Konane Kai
CONDOMINIUMS

House Rules

July 2020
Konane Kai House Rules

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I. Introduction

The Community of Konâne Kai is governed by the Association of Apartment Owners (AOAO). Konane Kai is comprised of 45 residential units separated from one another by 6-inch thick concrete walls, floors and ceilings for the purpose of promoting privacy. It is a serious violation to penetrate into these elements when altering or redecorating your unit.

House Rules

In order to promote the general welfare of this community and to insure the orderly use of facilities with safety and security, the Board of Directors (Board) of Konane Kai has established House Rules concerning the conduct of owners, tenants, guests and agents.

The Board may change these House Rules following a notice to all owners giving them the opportunity to be heard regarding the changes. House Rules supplement certain By-Laws (indicated as such in the following list of rules); which cannot be changed except by vote or written consent of 65% of the owners. If there is a contradiction between the House Rules and the Declaration and By-Laws, the Declaration and By-Laws shall prevail.

Other governing documents including Federal, State and City & County legislation, laws, rules and procedures may apply and supersede our condominium documents. In all cases, these House Rules shall be interpreted to comply with such governing authorities.

In general, these House Rules attempt to codify the reasonable behavior that is expected of the Konane Kai community; living together with both personal and common space. Throughout these rules, “reasonable” is defined as what an ordinary, reasonable and prudent person would consider acceptable in similar circumstances.

Common Areas

Residents of these 45 units also share the use of common elements, which include, but are not limited to, two lobbies, two elevators, pool and Jacuzzi, exercise room, landscaped grounds and parking areas. These elements exist for the joint use of all tenants and, as such, are subject to restrictions so as not to infringe on the rights, privacy and quiet enjoyment of other residents and to allow their enjoyment by the Konane Kai community at large.

The use of common areas is restricted to owners and tenants of Konane Kai, persons temporarily residing with residents and guests accompanying them. The use of common areas by unaffiliated persons, when the associated residents or owners are not on the premises, is prohibited.

No smoking of any products, nor the use of any “alternative smoking devices” like electronic vaping products, is allowed in any common areas including the garage, walkways, lobbies, pool or first floor complex.

The Association's Agents

This AOAO may engage a Facilities Manager (referred to as “Manager” throughout these House
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Rules) to provide services. The Manager’s name and contact number are posted on the bulletin boards in each lobby. All inquiries, problems with common element areas, and requests should be directed to this person. This includes such requests such as: mandatory new resident registration, parking stall, bicycle, or kayak rack rentals; meeting room, pool/cabana group use notifications, and gate opener or lobby key purchases. The Manager does NOT have a passkey to any of the apartments. Residents shall make their own provisions to cover accidental lockouts.

The AOAO also contracts with a Managing Agent whose company name and contact number are posted on the bulletin boards in each lobby. The Managing Agent assists in the fiscal and legal management of the AOAO and takes direction from the Board of Directors.

Lobbies, Mailboxes and Trash Receptacles

Konane Kai has two lobbies each with its own address: 68-151 Au Street and 68-155 Au Street. Each lobby has an entry phone to allow guests to contact residents at both addresses. A central intercom system exists and can allow for remote unlocking of the doors through your phone. Contact the Manager should you want this programmed for your unit.

Mailboxes are located in the lobbies. Keys for the boxes are unique to each unit and there are no duplicates retained by the AOAO. Konane Kai has no secure mail room and, therefore, the AOAO and its agents shall not be responsible for packages left in lobbies.

Trash dumpsters are emptied several times per week. A trash chute is located in the center tower of each floor. Read the section on trash disposal for proper placement of trash. No boxes or large articles should be put into the trash chute. No items shall be left anywhere in trash chute closets.

Fines

The Board is tasked with fairly and equitably governing the community of Konane Kai, which includes enforcing the House Rules and other governing documents. It is incumbent on all residents of Konane Kai to be familiar with the communities governing documents, including the House Rules. It is required that apartment owners provide tenants, guests, other occupants and agents with copies of the house rules or explain them to such persons, including a summary thereof, because the owner is responsible for compliance with the governing documents. A lack of knowledge of the rules is not a valid justification for violations.

Violations of rules may result in warnings and/or fines. Generally minor violations result in warnings, but repeated occurrences may result in fines without warning. Violation of posted rules, such as those in the pool area, and any rules related to safety, can result in automatic fines without prior warning.

All fines are the responsibilities of owners, who are responsible for the conduct of their tenants, guests or contracted workers.

Accommodations for Disabilities

Neither these House Rules, nor any of the project documents, are intended to be in
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contravention of the State or Federal Fair Housing Act. The Board will at all times comply with the provisions of the Fair Housing Acts when acting upon requests by handicapped persons to make reasonable modifications, at their cost, to apartments and/or to the common elements of the Project if the proposed modifications are necessary for their full enjoyment of the Project.

The Board will also comply with the provisions of the Fair Housing Act when acting upon requests by handicapped persons for exemptions from any of the provisions of the Project documents which would interfere with said handicapped persons' equal opportunity to use and/or enjoy their apartments and/or the common elements of the Project.

II. Occupancy

1. **Number of occupants:** This shall be limited to such numbers as allowed by Housing Code and Land Use Ordinance.

2. **Use of apartment:** An owner's apartment shall be used for such purposes as are permitted by law, including ordinances and rules and regulations. Zoning code requires rental of 30 days or longer. No short-term vacation rentals are allowed for any purposes.

3. **Absentee owner:** The Owner shall designate a person resident on Oahu as agent to represent his/her interest if residing out of state or absent for longer than 30 days. This agent's name and telephone number shall be filed with the AOAO through the Manager and the Managing Agent.

4. **Registration Process:** In case of emergencies, all owners and tenants must have a registration form on record. These forms may periodically be updated. Of special interest are names of all occupants of units and vehicles authorized to use each parking stall. Residents are required to inform the Manager of any changes to their registration information. The owner and/or their agent shall ensure that all new residents complete the registration process within 10 business days after move-in date, or face a fine of $200 plus any additional fines until full compliance with this process is achieved. The registration process shall be done with the Manager, and includes (but may not be limited to) the completion of a Tenant Registration Form, payment of the move-in fee, building orientation, programming of entry phone and receipt of the current House Rules. Failure of an owner's designated agent to complete this process does not absolve the owner of this responsibility.

5. **Animals:** Residents are authorized to possess small animals such as fish, small birds, or cats which stay entirely within an owner's unit. Such animals must be legal in the State of Hawaii (e.g. no snakes), and not present a noise or health hazard to other residents. Owners who rent their units are not obligated under this provision to allow tenants to have pets. Animals such as dogs, which by their nature routinely transit common areas, are NOT allowed in the Project, in any apartment, or on any part of the Project including the lawns and grassy areas, except as required by Federal or State law to assist disabled persons. In no circumstances should common areas be used for animal exercise or as a location for them to regularly relieve themselves. Authorized pets or service animals shall not be bred or used for any commercial purpose, nor allowed on any common element except in transit when carried or on a leash. Any animal causing a nuisance or unreasonable disturbance to any occupant of the Project may be permanently removed upon notice given by the Board of Directors or Managing Agent. Disabled persons wishing to apply for exception under Federal or State law should contact the Managing
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Agent for a copy of Konane Kai's Assistance Animal packet. This documentation must be completed validating the need for an assistance animal and acknowledgement that the owner shall be financially responsible for any injuries, damage or legal action that may occur as a result of having an animal on the premises. Residents and their guests are not permitted to feed or otherwise encourage feral animals of any kind.

6. **Minors**: The AOAO shall not be liable for any injury or damage caused by action or inaction of minors who are not supervised or are inadequately supervised.

7. **WATER DAMAGE**: ANY DAMAGE ANYWHERE RESULTING FROM LEAKAGE, MISUSE OR LACK OF GENERAL MAINTENANCE OF ANY HOSES, PIPES, TOILETS, SINKS, WASHERS, SPAS, OR OTHER WATER APPARATUS IN AN APARTMENT SHALL BE REPAIRED AND PAID FOR BY THE OWNER OF SUCH APARTMENT EXCEPT ANY SUCH WATER APPARATUS THAT CONSTITUTES COMMON PROPERTY.

8. **Temporary occupancy**: Subject to the terms of the apartment deed, the Declaration and the By-Laws of the AOAO, a resident may sub-lease his apartment or make it available to friends and family, but the person or persons leasing or living in the apartment shall abide by the Declaration, the By-Laws, and these House Rules. The owner, agent, and/or resident shall be responsible and liable for any damage or injury caused by such person/s or for any breach of the governing documents and House Rules.

9. **Conduct of tenants, guests, other persons**: An apartment owner shall be responsible for the conduct of his tenants, employees, agents and guests and those of his tenants or other residents in so far as that conduct is in breach of the governing documents and House Rules. An apartment owner and/or his agent shall remedy or remove any condition, upon request of the Board or the Manager, which is not in compliance with those governing documents or House Rules.

III. **Safety, Security and Privacy**

1. **Individual apartments**: Every apartment owner or occupant shall at all times keep his apartment in a safe, healthy and sanitary condition and observe and implement all laws, ordinances, rules and regulations now or hereafter made by any governmental authority or the AOAO applicable to the use of the Project. (By-Law)

2. **Structural safety**: Nothing shall be allowed, done, or kept in any apartment or common area of the Project which would overload or impair the floors, walls, or roofs thereof, or cause any increase in the ordinary premium rates or the cancellation or invalidation of any insurance thereon maintained by or for the AOAO. (By-Law) NEW PENETRATIONS THROUGH CONCRETE SLAB FOR ANY PURPOSE (PLUMBING INCLUDED) IS PROHIBITED.

3. **Fire safety**: No tiki torches, fireworks, explosives or other hazardous or damaging materials are permitted on the property. No open flame BBQ or cooking of any kind is allowed on the lanais of units at Konane Kai. Working smoke detectors are required in every apartment.

4. **Security Cameras**: Konane Kai may install and maintain a security camera system to record activity in common areas such as the pool, garage and lobbies. Residents should have no expectation of privacy in these areas. These cameras are for investigative purposes in the event of break-ins or inappropriate behavior and are not monitored in real time. The Association accepts no additional liability by providing this level of
monitoring.

5. **Throwing objects**: Nothing shall be thrown from lanais, windows, or other facades of the building.

6. **Solicitation**: No face-to-face soliciting or canvassing is permitted in the building or on the grounds.

7. **Privacy**: Konane Kai residents have a reasonable expectation of privacy within their units. No occupant shall operate in common areas or in the airspace above them, any object (including drones) that may cause a nuisance, a disturbance of a resident's quiet enjoyment of their home, an invasion of their privacy or has the potential for remote audio or visual monitoring.

8. **Locking entrances**: Entrances to the lobbies, parking areas and pool shall be closed and locked after each entrance or exit. Any failure of locking equipment should be reported promptly to the Manager. No objects of any kind (including, but not limited to, garbage cans and furnishings) shall be used to secure open any common element door without a resident present at all times. It is important to note that for safety and liability reasons and to remain in compliance with state law, the pool area access gates must be locked at ALL TIMES. To prevent unauthorized persons from entering the Project, no resident or other occupant shall allow any person within the lobbies or parking areas, pool or common areas unless that person is known to be a resident or has an obvious legitimate reason for access.

9. **Call 911**: Call 911 to report any suspicious activity in or near the building.

IV. Noise

**General Courtesy**: It is important that all residents and guests respect each other as well as our neighbors in surrounding buildings. Noise travels, especially from the pool area and from uncovered floors, and can cause problems for the other residents of the building. It is important to remember to respect the quiet hours. If you have a party or multiple guests, it is particularly important that you adhere to the house rules regarding noise.

Residents and other occupants shall avoid unreasonable excessive noise of any kind, particularly from musical instruments, radios, televisions, and amplifiers. (By-Law).

1. **Quiet Hours**: QUIET HOURS ARE BETWEEN 10 P.M. AND 8 A.M. DAILY. ANY AND ALL NOISE (INCLUDING TALKING ON LANAI AND FOOT TRAFFIC IN APARTMENT) SHALL BE QUIET ENOUGH TO NOT DISTURB OTHER RESIDENTS.

2. **Common element areas**: Noise levels shall always be reasonable when using common elements, which include walkways, meeting room, exercise room, saunas, restrooms, pool, cabana area, and ocean lanai. Noise from the pool area is amplified by the building, so extra care must be exercised so as not to bother adjacent residents.

3. **Repairs**: Repair or remodeling work shall be performed Monday through Saturday, between the hours of 8 AM and 6 PM, to keep the noise from such activity from disturbing neighbors. No noisy repairs or remodeling work shall be performed on Sundays or on Christmas, New Years, Memorial Day, 4th of July, Labor Day or Thanksgiving. Exceptions are permissible only in the case of emergency repairs. If projects are expected to generate excessive noise, residents shall notify neighbors at
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least 24 hours in advance.

4. **Parking areas:** Vehicles should be started as quietly as possible, and the engine should not be kept running unnecessarily or the engine revved. Starting of motorcycles in the garage is prohibited.

5. **Flooring:** Due to the construction of Konane Kai, noise from walking, speakers resting on the floor or the movement of furniture can easily transmit to the unit below. In the absence of rugs, carpet, or other floor covering with a sufficient noise barrier, moveable furniture must have noise-reducing pads on their feet to dampen transmitted sound. All residents should be conscious of footwear worn on bare floors and their potential for creating noise. Should unreasonable noise become a recurrent problem, the Board may require that up to 80% of a unit's floor area (excluding kitchen, bathrooms and closets) be covered with rugs, carpeting or flooring with similar padding designed for noise abatement. In the event of complaint concerning noise, owners, residents and tenants shall allow inspection by the manager or Board member with reasonable notice.

6. **Noise abatement:** Recommendations to avoid unreasonable radio, T.V., and home entertainment noise:
   - Lower listening levels (especially the bass)
   - Point speakers away from doors and windows
   - Elevate speakers off floor on speaker stands
   - Point speakers towards a filled book case to absorb noise
   - Place speakers several inches away from walls
   - Use headphones
   - Ask your neighbors (above, below and adjacent) whether they can hear your equipment
   - Remember noise is more noticeable when surf is not masking the sounds

7. **Appliance noise:** Appliances, such as air conditioners, washers, dryers and disposals should be appropriately maintained so as not to generate unreasonable noise.

8. **Lanais:** Wind chimes or other similar noise makers are prohibited.

V. Building and Grounds Appearance

1. **Appearance:** No apartment owner or occupant shall erect or place in the Project any building structure including fences and walls, nor make any additions or alterations to any common elements of the Project, nor place or maintain thereon any signs, posters or bills whatsoever, except in accordance with plans and specifications including detailed plot plan prepared by a licensed architect or engineer if so required by the Board and approved by the Board and a majority of Apartment Owners (or such larger percentage required by the law or Declaration) including all owners of Apartments directly. Not, notwithstanding the foregoing, the Board may authorize the placement of small signs to permit proper administration of the common elements. (By-Law)

2. **Decorate unit entrance:** No Apartment owner or occupant shall decorate or landscape any entrance of his apartment or any portion of the Project except in accordance with standards therefore established by the Board of Directors specific plans approved in writing by the Board. (By-Law)
3. **Hanging objects:** No garments, rugs, or other objects shall be hung from the windows, facades of the Project. (By-Law)

4. **Cleaning:** No rugs or other objects shall be dusted or shaken from the windows or facades of the Project. (By-Law)

5. **Trash:** No refuse, garbage or trash of any kind shall be thrown, placed, or kept on any common elements of the Project outside of the disposal facilities provided for such purposes. (By-Law)

6. **External equipment:** No apartment owner or occupant shall, without the written approval of the Board, install any wiring, or other device for electrical or telephone installations, television or other antennas, machines or air conditioning units, other equipment or appurtenances whatsoever on the exterior of the Project or protruding from the walls, windows or roof thereof. (By-Law)

7. **Antennas:** No television or other antennas shall be erected, placed or maintained in any apartment that is visible from any point outside the Project. (By-Law)

8. **Lanais:** Visible areas above lanai railings and walls shall be kept orderly and free of clutter.

9. **Door mats:** Doormats may be placed at the entrance to apartments. The doormats must be heavy enough not to be blown by winds and flat enough to prevent a tripping hazard. Nothing else (including shoes) shall be left outside the entrance.

**VI. Building and Grounds Use**

1. **Use:** The apartments of the Project shall be used only for their respective purposes as set forth in the Declaration and for no other purposes. (By-Law)

   a. All common elements of the Project shall be used only for their respective purposes as designed. (By-Law)

   b. No apartment owner or occupant shall place, store, or maintain on walkways, roadways, grounds, or other common elements any furniture, packages or objects of any kind or otherwise obstruct transit through such common elements. (By-Law)

2. **Modifications:** Except as permitted by the Declaration, no structural changes of any type shall be permitted either within or without an apartment, except that disabled persons will be permitted to make necessary modifications subject to such reasonable conditions as the Board may impose.

3. **Lanai enclosures:** Owners may enclose a portion of their lanai, subject to prior plan approval by the Board. Owner and/or occupant shall not paint or otherwise decorate the walls and ceiling outside the enclosed portion.

4. **Cleaning lanais:** When cleaning lanai windows and floor, or watering plants, steps shall be exercised to prevent water or other materials from draining or being blown onto lower lanais or cars. Use of hoses on lanais is prohibited.

5. **Registration Fee:** A registration fee of $100 from the owner is due within ten work days after move-in date for any non-owner rental occupancy. Please refer to the Registration Process in section II above.
6. Moving In: Residents moving in or out, or arranging for delivery of large items to their apartments, shall notify the Manager. Elevator pads must be installed prior to moving large items. These activities should take place during normal daylight hours Monday through Friday when elevator usage is low. Delivery of large items or the moving of household goods that require an elevator key shall be coordinated with the Facilities Manager. A deposit of $50 secures use of elevator key. Deposit shall be returned once key is returned and no damage to elevator has occurred.

7. Trash disposal: Garbage and other trash shall be disposed of through the trash chutes located on each floor. Any articles that are likely to get stuck in the trash chute shall not be placed therein. Residents and other users shall clean up any mess or spills they make in or outside the trash rooms. Trash should be plastic bagged and secured before disposal. Any waste products from authorized animals must be double bagged and securely fastened prior to disposal. Boxes and other items too large to fit in the chute must be neatly broken down and placed in the dumpster in the garage. No items of any kind shall be left in trash chute closets. The trash chute may be used between the hours 8 AM to 10 PM.

8. Bulky item disposal: Disposal of bulky items (e.g., furniture, appliances, etc.) is the resident’s responsibility. You may wish to have the delivery service of any new item dispose of the old one. If this is not possible, the City and County of Honolulu provides curbside pickup by appointment. An internet search for “City and County of Honolulu bulky item pickup” will provide current information and rules regarding this service. It is important to note that both City and County and Konane Kai rules prohibit placing items out prior to 6:00 pm the day before scheduled pickup. UNDER NO CIRCUMSTANCES MAY ITEM(S) BE LEFT IN COMMON AREAS INCLUDING NEAR THE DUMPSTER OR IN THE GARAGE.

9. Smoking: Smoking is not permitted in common element areas.

10. Building Security Devices: Entry Cards, Gate Openers and Key Fobs. Security devices will only be provided upon authorized request by owners, owner’s agent or rental agents and when accompanied by payment. The charges are $5 for an entry card, $20 for a key fob and $50 for a garage gate opener. AOA Konane Kai will buy back undamaged devices, providing they are working as intended, at full price. A new battery installation charge of $15 will apply to all repurchased garage door openers. Keys to common locked areas such as the electrical, mechanical or maintenance rooms are not normally loaned out, but may be, on occasion, at the discretion of the Facility Manager. Loaned keys may not be duplicated and must be returned immediately after their use is no longer necessary.

11. Common Area Use: Pool Area, First Floor Meeting Room and Exercise Area. The building’s common areas exist for non-exclusive enjoyment by all residents and are subject to certain usage rules regarding hours of use, age restrictions and group size (as indicated below). Up to four unaccompanied guests may use common areas and should be prepared to give the apartment host’s name and apartment number upon request.

12. Group Use: Notification is required for use of common areas by groups of 6 or more individuals and group size cannot exceed 25. Group use requires a $100 security/cleaning deposit and is limited to one four hour period per day and must be between the hours of 9:00 AM and 9:00 PM. Contact the Manager for registering group use and payment of deposit. Group use by more than 10 persons requires registration with the Manager at least one week prior to use. Please also note specific rules.
associated with the individual common areas described below.

13. **Children:** Minors requiring supervision must be accompanied by an adult at all times when using either the Pool or First Floor Activity Area. Parents or guardians must maintain proper supervision of such minors under their care in all common areas of the Project. The AOAO shall not be liable for any injury or damage caused by action or inaction of such minors who are not supervised or are inadequately supervised.

14. **Posting Announcements:** Bulletin boards are mounted in each lobby for general use. All postings should be dated and may be removed after a reasonable period of time. Personal announcements and unofficial signs should not be placed in any other areas in the Project including elevators, the pool area or in the first floor complex.

15. **Storage units:** Konane Kai maintains a limited number of storage units which are rented to owners on a monthly basis. Rules regarding the use of the storage units and the rental rates are determined by the Board. In the event that all units are rented, the Manager maintains a wait list and units that become available are offered on a first-come, first-served basis to those on the wait list.

### VII. Parking Areas

1. **Garage gate:** Garage gate is automated and is timed for one car passage only ... NO TAILGATING! Caution: No playing or climbing on or around gate. The AOAO is not liable for any injury, damage, or loss caused by problems or malfunctions of gate.

2. **Gate openers:** Automatic gate openers are provided to residents only. They may be periodically reprogrammed for security reasons. Report any loss of a gate opener to the Manager immediately. It is recommended to not leave gate openers in cars, as they have the potential to be stolen and create a security breach. Residents should be aware that gate openers are expensive to replace if lost or stolen.

3. **Manual gate:** A manual garage gate is located next to the dumpster. It is secured by a combination lock. In the event of an emergency (power failure, failure of the automatic gate) all residents must know the combination and should see the manager if it is not known. Manual gate may also be used as an access to the building during move-ins and move-outs, or during car washing.

4. **Parking:** There is NO PARKING in the washing area, the loading zone, or the entrance to the manual gate (located in front of the dumpster). Violators may be towed.

5. **Reserved stalls:** Each apartment has the exclusive right to use an appurtenant parking stall in the Project. Other residents and guests must not use any such reserved parking stall at any time without prior permission of the owner, resident or guest who has the exclusive right to use such stall.

6. **Tenants' parking:** An apartment owner shall advise the manager in writing of the type of vehicle and license number being used by his tenant or guest whose use of his apartment will exceed two (2) weeks.

7. **Parking in stall:** Cars shall be centered in their assigned stalls to avoid crowding of adjacent stalls and protruding beyond marked boundaries.

8. **Repairs:** Repair work to a vehicle or other equipment shall not be performed in the parking area or other elements of the Project.
9. **Parking Areas:** No trailers or boats shall be parked in the parking area. Vehicles must have a current license and permit. Each parking stalls is limited to the parking of one (1) car or two (2) motorcycles.

10. **Cleaning stall:** The owner or occupant of an apartment is responsible for maintaining the appearance of the unit’s assigned parking stall; including the removal of oil spots and other stains from the floor and upon request from the Manager shall remove within a reasonable time such oil spots or stains.

11. **Traffic flow:** To avoid blocking street traffic, incoming cars shall have the right of way over vehicles leaving the parking area.

12. **Washing cars:** Washing cars within the project will be permitted only in the area designated by the Board. Residents and other occupants washing, cleaning or polishing cars in this area shall clean the area thoroughly before leaving.

13. **Damage responsibility:** Damage to cars and other objects or to the common elements shall be the responsibility of the person causing the damage and the person responsible shall pay for such damage upon production of estimate or estimates obtained as needed.

14. **Storage:** There shall be no items of any kind, except vehicles, in parking stalls, including but not limited to hoses, buckets, beach furniture, kayaks, surfboards, etc.

15. **Carts:** Rolling carts are provided for the use of residents and Konane Kai staff to transport items from the garage to units. Carts are not to be used on an extended basis by residents or contracted workers, shall be cleaned if soiled and returned to the garage immediately after use.

16. **Available stalls:** Konane Kai has a limited number of parking stalls which are rented to owners on a monthly basis. Rental rates are determined by the Board and are subject to change annually. In the event that all stalls are rented, the Manager maintains a wait list and stalls that become available are offered on a first-come, first-served basis to those on the wait list.

17. **Violations:** A warning will be given to owner, owner’s agent or any rental agent for violations and a seven day period will be given to cure. Vehicles may be towed away at the vehicle’s owner’s expense if the violation is not cured within 7 days thereafter.

**VIII. First Floor Activities Complex**

1. The First Floor Activities Complex (Complex) consists of the meeting room, exercise area, saunas/restrooms, and Manager’s office.

2. **Time:** The Complex is open 24 hours daily, with the exception of scheduled meetings of the Board of Directors. Dates and times of these meetings shall be posted on the bulletin board in each lobby a minimum of 72 hours prior to meeting.

3. **Meeting Room:** The meeting room may be reserved for private functions and is subject to same deposit and hour restrictions associated with all Common Area usage. Use cannot be for commercial, revenue producing or fund raising purposes. The exercise and sauna areas shall remain open during any reserved time.

4. **Exercise Room:** Exercise equipment can be dangerous and, in electing to use the equipment, a person assumes all risk associated with its use, improper use, lack of
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supervision or any other reason and holds the AOAO, the Board and all owners harmless and indemnifies each and every one of them against all claims whatsoever arising from such use. Persons using the equipment shall follow instructions for use and use good judgement when operating equipment. Exercise free weights and bench plates shall be returned to their original storage trees. Treadmill(s) shall be turned off after use. Exercise machines shall be returned to their original position.

5. **Noise**: Headphones must be worn for personal music equipment in exercise area. Noise including, but not limited to, music from private functions shall not exceed a reasonable level or disturb other residents. Quiet hours apply to the entire property including the Complex.

6. **Apparel**: Proper apparel shall be worn in the Complex. Wearing of shirts, footwear and/or socks in the exercise area is mandatory. Persons using the exercise area shall abide by all rules and guidelines.

7. **Saunas**: There are potential health risks associated with using a sauna. In electing to use this amenity, persons accept and assume those risks in their entirety and are responsible for any loss or damage arising therefrom and holds the AOAO, the Board and all owners harmless and indemnifies each and every one of them against all claims whatsoever arising from such use. The saunas are not co-ed and modesty is expected.

8. **Equipment**: Residents, through the Manager, may reserve meeting room portable tables and chairs. A security deposit of $100 is required.

9. **Glass and Alcohol**: Glass and alcohol in the exercise or sauna areas are prohibited.

10. **Hygiene**: A cleaning station is located in the exercise area. Paper towels and disinfectant is available to assist you in helping keep this area hygienic. Use of personal towels is required to wipe down equipment after use.

11. **Manager's office**: This office is adjacent to the exercise area. If a meeting is necessary, call for an appointment, as there are no set hours of operation. Please leave a message if you require a return call. A mail box for communications and payments is located outside the office door.

IX. **Pool Area**

**IMPORTANT NOTICE:** NO LIFEGUARD IS ON DUTY. STATE LAW REQUIRES POOL AREA GATE BE LOCKED AT ALL TIMES.

1. **Risk**: The pool may be utilized only by competent swimmers. Those unable to swim may not enter the pool unless accompanied by a competent swimmer and are supervised at all times. All persons utilizing the pool do so at their own risk and are responsible for any loss or damage arising therefrom and holds the AOAO, the Board and all owners harmless and indemnifies each and every one of them against all claims whatsoever arising from such use.

2. **Time**: Residents and guests may use the pool area between 8 AM and 10 PM; or other such hours as determined by the Board.

3. **Guests**: Residents who host five (5) or more guests in the pool area must accompany them. Please note the requirements for groups and use of Common Areas by children in section VI above.
4. **Rinse off**: Sand and dirt shall be removed prior to entering pool area. Showers shall be taken before entering the pool or Jacuzzi to remove suntan oil, and/or other materials.

5. **Swim wear**: Proper swim wear must be worn by persons using the pool or Jacuzzi. Babies must wear cloth diaper and rubber pants. Disposable diapers are not permissible.

6. **Horseplay**: Repeated running, jumping or diving into or around the pool is not permitted as surfaces can become slippery when wet and such behavior becomes dangerous. Persons assume all risk of such careless and dangerous behavior.

7. **Noise**: The design of the building walls amplifies noise in the pool area so it is disproportionately loud in adjacent units and for our neighbors next door. Therefore, care shall be taken to prevent excessive noise. Adults shall control the noise of minors. Sound from personal music equipment shall not be so loud as to disturb other pool area users or adjacent residents.

8. **Equipment**: No skateboards, body boards, scuba tanks, weight belts or other equipment that may damage the pool or pool decking or surface are permitted in or around the pool and Jacuzzi. The use of flotation devices is only permitted if there is no possibility that their use could be interfering with other’s enjoyment of the pool.

9. **Glass**: No glass or breakable material is permitted in the pool area.

10. **Alcohol**: No Alcohol is permitted when using the Pool or Jacuzzi.

11. **Illness**: The use of the pool and Jacuzzi by persons having disease generally accepted by the medical community as being transmissible by any means or actual contact is prohibited.

12. **Hygiene**: Spitting, spouting of water and blowing the nose is strictly prohibited in pool and/or Jacuzzi.

**X. Repairs, Remodeling and Renovations**

1. **Repairs**: Owners shall be liable for all loss or damage whatsoever caused by their failure to perform any needed repair. If, after a reasonable notice to perform an owner fails to remedy a problem, or if the owner cannot be reached in a reasonable period of time, owner shall reimburse the Association promptly on demand for all expenses incurred by the Association in performing any emergency repair deemed necessary by the Association’s management to remedy a problem that is likely to do harm to another apartment or the common property.

2. **Remodeling and Renovations**: Owners have the right to make modifications to their unit which have no detrimental effect to common property. However, the Facilities Manager or Managing Agent shall be informed in advance of any significant proposed unit renovation; especially those affecting flooring, major plumbing, vent replacement or any project which would result in the opening of walls. All modifications to the external features of a unit require Board approval.

3. **Renovation Guidelines**: Other than for routine maintenance, the Facilities Manager should be contacted prior to any construction. The Facilities Manager will provide an orientation regarding construction guidelines and assist in coordinating the use of Project assets. Any planned renovations must adhere to regulations, promulgated by the Board, which are available from the Facilities Manager. A current copy of these regulations should be obtained prior to the start of any work, regardless of who may be
undertaking it. These regulations cover issues such as appropriate sound abatement for floor covering, window tinting, work hours, parking restrictions and elevator protection.

XI. Violations of House Rules

1) Reporting Violations and Damages:
   a) All corrective actions regarding violations of the House Rules and damages to the common elements or common areas will be enforced by the Board and violations should be reported promptly to the Manager or the Managing Agent.
   b) Damages to common elements or common areas shall be surveyed by the Board and the cost of repair or replacement or monetary fine and any legal fees incurred may be assessed by the Board against the person or persons responsible, including, but not limited to, any apartment Owner for damages caused directly or indirectly by his tenants or employees, or such apartment owner's or his tenants' family members, domestic employees, contracted workers or guests.

2) The violation of any of these rules shall give the Board or its agent(s) the legal right to take the following actions:
   a) First violation shall result in a written warning from the Manager or Managing Agent. Failure to respond or correct the violation within a reasonable period of time may result in the assessment of a fine of $200. Subsequent failure to correct the current or any similar violations shall result in the assessment of a fine of $400. Owners are responsible for the conduct of their tenant(s) and/or guest(s); and, therefore, shall be responsible for assessed monetary fines. The Board reserves the right to assess additional monetary fines as it deems necessary; and/or
   b) Enjoin, abate or remedy by appropriate legal proceedings, either at law or in equity, the continuance of any such breach, and all costs thereof; including attorney's fees, shall be borne by the defaulting apartment owner (whether or not caused by the apartment owner or by any person for whose conduct the apartment owner may be responsible).

XII. Amendments

The Board of Directors, upon giving notice to all Apartment owners in the same manner as herein provided for notice of meetings of the Association and an opportunity to be heard thereon, may adopt, amend or repeal any supplemental rules and regulations governing details of the operation and use of the common elements not inconsistent with any provision of laws, the Declaration, or these By-Laws. (By-Law)

Updated and Adopted July 15, 2020

Managing Agent