

AOAO Royal Capitol Plaza

House Rules

Amended and Adopted on 4/26/11

Amended 5/12/2012

Amended 7/24/12

Amended 9/26/12

Amended 7/22/14



TABLE OF CONTENTS

SECTION I HOUSE RULES	PAGE 3
SECTION II OWNERSHIP, RENTALS, AND GUESTS	PAGES 3 & 4
SECTION III MOVE-IN AND MOVE-OUT PROCEDURES	PAGE 4
SECTION IV APARTMENT UNITS	PAGES 4 & 5
SECTION V COMMON ELEMENTS (DEFINED)	PAGES 5 & 6
SECTION VI RECREATIONAL FACILITIES 8	PAGES 6 & 7
SECTION VII SWIMMING POOL AND JACUZZI/SPA/HOT TUB BOARD/PARTY ROOM.	PAGE 8
SECTION VIII REFUSE AND DISPOSAL, RECYCLING	PAGE 9
SECTION IX PARKING	PAGES 10 & 11
SECTION X PETS	PAGES 11 & 12
SECTION XI VIOLATIONS OF THE HOUSE RULES	PAGE 12

I. HOUSE RULES

The following House Rules are enforced by The Royal Capitol Plaza's Association of Apartment Owners acting through its Board of Directors ("the Board"). The Board may delegate enforcement authority to the Managing Agent and the Resident Manager. All apartment owners, occupants, tenants, and their guests shall be bound by these rules and where the rules are silent, by standards of reasonable conduct. Apartment owners shall be responsible for their guests' and tenants' observance of all House Rules as set forth herein. In the event expenses are incurred by the Association due to violations of the House Rules by any apartment owner, the apartment owner's guests, tenants, or licensees, the owner shall be responsible for payment of the same.

These rules and regulations may be amended by the Board of Directors ("the Board") as provided by the Bylaws of the Association. (Note: Certain sections hereof have been extracted, either in whole or in part, from the Bylaws. Amendment thereof will require amendment of the Bylaws).

II. OWNERSHIP, RENTALS, AND GUEST

1. The **owners** or their **agents** must notify the Resident Manager of the names and anticipated length of occupancy of the lessees or renters, roommate, etc. prior to permitting the latter occupancy. **Owner-occupants, non-resident owners or agents who rent**, loan or otherwise permit occupancy of their apartments, shall furnish a copy of the House Rules to their tenant, lessee, or occupant and shall familiarize the tenant, lessee, or occupant with building facilities/amenities. The **owners** shall assume responsibility for the actions or omissions of his agent or the occupant of the apartment.
2. An Apartment owner shall be responsible for the conduct of all persons occupying his/her apartment at all times, ensuring their behavior neither offends nor disturbs any occupant of the project nor damages any portion of the common element.
3. In no case shall an apartment be leased or rented for a period of less than thirty (30) days (See Declaration, Paragraph G, and Subparagraph 1).
4. Owners wishing to post "For Rent" notices on the bulletin board in the mailroom should contact the Resident Manager. The notices must be stated on a 3 x 5 index card. The Board may regulate the length of time that notices may be posted.
5. Guests staying longer than three days must register with the Resident Manager or Operations.
6. Owners shall be responsible for designating a local agent to represent their interest if their residence is off island or (in the case of owner/occupants) if they will be absent from the apartment for more than three (3) days. Tenants and other occupants shall provide notice to the Resident Manager or Operations' if they will be absent for more than three (3) days.

7. Owners, Tenants, and Occupants shall file and keep updated their name, address, phone number, and vehicle model, make, and license number with the Association, acting through the Resident Manager or Operations.
8. Owners are required to **provide proof of home-owners insurance** to the Managing Agent and Resident Manager as of January 2011 in accordance with HRS 514B-145 Paragraph 5, adopted September 30, 2010.

III. MOVE-IN AND MOVE OUT PROCEDURES

1. Movement of large items requiring the use of an elevator shall be scheduled at least 24 hrs. In advance with the Resident Manager or Operations and moving shall be done between 8:00 A.M. – 8:00 P.M., Monday through Saturday only. No move in or out shall be allowed on Sundays or holidays unless authorized by the Resident Manager for emergency purposes only.
2. Deliveries can be at any time between 8:00 A.M. to 8:00 P.M. with 24 hour advance notice to Operations or Resident Manager.
3. Movement of goods or delivery items will be from the loading zone to the #3 elevator, and from the # 3 elevator into the receiving unit, nothing will be placed in the hallways as an obstruction or to cause an obstruction.

IV. APARTMENT UNITS

1. The Resident Manager does not retain pass/unit/master keys to any apartment. In the event of an emergency or suspected emergency (such as a sudden unexpected occurrence or series of occurrences which pose a threat to persons or property, including fire, theft, or flooding), the Board of Directors or Resident Manager may force entry into the apartment in question and the owner may be responsible for the cost incurred in connection with the incident.
2. Royal Capitol Plaza Maintenance and Operations personnel act under the direction and supervision of the Board of Directors and shall not be asked by any owner or occupant to do work within the area of any apartment or leave the premises for any other reason than in an emergency.
3. Occupants are required to inform the Resident Manager or Operations 24 hours in advance of an expected delivery or repairman, except in cases of emergency when advance notice is not possible.
4. Plumbing equipment and apparatus, such as toilets and garbage disposals, shall be used only for the purposes for which they were constructed. Damage resulting to the building or other apartments from misuse of the plumbing equipment or apparatus shall be paid for by the owner responsible for the misuse.
5. No signs, signals, or lettering shall be inscribed or exposed on or at any window, wall, door, or garage stall nor shall anything be projected out any window.
6. No air conditioning units, antennas, or other objects shall be attached to the outside walls of the

building or to the exterior of any door.

7. Furniture and potted plants suitable to balconies or lanais may be used on lanais. Articles which are unsightly, as determined by the Board, shall be removed upon written request of the Board.
8. Waterbeds are prohibited in apartments.
9. Each apartment unit is reserved a storage locker in either the P-2, P-4 A or P-4 B storage rooms. This locker is assigned to that particular unit whether the owner, tenant, or guest uses it or not. If an owner decides to rent out said locker it is the owner's responsibility to inform Operations' and Resident Manager of who is using the locker. Entrance to the storage lockers is controlled by an access control box. Use of your FOB key will give access only to the storage room that has been authorized by the Board.
10. Lockers may **only be rented to residents of Royal Capitol Plaza**. Upon sale or moving out the owner, occupant, tenant, guest is to reclaim said locker and ensure it is empty. The owner, occupant, tenant, or guest is responsible for collection of any monies owed due to a rental of their locker. It shall not be the responsibility of the Operations' staff or management.
11. Reassignment of lockers will only be done when two cooperating owners request to switch lockers and both inform the Resident Manager prior to switching, exchanging, or trading lockers.
12. The Association does not engage in the business of renting lockers for owners. A 3" x 5" index card may be placed on the mailroom bulletin board as an advertisement for locker rentals, subject to the procedures set forth in Rule 9 above.

V. COMMON ELEMENTS

Defined: (Common Elements are the areas of the building and premises open to the use of all residents, owners, tenants, and guests, starting from your unit's front door and ending at the city and county sidewalk and roadway, AKA Curtis St.)

1. No corridors, walkways, lobbies, stairways, elevators, sidewalks, driveways, or parking areas shall be obstructed or used for any purpose other than ingress and egress or parking. No skateboards, roller skates, in-line skates, (e.g. rollerblades) or other such equipment shall be used, ridden, or operated on the premises.
2. Surfaces or interior drapes, mini blinds, or other window dressings visible from the exterior must be white or off-white in color.
3. Textile items, including towels, bathing apparel and clothing, brooms, mops, cartons, etc., shall not be placed in the corridors, or in windows so as to be in view from outside the building or from any other apartment.
4. No rugs or other objects shall be dusted from windows, stairways, or corridors.
5. Excessive noise of any sort shall be avoided at all times. Radios, TV's, HI-FI's etc. must be played at reduced volume between 10:00 P.M. and 7:00 A.M. When guests are arriving or leaving at night, noise shall be kept at a minimum. Cellular phone calls in common areas such as the pool area, recreation areas of the building shall not be loud enough to disturb others using the area. Excessive daytime noise at any time should be reported to the Resident Manager or Operations. Excessive nighttime noise

should be reported to Operations.

6. No soliciting of goods, services, or charitable contributions of any kind shall be permitted on the premises. This rule shall not apply to the solicitation of proxies or distribution of materials related to Association matters on the common elements by apartment owners; provided, however, the Board may, from time to time, adopt reasonable rules regulating the solicitation of proxies or distribution of Association materials.
7. No items of personal property, including velocipedes, bicycles, or surfboards, shall be left or allowed to stand anywhere on the premises other than within the confines of an apartment, in a storage facility specifically provided, or in locations designated by the Board. Articles of personal property of any kind left on any of the general common areas will be removed at the property owner's expense.
8. Surf Boards may not be transported through the main lobby without a protective covering. This is to protect against damages to the property and protection of people. Unprotected surf boards must be transported through the parking garage entrances. **(Amended 4/26/10)**
9. Clean and dry bicycles and surf boards may be transported in elevators, but not through the lobby.
10. No commercial or business activity shall be carried on in any residential apartment or in any common area.
11. Pursuant to fire regulations all stairwell doors must remain closed at all times.
12. Anyone found tampering with the fire fighting equipment, fire alarms, fire doors, or the fire sprinkler system shall be subject to criminal charges and shall be liable for any resulting damages or injuries.
13. Occupants shall not use or bring onto the premises, or keep in any apartment, hazardous, highly flammable, or explosive substances, including, but not restricted to, gasoline, (except in vehicle gas tanks), kerosene, naphtha, benzene, charcoal starter fluid, or fireworks. Also, none of these items should be put down, or disposed of, in the trash chute. See the City and County rules for disposal or visit the website, www.Opala.org.
14. Occupants are urged not to allow unknown persons into the building. If there is doubt concerning any person in the elevator or common areas, there should be no confrontation, but the Resident Manager or Operations should be notified immediately.
15. Eating, drinking, or smoking is not permitted in the elevators, corridors, lobby areas, or stairwells.
16. There shall be no climbing of trees on the property.
17. Cigarettes may not be extinguished or thrown in or on to common areas, including the trash chute nor may they be thrown from the windows of an apartment.
18. Appropriate attire including footwear is required in the main lobby area.
19. Barbequing shall be permitted only on the recreation deck barbeques.

VI. RECREATION FACILITIES

1. Use of the third floor exercise room shall be from 6:00 A.M. – 11:00 P.M. Excessive noise is not permitted. All use of facilities and equipment is at the risk of the user.
2. Gym use requires proper athletic footwear, no bare feet, and no slippers. Shirts are required. No food. Drinks are allowed only in sealed plastic or metal containers. Please keep your audio/visual noise to a minimum as to not disturb other gym user. Cell phone calls must be taken outside the gym.
3. Use of the Barbeque area shall be from 6:00 A.M. – 11:00 P.M. Grills and counter tops must be cleaned after each use to provide a reasonably clean surface for the next user, any spills and litter shall be cleaned up before leaving. Use of this facility is on a first- come- first- served –basis. See the Resident Manager or Operations for the key to the propane valves before using. A maximum of 25 people may be in this area at any given time.
4. Sauna hours are 6:00 A.M. – 12:00 A.M. daily.
5. The Recreation deck area may be reserved for large parties (more than 25 people but less than 60) only if:
 - a. The owner or occupant requesting the reservation submits a written request to the Board of Directors or to the Resident Manager for the use of the Recreation deck no less than seven (7) days prior to the date the owner wishes to reserve the Recreation deck.
 - b. The Board or Resident Manager gives written approval of the party.
 - c. The owner or occupant submitting the request provides parking for the guests, other than the guests stalls of the project.
 - d. The owner or occupant submitting the request provides security or other alternatives acceptable to the Board or the Resident Manager to ensure that the party will not disturb other residents at the project or compromise the security of the project in any way. A security deposit of \$500.00 will be required to ensure that security services are obtained and the premises are left in a clean and undamaged condition.
 - e. In the event that the area is reserved for a party, one of the barbeques will be kept available for use by other residents of the project.
6. Use of the Board/Party Room for private entertainment shall be made by reservation in advance with the Board or Resident Manager, which reservations shall be approved on a first come first-served basis. The sum of \$50.00 and a signed contract is to be given to the Board or Resident Manager. \$20.00 of this is considered a fee and is not refundable. The remaining \$30.00 is a refundable deposit, to be returned if the Board/Party Room is left clean and undamaged. Association Functions, such as Association meetings shall have priority over other functions. The Board may limit the number of times owners and occupants may reserve the Board/Party Room in any given year to ensure that all owners and occupants have equal opportunity to use the Board/Party Room. The maximum capacity of the Board/Party Room is **60** persons. Reservation Rules are as follows:
 - a. The owner or occupant requesting the reservation submits a written request to the Board of Directors or to the Resident Manager for the use of the Board Room/Party Room or Recreation deck no less than seven (7) days prior to the date the owner wishes to reserve the Recreation deck.
 - b. The Board or Resident Manager gives written approval of the party.

- c. The owner or occupant submitting the request provides parking for the guests, other than the guest stalls of the project.
- d. No furniture, appliances, equipment, or furnishings belonging to the Board/Party Room may be removed there from.
- e. After use, the Board/Party room and all appliances must be cleaned and returned to the same condition they were in before they were used. All trash must be wrapped and removed.
- f. Use of the Board/Party room will normally be permitted everyday from 8:00 A.M. – 12:00 A.M.

VI. SWIMMING POOL, AND /JACUZZI/ SPA/ HOT TUB

1. State law requires that the pool gate be locked at all times. Access to the pool is with your pool key. Keys are \$4.00 and can be purchased through the Resident Manager Office or Operations. In order to gain access back into the building, you will need your FOB key. The FOB reader is located on the wall between the men's and women's restrooms.
2. The use of the swimming pool and Jacuzzi is permitted during the hours of 6:00 A.M. to 11:00 P.M., daily, except during pool or Jacuzzi maintenance. Excessive noise is not permitted.
3. **THERE IS NO LIFEGUARD ON DUTY!** Owners, occupants, and their guests shall use the pool and other recreational facilities at their own risk. The Association accepts no responsibility therefore.
4. Minors are not permitted in the pool, pool area, or Jacuzzi unless accompanied by a responsible adult. **The use of the Jacuzzi/Spa/Hot Tub is at your own risk**, the Association accepts no responsibility therefore. **The Center for Disease Control recommends the following:**
 - a. Caution: Pregnant women, elderly persons, and persons suffering from heart disease, diabetes, or high or low blood pressure should not enter the spa without prior medical consultation and permission from their doctor.
 - b. Do not use the spa while under the influence of alcohol, tranquilizers, or other drugs that cause drowsiness or that raise or lower blood pressure.
 - c. Do not use at water temperatures greater than 104 °F (40 °C).
 - d. Do not use alone.
 - e. Unsupervised use by children is prohibited.
 - e. Enter and exit slowly.
 - f. Observe reasonable time limits (that is, 10-15 minutes); then leave the water and cool down before returning for another brief stay.
5. Guests are not permitted in the pool area unless accompanied by a responsible Royal Capitol Plaza resident.
6. Swimming is not allowed in other than proper swimming apparel. Hair pins, bobby pins, and hair rollers can damage the pool and must be removed before entering the swimming pool or Jacuzzi.
7. No bather may enter the pool or Jacuzzi without first having showered; all suntan oil, ointment, and sand must be removed from the body and attire before entering the pool or Jacuzzi. A bather leaving the pool or Jacuzzi to use the toilet shall take a second cleansing before returning to the swimming pool or Jacuzzi.

8. In order to prevent contamination of the pool or Jacuzzi infants and toddlers must wear swim diapers. Use of a Jacuzzi/Spa/Hot tub by children less than five (5) years of age is not recommended.
9. After using the swimming pool or Jacuzzi, bathers shall dry themselves thoroughly before entering the building.
10. No running, jumping, pushing, or shoving, boisterous or loud conduct, or loud playing of radios, is permitted in the Recreational Area. Radios should be muted so as not to disturb other users. When using a cellular phone or device, the user should keep their conversation as low as possible, as to not disturb other pool users in the area.
11. No diving, jumping, dunking, or horseplay is allowed in the pool or Jacuzzi. No unsafe use of the pool, Jacuzzi, or pool area is permitted.
12. Scuba equipment, inner tubes, air mattresses, standard swim fins, large toys, balls, any other type of equipment that may interfere with other swimmers are not permitted in the swimming pool, Jacuzzi, spa pool or adjacent areas. Goggles, facemasks, and or Coast Guard approved life preservers may be used. Children becoming familiar with being in the water and learning to swim may wear Coast Guard approved life vests or other type securely attached swimming vests if under close supervision. Inner tubes and "water wings" that go under the arms are not allowed because they are not considered safe. The introduction of sand, rock, or other foreign matter in the swimming pool, Jacuzzi, spa pool is strictly prohibited and will result in eviction there from. (Amended May 12, 2012)
13. The use of glassware, bottles, or other breakables in the pool area is not permitted. Paper cups shall be deposited in the trash bin provided for the purpose.
14. No pool furniture shall be removed from the pool area, nor shall other furniture be place in the pool area.
15. No person being inflicted with an infectious disease, suffering from a cough, cold, or sores, or wearing bands or bandages shall use the pool or Jacuzzi. This provision will not be enforced in any manner that would violate the Fair Housing Amendment Act of 1988 or Chapter 515, Hawaii Revised Statutes.
16. Spitting, spouting of water, and blowing the nose in the swimming pool are strictly prohibited.
17. Food of any kind is not permitted in the pool or Jacuzzi area.
18. The swimming pool or Jacuzzi shall be immediately closed for cleaning in the event of an accidental fecal or vomit discharge. All bathers shall be ordered to leave the swimming pool area until such substances are removed. A closed system swimming pool shall be disinfected before the pool is reopened.
19. Common towels, combs, brushes, and drinking cups are prohibited. Private swim suits and towel should be cleaned and dried after each use.

VIII. REFUSE DISPOSAL AND RECYCLING

1. All garbage must be securely wrapped in plastic bags before depositing in the trash chute. All boxes must be broken down prior to being placed in the trash containers located on the ground floor in the loading bay (mountain side). Pet trash (sand, litter, paper, etc.) must be securely wrapped with extra care and taken to the containers in the trash collection area. Pet trash must not be disposed of through trash chute.
2. No garbage containers or bottles or other items of refuse may be placed outside the apartment.
3. No articles of any sort, including without limitation, empty cans, or bottles may be thrown from any apartment.
4. Glass, aluminum cans, and papers are to be placed in their respective containers which are located in the trash rooms on each floor.
5. Cardboard should be taken to the cardboard bin which is located in the loading zones recycling area.
6. Bulky Items may be placed in the loading zone in the designated signed area prior to the date that the City and County pick-up is scheduled for; or you may put them curb side in our Mauka driveway at 6:00 pm on the second Sunday of each month and no later than 6:30 am the Monday following.

IX. PARKING

1. Parking is permitted for occupants only within designated parking stalls. Occupants must not allow their vehicles to protrude beyond parking stall limits or block any driveways. **Parking stalls may be rented only to occupants of Royal Capitol Plaza.** The Association does not engage in the business of renting stalls for owners. A 3" x 5" index card may be placed on the mailroom bulletin board as an advertisement for parking stall rentals, subject to the procedures set forth in Rule II-4 above.
2. If after appropriate warning, an illegally parked or abandoned vehicle is not removed from the project, the vehicle shall be removed by the Resident Manager at the expense of the owner or driver of such vehicle. Requests to tow an illegally parked vehicle from resident's stalls must originate with the stall owner or registered renter of the stall. Those signing such an authorization to tow shall accept full responsibility for any such action.
3. No vehicles may be parked or left unattended in the driveway areas, i. e., parking garage entrance, Porte-cochere, and loading zone. Each owner shall park in the owner's assigned stall and be responsible for instructing his/her guests to park in that assigned stall or the guest stalls. The Porte-Cochere is to be used only for loading and unloading of residents or guests. **Parking in the Porte-Cochere is limited to 10 minutes.**
4. Owners washing or cleaning vehicles in the car wash area shall clean the area thoroughly before leaving. Vehicle washing is permitted only in the area so designated. Vehicle drying/polishing is to be done only in the assigned parking stalls.
5. No vehicle shall be left standing in any parking stall, even that of an owner, in a non-operative condition. Parking stall are for parking vehicles only, not for storage. Each vehicle parked in the parking structure must be in operating condition with a current vehicle license and registration, and safety sticker.

6. Owners are responsible for removing unsightly or hazardous accumulations of grease, engine drippings, or debris from their designated stalls and maintaining their stalls in a clean condition. If an owner fails to clean his/her stall, the Association may clean the stall and assess the cost against the owner.
7. Residents are prohibited from using the guest stalls for their own vehicles. Without limitation to the foregoing, residents may not park in guest stalls while checking their mail. Each resident in violation of this rule is subject to having his/her vehicle towed from the property.
8. Computerized FOB keys are issued to owners to control entry and exit of the building, including the parking areas above the guest level.
 - a. New, lost, stolen, or additional FOB keys may be purchased for \$75.00.
 - b. For FOB's that have been broken by natural causes or have ceased to function, there is a
 - c. 25.00 dollar replacement charge replacement charge. Management must be notified immediately if a key is lost or stolen. It is recommended HPD be called.
(Amended 9-26-12)
9. No repairs to vehicles of any type shall be permitted in the parking areas with the exception of minor emergency repairs.
10. **No racing of engines or tire squealing shall be permitted.**
11. There shall be no recreational activities or loitering in the parking areas.
12. No items of personal property other than motor vehicles, motorcycles, mopeds, and bicycles shall be kept in any parking stall.
13. Guests must register their vehicles using the guest sign-up sheet located at the Operations entry door in the lobby. Note: vehicle parked in the guests parking stalls will be checked by Operations on an hourly basis.
14. No guest parking shall be permitted between the hours of 1:00 A.M. and 5:00 A.M. Vehicles parked during these hours will be towed at guests expense.
15. The maximum speed limit for any vehicle while being operated on the common elements is 5 mph. Use of headlights while driving in the parking garage at all times is advised.
16. Bicycles, motorcycles, and mopeds may be kept in the owner's apartment or parking stall or in the bicycle room, P-3. Bicycles belonging to residents may not be kept or stored in the bicycle rack on the first (1st) floor. The bicycle rack on the first (1st) floor is for guest bicycles only.
17. All bicycles, motorcycles, and mopeds must be registered with the Resident Manager.
18. A folding or collapsible shopping cart is allowed to be stored in your parking stall. No other type of shopping carts may be stored in your stall e.g., grocery store shopping carts, from any such stores as Costco, Wal-Mart, Longs, Lowes, Home Depot, Office Depot, etc.

X. PETS

1. Dogs are not allowed, except those legally residing in the Royal Capitol Plaza prior to March 29, 1989 or their replacements as provided by Article VIII, Section 3 (i) of the Bylaws; provided, however, that this restriction shall not be enforced in any manner that will violate the Fair Housing Amendment Act of 1988 of Chapter 514-B Hawaii Revised Statutes. The Association shall permit visually impaired persons to keep seeing-eye dogs, hearing impaired people to keep signal dogs and physically handicapped persons to keep certified service animals in their apartments. Nothing herein is intended to restrict access to or interfere with the full use and enjoyment of any apartment by handicapped or disabled persons.
2. No livestock, poultry, rabbits, or other animals whatsoever shall be allowed or kept in any part of the project, except that small fish, and no more than two caged birds, such as parakeets and canaries, or cats may be kept by the apartment owner and occupants of their respective apartments. Pursuant to Article VIII, Section 3 (i) of the Bylaws, as amended, no more than a total of two birds or cats (i.e., either two birds or two cats or one bird and one cats may be kept in any apartment.
3. No pets shall be allowed on the common elements except in transit, when carried or on a leash or harness.
4. Pets shall not be kept, bred, or used in any apartment for commercial purposes.
5. No pets are allowed in the pool deck area, barbeque area, Board/Party Room, or exercise room; provided however, that this restriction shall not apply to guide dogs, signal dogs, and certified service animals needed by visually impaired, hearing impaired, and physically handicapped persons, respectively.
6. No pets belonging to visitors shall be allowed on the premises except for guide dogs, signal dogs, and certified service animals needed by the visually impaired, hearing impaired, and physically handicapped persons, respectively.
7. Pet owners shall be responsible for cleaning up after their pets.
8. Pet owners shall indemnify the Association and hold it harmless against any loss or liability of any kind arising from their pet (s).
9. Any pet causing a nuisance or unreasonable disturbance to any occupant of the project or causing damage to any of the common elements shall be removed from the premises promptly upon notice given by the Board or Managing Agent.

XI. VIOLATIONS OF HOUSE RULES

1. The violation of any of these rules or the breach of any provisions of the Declaration or the Bylaws shall give the Board the right, in addition to any other rights set forth in these Bylaws, to enjoin, abate, or remedy by appropriate legal proceedings, either at law or in equity, the continuance of any such breach, and all cost thereof, including attorney's fees, shall be borne by the defaulting apartment owner; provided, however, any item of construction made by an apartment owner which is claimed by the Board to be in violation of any provisions of these House Rules, the Declaration, Bylaws, and/or any Amendment or Restatement thereof, the applicable provision of the Declaration

and/or Bylaws shall control only to the extent it conflicts with such a rule.

2. All corrective actions regarding violations of these House Rules and damages to the common elements or common areas will be enforced by the Board. The Board may delegate enforcement authority to the Resident Manager from time to time. Violations should be reported promptly to the Resident Manager.
3. Damages to the common elements or common areas shall be surveyed by the Board and the Resident Manager and the cost of repair or replacement and any legal fees incurred may be assessed by the Board against the person or persons responsible, including, but not limited to, owners or occupants.
4. The Resident Manager and Operations have been delegated full authority to require anyone to leave the Recreation or pool area for non-compliance with the House Rules.