchase insurance ..." The law places so much importance on each owner having insurance for the owner's apartment that if the owner fails to purchase insurance, the law gives the board the authority to **purchase the insurance for the owner** and bill the owner for the cost of the insurance.

- a. The minimum coverages the board requires are:
 - i. Dwelling/Loss Assessment. \$10,000
 - ii. Liability. \$300,000
3. Renters are encouraged to obtain their own renters insurance policy such as an "HO-4" policy for their personal property. Renters should check with their own insurance agents.
4. Electric Vehicle Charging Systems: Home owners shall take out a minimum two million five hundred thousand dollar (\$2,500,000) liability insurance policy naming the AOAO Discovery Bay as additionally insured.

Section 5: Security

1. Discovery Bay has a key control entry system, television viewable entry phones, security personnel providing coverage 24 hours a day, and a 24-hour a day recording surveillance camera system.
2. Effective security necessitates that the Manager's Office have an accurate record of all authorized occupants. This is to prevent unauthorized use of owners' units.

Section 6: Common Areas, Entrances, Elevators & Lanais

1. Consumption of food or beverages in main lobbies, elevators and hallways is not permitted. Sidewalks, passages, lobbies, stairways, and corridors must not be obstructed or used for any purpose other than ingress or egress.
2. Lanais:
 - a. Owners of a residential apartment will be responsible for the care and maintenance of their lanai. Owners shall not paint or decorate the walls or ceilings of the lanai without prior approval from the Board of Directors. It is intended that the exterior of the building shall present a uniform appearance. The Board may require the painting of walls and ceilings of lanais and regulate the type and color of paint to be used. Any lighting fixtures permitted on a lanai that is not enclosed must be approved by the Board of Directors.
 - b. No cooking allowed on individual lanais. B-B-Q grills are available on the 5th floor.
 - c. Only appropriate furniture (lanai style) and small plants shall be used on lanais. Unsightly or disturbing items will be removed at the request of Management. **Lanais are not to be used for storage purposes of any kind.** Small banners commemorating holidays or festivals may be displayed from lanais on holidays. The United States and Hawaii State flags, of appropriate size, may be displayed at all times subject to the provisions of the American Flag Act of July 2005.
 - d. Towels, bathing apparel, clothing, brooms, mops, cartons, etc., shall not be placed on lanais, in passageways or in windows visible from the exterior of the building or from apartments above.

- e. All plants shall be placed in containers to prevent dripping of water or soil onto other apartments or common elements. Care should be taken in scrubbing lanais to prevent water from running down the exterior of the buildings and windows of other units.
- f. Lanais shall not be hosed down.
- g. Nothing shall be thrown from apartment lanais, windows, recreation or parking decks.
- h. Lanais may be enclosed in accordance with approved specifications on file at the Manager's Office. A letter of authorization is needed from the Association's Board of Directors in order to apply for the required building permit from the City and County of Honolulu.
- i. All window coverings visible from the exterior of the buildings must be off white in color.

THE THROWING OF FIRECRACKERS FROM LANAIS AND THE EXPLOSION OF ANY FIREWORKS ANYWHERE ON THE BUILDING GROUNDS OR WITHIN THE BUILDING ARE EXPRESSLY PROHIBITED BY LAW.

VIOLATORS WILL BE PROSECUTED TO THE FULLEST EXTENT OF THE LAW.

Section 7: Recreation Deck and Facilities

The Recreation Deck opens at 8:00 a.m. and closes promptly at 10:00 p.m. daily.

Pool & Spa Rules

1. NO LIFEGUARD IS ON DUTY AT THE POOL. The pool area is for the exclusive use of apartment residents and their guests. Pool guests are limited to four per apartment without prior approval of management and access to the pool, spa, and sauna areas shall be restricted to those with a security key. Guests must be accompanied by the owner or resident of an apartment. Owners and residents shall be responsible for the health and safety of themselves, their family members, and their guests who use the pool, spa, and sauna, and for ensuring that all rules for those facilities are obeyed. Apartment owners are financially responsible for any damages or destruction caused by themselves, family members, guests, and renters.
2. 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** by someone who can ensure their safety. Children shall be accompanied by an adult when using the pool.
3. Persons who are incontinent or not toilet trained shall not use the pools or Spa unless they wear leak-proof pants.
4. Persons who may be adversely affected by the heat or humidity of the Spa or sauna such as young children, pregnant women, and anyone with high blood pressure should not use these facilities. Since prolonged exposure to high temperatures can cause drowsiness and/or raise the blood pressure of any such persons, they should be accompanied by a parent, guardian, or someone who can ensure their safety when using the Spa.
5. No food or beverages are permitted in the Spa area or within 4 feet of the swimming pool.

6. Persons must shower before entering the swimming pool or Spa.
7. Toys, snorkel equipment and flotation devices are prohibited. Eye goggles, water wings, and life vests are permitted.
8. Jumping, diving, horseplay or excessive noise shall not be allowed in the pool or surrounding areas. Any audio equipment brought to the Recreation Deck must be used with earphones or headsets.
9. Swim wear is required to be worn when in the pool, spa, or sauna. Infants and toddlers must use swim diapers.
10. No glass containers or glass of any kind shall be permitted on the Recreation Deck.
11. No umbrellas of any kind shall be permitted on the Recreation Deck.
12. Persons having an infectious or communicable disease, bandages, skin disease, or open wounds of any type are prohibited from using the pool, sauna, or spa.
13. Spitting, spouting of water, blowing the nose or discharging body fluids in the pool or spa are strictly prohibited.
14. Please be considerate of others when using the Recreation Deck facilities.
15. Do not splash others while swimming in the pool
16. Persons must thoroughly dry themselves before leaving the Recreation Deck.

Exercise Room & Sauna

1. Exercise Rooms: Shirts must be worn in Exercise Rooms. Spray bottles and paper towels are provided to wipe perspiration off the equipment after each use.
2. Sauna: Prolonged exposure to high temperature may cause drowsiness and/or raise blood pressure. Persons who may be adversely affected by the heat or humidity of the sauna such as young children, pregnant women, and persons with high blood pressure should not use these facilities unless accompanied by a parent, guardian, or someone who can ensure their safety. All users must wear appropriate apparel.

Danger! This is a dry heat sauna. Do not pour water on sauna heater.

Management reserves the right to refuse admittance to or remove from the Recreation Deck any person(s) failing to comply with any of the deck, health & safety regulations.

Barbeques

Barbeques located on the 5th Floor Deck are available to residents on a first-come basis from 8:00 a.m. to 10:00 p.m. Due to the limited number of tables and cooking units, residents are expected to conduct themselves in a courteous manner and be mindful of others who would like to use the barbeques and tables. Please be considerate of others and clean off the grills after each use. Personal barbeque grills and other portable cooking appliances are not permitted in the barbeque area or any other common area.

Section 8: Lobbies

The lobbies are to provide ingress and egress. Occupying the lobby while waiting to check in or waiting for transportation is permitted. Lobbies shall not be used for meetings.

Section 9: Parking Areas

1. Vehicles shall not be left unattended at the lobby entrances or in the entry driveways.
2. Parking stalls will only be rented to residents of the residential apartments of Discovery Bay.
3. Parking passes will only be issued to properly registered residents by the Manager's Office. Apartment owners or their agent/representative will advise the Manager in writing the number of the parking stall, the length of assignment, and the person authorized to use the parking stall prior to the Manager's Office issuing a parking pass.
4. A valid parking pass must be clearly displayed on vehicles parked in assigned parking stalls.
5. Vehicles shall not protrude into the common driveway and must also be centered in parking spaces to prevent crowding of adjacent spaces and/or blocking of passages.
6. Owners are responsible for the maintenance of their parking stalls (see the Office for procedures).
7. Vehicles not in compliance with parking regulations may be subject to tow at owner's expense.
8. Repairs to any vehicle, boat, surfboard or other equipment are not permitted on the premises.
9. Limited guest parking is available in the basement loading zone on a first come first serve basis with a valid permit. Guest parking is available Monday through Saturday from 5:00 p.m. to 7:00 a.m. and all day Sundays and holidays. Only an owner, or renter can pick up a basement parking permit from Security in the Endeavour lobby after 5:00 p.m. This permit must be clearly displayed on the driver's side of the dashboard to avoid being towed. The permit is good **ONLY** for the date issued. Any car in the basement loading zone after 7:00 a.m. Monday through Saturday will be towed.
10. Additional guest parking is available in the commercial parking area at the posted parking rates.
11. Temporary Parking Passes are available for owners/residents who wish to allow a visitor to park in their assigned stalls. The Pass is good for 24 hours and can be obtained from the Discovery Bay Office or Endeavour Security Booth.

Section 10: Electric Vehicle Charging System Rules

Electric Vehicle Charging System Rules: Electric vehicle charging systems may be installed in accordance with approved specifications on file at the Manager's Office. A letter of authorization is needed from the Association's Board of Directors in order to apply for the required building permit from the City and County of Honolulu

Section 11: Noise

1. No resident shall make or permit any disturbing/unreasonable noises or permit anything to be done that will interfere with the rights, comforts or conveniences of any other resident.
2. Take care when opening and closing all doors so as not to disturb your neighbors.
3. Work is allowed in apartments from 8:00 a.m. to 5:00 p.m., Monday through Saturday. Emergency work approved by the Manager's Office can be performed on Sundays or holidays.
4. Radios, TVs, stereos, etc., must be played at reduced volume (not audible to other units) between 10:00 p.m. to 7:00 a.m.
5. Please keep noise to a minimum. Noise that appears to be disturbing/unreasonable for the time of day and general conditions should be reported to Discovery Bay Security [949-6949] who will verify and take appropriate action.
6. Fire regulations require that residential apartment entry doors shall **REMAIN CLOSED** after entering or leaving. Persons shall exercise care in opening and closing their apartment doors and not allow doors to slam shut.

Section 12: Pets

1. Pets will be limited to cats and other usual household pets. Dogs (except those exempt by Condominium Property Regimes 514B), livestock, poultry, or other animals are expressly prohibited. Breeding or commercial use is also expressly prohibited. Pets are prohibited from the common areas, except in transit when carried or on a short leash. Any pet causing a nuisance or unreasonable disturbance to any other resident will be promptly removed upon notice given by Management.
2. Pet owners must officially register their pets with the Manager's Office by completing a Pet Information Sheet and providing a photograph of the pet.
3. All new residents **MUST** register their pets with the Manager's Office before moving into the building.

4. The number of pets will be limited to two pets per apartment as established by the Board of Directors in accordance with the First Amendment to the Declaration of Horizontal Property Regime. The Board of Directors must approve any exceptions to the number.
5. Exempt dog owners are required to obtain consent from occupants of an elevator before entering with their pets or wait for an unoccupied elevator. Pets accompanying residents in elevators shall be hand carried or on a short leash withdrawn to a length of not more than one (1) foot when meeting or passing other persons.
6. Pets are not allowed on any common elements in the project except in transit when physically carried or on a short leash. Pets are not allowed in any part of the recreation areas.
7. Pets, other than those relied upon by disabled persons, may not be allowed to linger in the lobbies. See Article VII of the Restated By-Laws.
8. Pet owners are responsible for picking up after their pets in all areas including the Pet Park. All pets' refuse must be securely **bagged and tied** in leak proof material prior to disposal.
9. The pet owner will assume all financial and all other responsibility for any damage caused by pets to the apartment buildings, grounds, flooring, walls, trim, finish, tile, carpeting, stairs, or other portions of the project. Any damage caused by cleaning chemicals or other such materials used in an attempt to remedy said damage is also the full responsibility of each pet owner. Pet owners will pay the full cost of restitution or removal or replacement of items damaged by the pet.
10. The pet owner will assume all financial and all other responsibility for any personal injury caused by a pet, or any personal property damage to any owner, occupant, guest, employee of Discovery Bay, or to any member of the public.
11. Pet owners in violation of the above rules will be subject to the following:
 - a. Owners of pets off leashes involved in contact with a person or other pet in which injury occurs will receive a notice from the Manager, at the direction of the Board of Directors, for immediate removal of the pet from premises.
 - b. When injury results to a person or pet when all pets are on a leash or carried, the Manager will review and inform the Board of Directors. Determination will then be made as to whether one or all pet owners involved should receive a notice to remove pet(s) from premises.
 - c. Any owner not picking up in the Pet Park or allowing pets to void on common areas in and about the building will also be subject to a notice of immediate removal of their pet from the building premises.

Notwithstanding any other provision herein, disabled residents and guests shall be permitted to keep and use guide dogs, signal dogs, service dogs, and other animals upon which disabled residents rely for assistance. See Article VII of the Restated By-Laws

Section 13: Apartment Modifications

Construction and remodeling specifications must be filed and approved by the Manager's Office prior to the commencement of work.

1. No structural changes of any type shall be permitted either within or without an apartment except in accordance with the By-Laws.
2. No awnings, shades, windbreaks, or any other thing which is visible from the outside of the buildings shall be installed.
3. Lanais may be enclosed in accordance with approved specifications on file at the Manager's Office. A letter of authorization is needed from the Association's Board of Directors in order to apply for the required building permit from the City and County of Honolulu.
4. Windows may be tinted in accordance with approved specifications on file at the Manager's Office. A letter of authorization is needed from the Discovery Bay Management Office.
5. When installing floor tiles a sound deadening materials must be placed under the tile to buffer the noise. See specifications at Manager's Office.
6. No signs, signals or lettering will be inscribed or exposed on any part of the buildings, nor shall anything be projected out of the window or off any lanai.
7. No projections shall extend through any door or window opening into any corridor or beyond the exterior face of the buildings.
8. All window coverings, which are visible from the exterior of the buildings, must be off white in color.
9. No additions or alterations to the original design of the apartment shall be permitted which are visible from the exterior of the buildings or the interior hallways.
10. Advance notice must be given to the Manager's Office when household goods or large items of furniture are to be moved. The service elevators **MUST** be reserved 24 hours in advance by contacting the Manager's Office during normal office hours. Elevators cannot be reserved or locked off after 5:00 p.m. or before 8:00 a.m. There is **NO** moving in or out or deliveries allowed on Sundays and holidays.
11. Construction work of any type by contractor or owners is limited to the hours of 8:00 a.m. to 5:00 p.m. Monday through Saturday.

VIOLATIONS OF ANY PROVISION TO THE HOUSE RULES WILL GIVE THE BOARD OF DIRECTORS OR ITS MANAGING AGENT THE RIGHT TO:

1. Enter the apartment in which such violation or breach exists and to summarily abate or remove, at the expense of the defaulting apartment owner, any structure, thing or condition that may exist therein contrary to the intent and meaning of the provisions hereof; and the Board of Directors or the Managing Agent will not thereby be deemed guilty in any manner of trespass.
2. To enjoin, abate, or remedy by appropriate action, either at law or in equity, the continuance

of any such breach and all costs thereof, including attorney's fees, will be borne by the defaulting apartment owner.

Section 14: General Rules

1. No message service is available. Owners must provide their temporary guests with the phone number of a local contact.
2. No items such as shoes, sandals, dry cleaning, toys, etc., will be allowed to remain in hallways or any other part of the common elements.
3. Baggage for large groups arriving at one time will be taken to the basement and moved to apartments via the service elevator.
4. Luggage must not be stored in lobbies awaiting transportation to the airport. Large quantities of baggage must be taken to the basement via the service elevator.
5. If any person, corporation, partnership, business, or other entity which conducts or causes two or more groups of six (6) or more persons to enter, leave, or be present upon the common elements of Discovery Bay for any reason must stagger the entry/exit of any such groups by a period of at least fifteen (15) minutes to prevent overcrowding of the elevators, lobbies, hallways, and/or traffic congestion.
6. Trash placed in the trash chutes must be in plastic trash bags and securely tied. All glass, aluminum cans, plastic beverage containers, and newspapers must be separated for recycling and placed in the appropriate bins in each trash room. Boxes or any other bulky objects should be left in the trash room for pickup. Do not deposit them in the trash chute as this may cause a severe blockage in the chute. Trash is to be deposited in trash chutes only between the hours of 7:00 a.m. to 10:00 p.m.
7. The hallways of the residential apartment floors are to be used for purposes of ingress and egress to and from residential apartments only. No groups of six (6) or more persons will congregate or loiter in residential hallways at any time. No shoes, sandals, dry cleaning, toys, etc., will be allowed to remain in hallways.
8. Persons shall not be permitted to play in corridors, lobbies, elevators or parking garages.
9. Furniture in common areas is for use in those specific areas and shall not be removed from these areas.
10. Unit entry doors must present a uniform appearance from the hallways: no decorations, stickers, etc. and all door hardware must be as original, bronze only. Replacement hardware is available through the Manager's Office.
11. Smoking is prohibited in all enclosed common areas-lobbies, stairwells, hallways, and offices and within 20 feet of all building entrances, open windows, ventilation opening, etc., as governed by all City and State smoking regulations. All smoking material must be extinguished before entering the building. All smoking material must be extinguished when leaving apartments.

- a. Medical Marijuana: Consistent with HRS 329 -121 and notwithstanding any law to the contrary, the medical use of marijuana by a qualifying patient shall be permitted only if: (1) The qualifying patient has been diagnosed by a physician as having a **debilitating medical condition**; (2) The qualifying patient's **physician has certified in writing** that, in the physician's professional opinion, the potential benefits of the medical use of the marijuana would likely outweigh the health risks for the particular qualifying patient. **The use of Medical Marijuana shall be limited to within the qualified patient's unit.**
 - b. E-Cigarettes: ESD (Electronic Smoking Devices) shall not be used in any place where smoking of tobacco products is prohibited by law.
- 12. Bicycles and Surfboards are not permitted in the passenger elevators. A storage room is provided in the basement level parking area for bicycles and surfboards used regularly. Bicycles and surfboards stored in the basement storage room must be registered with the Management Office. Bicycles not used regularly (weekly) may be stored in apartments; however, only the Service Elevator may be used with a 24-hour advance notice. Surfboards may be stored in apartments but must be transported in a covered surfboard bag through the basement only and may not be transported through the lobby area.
 - 13. No solicitations or canvassing shall be allowed in the building.
 - 14. Shirts, cover-up apparel and footwear must be worn in the elevators and lobby areas.
 - 15. Owners are responsible to maintain their units in such a condition as not to disturb or jeopardize other occupants/units. This includes but is not limited to replacement of rollers and/or lubrication of sliding doors and prevention of leaks from any source within the apartment. **OCCUPANTS MUST PROMPTLY REPORT ANY LEAKS TO THE MANAGEMENT OFFICE [941-3307] OR SECURITY PERSONNEL [949-6949].**
 - 16. Advance notice must be given to the Manager's Office when household goods or large items are to be moved. The service elevators **MUST** be reserved 24 hours in advance by contacting the Manager's Office during normal office hours. Elevators cannot be reserved or locked off after 5:00 p.m. or before 8:00 a.m. There is **NO** moving in or out or deliveries allowed on Sundays and holidays.
 - 17. Quarterly Pest Control is **MANDATORY** for each apartment and all common areas of Discovery Bay. All residents are required to give access to Pest Control personnel upon scheduled notification.
 - 18. Quarterly air-condition Fan Coil Service is **MANDATORY** for each apartment. All residents are required to give access to air-condition personnel upon scheduled notification.

Section 15: Enforcement of Rules

It is the primary responsibility of the Board of Directors, through the General Manager and the Managing Agent to ensure that rules are enforced in a fair and equitable manner.

- 1. Discovery Bay enforces the rules by first notifying owners of infractions. If the matter is not corrected, fines may be imposed in accordance with the following schedule:
 - a. First Notice: A written citation given or sent to the violator with a copy to the owner, as applicable.

- b. Second Notice: A written citation given or sent to the violator with a copy to the owner, as applicable, and a fifty-dollar (\$50) fine assessed against the owner.
- c. Third Notice: A written citation given or sent to the violator with a copy to the owner, as applicable, and a one hundred-dollar (\$100) fine assessed against the owner.
- d. Subsequent Notice: Referral by the Board of Directors to the Association attorney for appropriate legal action. As permitted by Hawaii law, legal fees and costs incurred by the Association will be assessed against the owner, in addition to the fines specified above. Legal action may be considered as the primary action in the event of more serious violations. All expenses involved in legal action will be charged to the owner.
- e. Violations not corrected within 10 days will be considered another violation.
- f. Fines may be appealed to the Board of Directors.

Provided the fine is paid, the owner shall have the right to initiate a dispute resolution process as provided by HRS 514B-161 or 514B-162.

Nothing contained herein shall be interpreted to prevent or delay the Board, Managing Agent, or General Manager from immediately enjoining, abating, removing, remedying through automatic fines, legal action, or other means, any violation or breach that may impair or in any way affect the value or safety of the project or the use, enjoyment, safety, or health of any apartment owner or resident.

OWNERS ARE RESPONSIBLE FOR ANY ACTIONS OF GUESTS, RENTERS, AGENTS OR THEIR OUTSOURCED SERVICE PERSONNEL.

All House Rules shall be age neutral and apply to all persons equally.

(January 13, 2015 Revision)