



Hawaii Kai
PENINSULA

**ASSOCIATION OF APARTMENT OWNERS
OF THE
HAWAII KAI PENINSULA**

HOUSE RULES

REVISED SEPTEMBER 2019

Supersedes all prior House Rules Revisions

HAWAII KAI PENINSULA SITE OFFICE

520 Lunalilo Home Road #100
Honolulu HI 96825

(808) 396-5100 Office
(808) 396-6963 Fax

Email: office@hkpaoao.com
HKP Website: www.hkpaoao.com

HOURS

Monday Through Friday	8:00 a.m. to 5:00 p.m.
Saturday	8:00 a.m. to Noon
Sunday and Posted Holiday	CLOSED

SECURITY

(808) 366-5097

The Association contracts with a security company to patrol the HKP, assist Residents with problems, issue Guest parking passes and enforce various House Rules as directed by the General Manager. Security is on duty whenever the Site Office is closed including nights and weekends.

EMERGENCY CONTACT: CALL 911

In case of fire, serious injury, illness or any event that requires immediate assistance by police, EMTs or the fire department, call 911.

Notify, as appropriate, the Site Office or security if after hours.

GUEST PARKING PASS

To obtain a Guest parking pass after business hours, please call security.

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I. PURPOSE OF AND AUTHORITY TO PROMULGATE HOUSE RULES

The purpose of these House Rules is to provide a guide for all residents to follow to promote harmonious community living and help to maintain, preserve and enhance the property values and assets of our high-density community. Courtesy and civility should prevail at all times. This edition of House Rules supersedes all previous editions, which are no longer valid.

Owners, Residents, Occupants, and Guests (as each term is defined below) are subject to these House Rules and the Declaration of Condominium Property Regime of the Hawaii Kai Peninsula Association and the Bylaws of the Hawaii Kai Peninsula Association of Apartment Owners. These House Rules are intended to supplement, but not change, the obligations imposed by the Declaration and the Bylaws. In the event of any inconsistency between them and these House Rules, the Declaration or the Bylaws will control.

The Board of Directors of the Association of Apartment Owners of the Hawaii Kai Peninsula (HPK) shall be responsible for enforcing these House Rules, but that responsibility may be delegated to a managing agent by the Board and to a General Manager. All Owners, Residents, Occupants and Guests shall be bound by these House Rules and by standards of reasonable conduct whether covered by these House Rules or not.

The Board may make other rules and regulations from time to time or may amend these House Rules, as it deems necessary or desirable.

These House Rules are adopted pursuant to the Condominium Property Act (Chapters 514B, Hawaii Revised Statutes) and the Bylaws.

II. DEFINITIONS

Agent: A real estate professional, Hawaii Realtor and/or Broker, acting on behalf of an Owner (defined below).

Apartment: A physical or spatial portion of the HKP (defined below) designated for separate ownership or occupancy as described in the Governing Documents (defined below).

Appurtenant: Legally attached to or constituting a legal accompaniment.

Association: The Association of Apartment Owners of the Hawaii Kai Peninsula (HKP).

Board of Directors: The nine Owners elected by the ownership to act on behalf of the Association. Also referred to as the Board.

Bylaws: The Bylaws of the Hawaii Kai Peninsula (HKP) Association of Apartment Owners.

Colony Recreational Area: The grassy area between Colony buildings six and seven

Common Area or Common Element(s): All portions of the HKP other than Apartments and their individual and/or collective Appurtenant areas as described in the Governing Documents.

Common Expense(s): Expenditures or financial liabilities, including allocations to reserves, of or by the Association for operation of the property.

Declaration: The Declaration of Condominium Property Regime of the Hawaii Kai Peninsula Association, for the respective HKPs I-IV.

Design Review Committee: The committee which oversees and exercises control over the improvements, renovations, replacements and/or other modifications of the Apartments.

General Manager: The individual hired by the Board to supervise and manage the day-to-day operations of the Association.

Good Standing or In Good Standing: Used to describe an owner who pays their fees and assessments on time and has no outstanding delinquency, has no unresolved violations and fines, and is not currently in, or subject to, litigation by the Association.

Governing Documents: Those documents, which form the basis for the governance of the Association as, promulgated by the developer and which include the Master Declaration, Declaration, Bylaws and all their amendments.

Guest: An invitee or other visitor, including employees and contractors, of an Owner or Occupant.

HKP: The two parcels of the Hawaii Kai Peninsula whose street addresses are 520 Lunalilo Home Road and 580 Lunalilo Home Road.

Kiddie Park: The playground area located at the ocean end of the Promenade (defined below) and intended for use by small children under adult supervision.

Limited Common Area or Limited Common Element(s): Those elements or areas of the HKP designated and reserved for the exclusive use of one or more Apartments to the exclusion of other Apartments.

Limited Common Expenses: Fees assessed against only those Apartments to which Limited Common Elements specified in the Association Governing Documents are appurtenant. These expenses are often referred to as Product Fees.

Luna Kai Park: The grassy area adjacent to the Site Office, fitness room and Common pool and overlooking the Promenade (defined below) and boat docks.

Managing Agent: The company and its agent or agents contracted to assist in the management of the Association.

Master Declaration: That certain Master Declaration for the Development of The Peninsula at Hawaii Kai dated August 9, 2001 and recorded at the Bureau of Conveyances of the State of Hawaii as Document number 2001-149858 as amended.

Occupant: Any person who occupies an Apartment at the HKP.

Owner: The fee-simple Owner of an Apartment at the HKP.

Product Type: One of the five (5) kinds of residual Apartments at the HKP.

Executive Residences: 27 marina-front, two-story, single-family Apartments with private yards.

Carriage Ways: 69 two-story, single-family Apartments with private yards and constructed in two parallel rows separated by a Limited Common Elements roadway or alleyway.

Cottages: 123 multi-family Apartments with private yards grouped in Limited Common Elements clusters located on the HKP.

Villas: 92 Apartments contained within eight two-story, multi-family structures located on the HKP. The Villas structures located on the 520 parcels are surrounded by Limited Common Area that includes a parking area.

The Colony: 319 Apartments in three, 4-story structures, including parking garages. The Colony has its own pool, spa, barbecue area and parking lot as part of its Limited Common Area.

Promenade: The paved walkway on the 520 Lunalilo Home Road side of the HKP facing The Esplanade condominium structures and the Kaimala Marina and extending from the Common Area pool to the Kiddie Park.

Resident(s): Owners and Occupants who reside at the HKP.

Site Office: The management center of the Association located near the Common Area pool and next to the Common Area meeting room.

Tenant: The renter of an Apartment.

III. GENERAL INFORMATION AND RULES FOR ALL RESIDENTS

A. USE OF APARTMENTS, COMMON ELEMENTS, RECREATIONAL AREAS

1. Apartments shall be occupied and used by the respective Owners thereof, their Occupants and Guests, only for residential purposes and in compliance with the restrictions contained in the Governing Documents and the respective Apartment deeds. No Apartment or Limited Common Element of the HKP shall be used for hotel purposes or in connection with the carrying on of any business, except as expressly permitted in the Governing Documents. Time-sharing is strictly prohibited. No Owner or Agent shall rent, lease or sublease any Apartment in the HKP for a period of less than thirty (30) consecutive days. Discriminatory housing practices as defined in local, state and federal ordinances and statutes are prohibited.

2. The Common Elements and recreational areas of the HKP shall be used only for their intended purposes as set forth in the Governing Documents or as may be prescribed by the Board. No items of personal property, including but not limited to, baby carriages, bicycles, surfboards, kayaks, packages, boxes or crates shall be left on or within any of the Common Areas. Articles of any kind left in any Common Area may be removed by management at the Owner's risk and expense.

Damage to any of the Common Elements by any Owner, family member, Tenant or Guest or employee of any of the foregoing persons shall be repaired by the Association in accordance with the Governing Documents and the Owner responsible shall pay for any repairs.

No Owner, family member, Tenant or Guest or employee of any of the foregoing persons shall disturb, cut, trim, damage or remove any of the trees located in the Common Area landscaping adjacent to roadways, recreational areas or parking areas, nor harm, remove, disturb or damage in any way any plants, shrubs, groundcover or other elements of landscaping placed or planted on any of the Common Areas of the HKP or the Limited Common Areas of the HKP. The responsible Owner shall pay for the cost of repair and replacement.

B. SITE MANAGEMENT

1. The enforcement of these House Rules and the daily management of Association matters are provided by the General Manager and his or her administrative staff. The Association's maintenance and operations staff are responsible for the upkeep of the Common Area and Limited Common Area. The Association also employs outside vendors to handle specialized duties such as landscaping and gate maintenance.

2. A contract security guard monitors the HKP after Site Office hours and on designated holidays. Security guards report to the General Manager and carry out their basic duty to assist management within guidelines set by the General Manager. Serious infractions of the law shall be reported to the police.

3. No Owner, family member, Tenant or Guest shall instruct an employee of the Association or of its vendors or contractors, including security guards, on how to do their job. Action requests may be made by emailing or calling the site office. Action Forms are also available on the Association's website or at the Site Office to request that management address violations of these House Rules or any Governing Document.

Association employees and security guards, apprised of what are deemed to be urgent situations, will respond in accordance with standard operating procedures, whether verbal or written, established by the General Manager.

C. REGISTRATION WITHIN THE HAWAII KAI PENINSULA

1. All Residents moving into the HKP must register with the Site Office within five (5) business days of move in. Tenants shall provide a copy of their lease upon registration. New Residents intending to use street parking must obtain appropriate passes or decals before moving in or risk having their vehicles towed. Residents who fail to register may be denied access to amenities. Assigned keys/FOBS/gate remotes need to be reassigned to new owner(s) or tenant(s). We suggest that persons requiring reasonable accommodations make their requests for accommodation known prior to or at the time of registration to permit site management time to handle such request expeditiously.

Persons requiring reasonable accommodations should make their requests at the time of registration to permit site management to handle such requests expeditiously.

2. Owners residing out of state or off-island are required by law to designate, in writing, a local representative. The General Manager and the Board, care of the Managing Agent, shall also be advised of the current name, address and telephone number of the agent of the absentee Owners. In the event of an emergency, access to Apartments is authorized by the Governing Documents and expenses related to forced entry are the responsibility of the Apartment Owner.

3. Registration of all motor vehicles parked or garaged at the HKP is required. All vehicles must be properly licensed, registered and safety inspected per state law. Vehicle must be in operable condition at all times. The Association permits overnight parking in unmarked stalls (not guests or reserved) on the Common Elements for vehicles of Residents only when proper decals are displayed. Other vehicles must display guest passes as described in these House Rules.

4. Owners may purchase a maximum of two (2) keys to the Common Elements including the pool and exercise room. These keys are to be passed to the next Owner upon the sale of the Apartment. If the Owner rents their Apartment, the keys are to be provided to the Tenant(s) only for the duration of the rental period. Only Owners may purchase additional or replacement keys if the original keys are lost or destroyed. See Site Office staff for cost and procedures.

5. Gate access fobs are also available for purchase by Owners. Tenants may purchase an access fob/key with written permission of the Owner or their Agent as registered with the Association.

6. Livestock, poultry and animals prohibited in the State of Hawaii are not permitted at the HKP. Fish tanks are limited to a capacity of 50 gallons. A maximum of two dogs or cats or a

combination thereof is permitted. Domestic animals must be registered at the Site Office with information to include proof of licensing and required vaccinations. Additional rules regarding animals are found in Section F.

D. PROPER USE OF ROADS, SIDEWALKS, LANDSCAPED AREAS AND PROMENADE

1. Sidewalks, walkways, roadways, recreational areas, alleyways, Colony parking garages, all parking areas as well as Villas and Cottages cul-de-sacs must not be obstructed or used for any purpose other than ingress, egress and designated parking or, in the case of recreational areas, for any purpose other than that for which they are designated by the Board. All forms of motorized transportation vehicles shall be operated only on roadways in conformity with the speed limits at the HKP. Skateboarding, rollerblading, bicycling or riding scooters is prohibited in Colony hallways, courtyards, garage areas, parking areas, and the Promenade. These wheeled non-motorized items may be used in a safe manner on sidewalks and Villas and Cottages cul-de-sacs. Owners and Residents are responsible for ensuring that family members and Guests understand and obey these rules for everyone's safety. Drivers should proceed with caution to/from/through the cul-de-sacs mixed use areas with caution and at a speed which allows to see and avoid other users. Tricks, including jumping curbs, ramps, or stairs performed with scooters, skateboards, rollerblades or bicycles are prohibited on the HKP.

2. Driveways, roads, sidewalks and other Common Areas of the HKP may not be used for performing extensive maintenance or repairs to vehicles or other objects. Repairs are extensive if they (a) could result in spillage of oil, (b) involve the removal of significant equipment from a vehicle, (c) involve excessive noise or (d) take more than one (1) hour to complete. Any Owner, Occupant or Guest washing, cleaning or polishing cars within the HKP shall thoroughly clean the area immediately after such use.

3. Boats or other water vehicles and their trailers must not be parked or maintained anywhere within the HKP where they are visible from the roadways.

4. Cooking is permitted on the Common Elements only at the barbecue grills belonging to the Association.

5. Except for baby carriages or strollers in actual use to transport a child, the Promenade is restricted to pedestrian use only.

E. NOISE, NUSIANCES AND HAZARDS

1. Quiet hours at the HKP are between 10:00 p.m. and 8:00 a.m. daily and radios, televisions, stereos, musical instruments, etc., must be played at a reduced volume during this time. Dishwashers, washing machines, clothes dryers, vacuums, floor cleaners and other objects which transmit noise through floors or walls, must not be used during quiet hours if they give rise to noise complaints. Excessive noise at any time should be documented and reported to the General Manager for appropriate action or, if the Site Office is closed, to security.

2. Throwing, sweeping, dropping, hitting or shooting of any item from lanais, windows or walkways of buildings or Apartments is prohibited as is water washing lanais, shaking towels,

rugs, mats, clothes, mops or other items from any windows, doors or lanais above the ground floor of any Apartment or building.

3. Yard work involving mowers, blowers, "weed whackers" or other power tools shall only be performed Monday through Saturday between 8:00 a.m. and 6:00 p.m. and between 9:00 a.m. and 6:00 p.m. on Sundays and federal and state holidays. Under state law, persons using leaf blowers within 100 feet of a residential area outside these hours are subject to state fines.

4. Any and all personal construction work on Apartments shall be limited to Monday through Saturday between 8:00 a.m. and 5:00 p.m. except for emergencies. The Site Office staff will make reasonable efforts to advise Residents of vendor activity that may affect expected use or enjoyment of the HKP.

5. The use or discharge of fireworks, firearms and projectiles of any kind are all prohibited at the HKP. This includes BB guns, pellet guns, paint ball guns and other objects (including thrown or hit balls) that could cause bodily harm or damage buildings, vehicles or Common Elements and are subject to immediate fines.

6. Hazardous materials such as gasoline for lawn equipment or boats must be stored in safety containers specifically approved for such use. Kerosene, naphtha, benzene, explosives, or other hazardous materials are not allowed within the HKP nor should they be used, stored or disposed of in trashcans, trash chutes or drains. They must be disposed of outside of the HKP and in accordance with relevant laws for disposal of hazardous material.

F. DOMESTIC ANIMALS

1. Animals shall not be kept or used for any commercial purpose within the HKP. Domestic animals are not permitted in the following recreational areas: Luna Kai Park, Colony Recreational Area, barbecue and swimming pool areas, Common Area meeting room, fitness room and Common Area bathrooms. They must always be on leash at all times and may not be unattended in any Common Area. A maximum of two dogs or cats, or a combination thereof, is permitted within a single household.

2. Persons who walk their dogs are responsible for immediately cleaning up droppings and discarding securely bagged droppings in doggie stations located throughout the HKP or only in the large trash dumpsters within Colony garages. Domestic animal droppings shall not be deposited in Colony lobby trash receptacles or in the trashcans of other Residents. Cat litter should be securely bagged and disposed of in trash bins. Cat litter must not be disposed of in toilets or any building drain nor should it be dropped down trash chutes within the Colony.

3. Owners of a domestic animal are responsible for any damage to the Common Elements caused by that animal. In the event that a domestic animal is owned by a Guest, the Owner or Occupant who invited the Guest shall be responsible for any and all damages.

4. No domestic animal shall be allowed to become a nuisance or create any unreasonable disturbance including, but not limited to, the following:

- a. Exhibit aggressive or vicious behavior, including causing injury to persons or damage to property.

- b. Barking or crying for a period of ten minutes or intermittently for one half (1/2) hour or more at any time of day or night.
 - c. Walking or roaming unleashed or not in the complete control of a handler while outside an Apartment.
 - d. Relieving themselves in another Resident's private yard, in lobbies, on walls, floors elevators, stairwells, light posts and signs.
 - e. Being conspicuously unclean or parasite-infested.
5. Disabled Occupants and Guests may request reasonable accommodations to these House Rules if necessary to afford them an equal opportunity to use and enjoy their Apartment and the HKP.
6. Residents are responsible for domestic animals visiting them. Visiting animals are subject to the same restrictions as resident animals.
7. Residents are prohibited from feeding stray cats, dogs or birds anywhere within the HKP.
8. Livestock, poultry and animals prohibited in the State of Hawaii are not permitted at the HKP. Fish tanks are limited to a capacity of fifty (50) gallons. Domestic animals must be registered at the HKP Site Office with information to include proof of licensing and required vaccinations

G. SOLICITATION AND SIGNAGE

- 1. Soliciting goods and services within the HKP is prohibited with the exception of the solicitation of proxies or distribution of materials relating to Association matters or ads placed on community bulletin boards through the approved submission process of the Association.
- 2. Signs are not allowed anywhere within the HKP except as approved by the Board.

H. SALES, RENTALS AND REALTORS

- 1. Real estate professionals employed by Owners as property managers or rental agents must register with the Site Office. Copies of property management and rental agreements must be submitted during registration and copies must be provided whenever content is changed.
- 2. Lockboxes containing keys to Apartments for sale or lease in the Colony shall only be placed in the locked cabinet on the wall adjacent to the Site Office. Realtors must remove the lockbox when it is no longer needed. Realtors representing buyers or renters can obtain access to this cabinet through the Site Office. Lockboxes placed anywhere within the Colony will be removed and discarded by management after 30 days if unclaimed. Sellers of other product types may utilize this cabinet if desired.

3. Real estate agents, brokers and Owners selling or renting their own Apartments shall use the Association logo signs. Contact the Site Office for information on size and sign vendors. Realtors may use their own "Open House" sign(s) during the designated hours of the event plus one hour before and one hour after the scheduled event. At the conclusion of the event, all "Open House" sign(s) must be removed from the HKP.
4. No signs advertising properties for sale or rent may be placed in windows or on lanais, fences or any Common or Limited Common Areas. However, temporary directional signs may be placed at intersections on "Open House" days.
 - a. Owners of Carriage Way, Executive Residence, Cottage or Villa Apartments may only post "For Sale" or "For Lease" signs at street level on the Owner's private yard, on the Association's bulletin boards or on the Association's website in the Classified Ads section.
 - b. Owners of Colony Apartments may only post signs on the Colony or Association bulletin boards or on the Association website in the Classified Ads section.
5. For open houses, contact the Site Office at least 48 hours in advance regarding Association policy and arrangements including the days and times allowed as well as access procedures for the HKP. No notices, advertisements or directions may be posted on the 520 Lunalilo Home Road parcel gates, entry phone equipment or on the lobby entry gates of the Colony buildings. **DO NOT DISPLAY DIRECTORY CODES ON ANY SIGNS OR POSTINGS.**

I. MOVING IN OR OUT AND THE DELIVERY OF LARGE ITEMS

1. Moving and commercial deliveries must be scheduled in advance with the Site Office. These activities are permitted between 8:00 a.m. and 4:00 p.m. Monday through Friday and 8:00 a.m. through 12:00 p.m. Saturday. Moving and deliveries are not permitted on Sunday or posted holidays. Movers and delivery persons should be informed of the rules and restrictions. Compliance is the responsibility of the Owner and Occupants.
2. Roads, sidewalks and passageways must not be blocked. Packing debris must be removed immediately from the Common and Limited Common Areas.
3. Explicit written permission from the Site Office is required for moving company pods or vans to be left on Common Element streets or in Carriage Way alleyways, Colony garages, Colony parking, Villa parking, Cottages cul-de-sacs or Villas cul-de-sacs. Arrangements must be made at least three (3) days in advance. The Site Office will indicate where moving company pods or vans may be parked if approved. All moving company pods or vans must be removed within four (4) days and cannot be left over the weekend and/or holidays. Full-size shipping containers are not permitted on the property overnight.

J. HOLIDAY DECORATIVE DISPLAYS

1. Holiday decorative displays must be kept within an individual Apartment and must not interfere with use and peaceful enjoyment of neighboring Apartments. Christmas season decorations may be displayed after Thanksgiving but must be removed by January 15. All other holiday decorations may be displayed for fifteen (15) days before and after the holiday.

2. Display of the American Flag is governed by the Freedom to Fly the American Flag Act of 2006.
3. String lights (any type) used in backyard events/gatherings must be removed immediately following the holiday/event/gathering.

K. BULKY ITEM AND CHRISTMAS TREE DISPOSAL

1. The City and County of Honolulu picks up bulky items, including furniture, appliances, mattresses, carpeting, boxes and construction materials, by appointment. Contact the City and County of Honolulu for an appointment and more information about bulky item pickup. Residents must personally arrange for removal of bulky items. The Association's trash removal vendors will not handle such items. Owners are responsible for the removal of any items left at inappropriate times or places by Guests, Tenants or vendors.
2. The Association provides a collection bin the week after Christmas to assist Residents with Christmas tree disposal. No artificial or flocked trees or trees covered with tinsel or decorations can be accepted. To avoid littering needles, wrap trees before bringing them in or out of Apartments. For additional information, contact the Site Office or review notices that may be posted around the HKP during this time period.

L. COMMON ELEMENTS, LIMITED COMMON ELEMENTS AND AMENITIES

1. Smoking, including electronic smoking devices, is prohibited in the Site Office, Common Area meeting room, fitness room, Common Area restrooms, at each pool and its surrounding
2. Fitness Room – The fitness room is open 24/7. Access is restricted to Owners or their tenants in legal possession of an exercise room key. Neither staff nor security is permitted to open the facility for a user who does not have a key. No more than two (2) guest per apartment are permitted. All persons in the fitness room, whether Resident or Guests, must be actively using the exercise equipment. Use of the equipment is at the user's own risk. Users should check with their personal physicians regarding health impacts of using fitness equipment. Manufacturer's instructions regarding use must always be followed.
 - a. Written permission from Owners or Tenants of record must be on file with the Site Office allowing their minor children aged thirteen (13) to seventeen (17) to use the equipment only under the direct supervision of a parent or other adult appointed by the parent or legal guardian with legal access to the fitness room. (DO NOT bring infants and toddlers into the Fitness Room as it a dangerous environment and is not appropriate for that age group).
 - c. Consideration of others must prevail at all times. Use proper workout clothing, bring a personal towel, and wipe equipment down with provided paper towels and disinfectant. Earphones must be used with personal sound equipment. Cell phone and other personal conversations should be held outside. Doors must be kept closed so that air conditioning can function properly.
 - d. Report problems using the action request form available on the Association website or contact the Site Office or Security.

3. The Association meeting room may be reserved by Owners "In Good Standing" and their Tenants of record in four (4) hour segments designated by management between 10:00 a.m. and 10:00 p.m. daily. Reservations may be made up to six (6) months in advance. There is a non-refundable \$25.00 fee to use the room. A \$250.00 refundable cleaning / damage deposit is required. A signed Meeting Room Reservation Agreement must be executed and payments made within 48 hours of requesting a reservation. Maximum room capacity is forty-five (45) people including children per fire code. Exceeding this limit may result in cancellation of the event by Association staff or security and may forfeit all, or part, of your deposit.

a. The Association meeting room shall not be used for non-private events including, but not limited to, church services, meetings of civic groups, craft fairs, product sales events, marketing, trade / commercial events, training or seminars.

b. On the day of the event, if an adjacent time slot is available, the host may contact the Site Office or, if the Site Office is closed, security, and pay an additional user fee to extend the reservation into that time slot.

c. Hosts must be present during the event. Chairs and tables should not be removed from the room. The Site Office or security must be contacted to assist with opening the room and, upon departure, to check for order and cleanliness to help ensure the return of the cleaning deposit within three working days.

d. The Site Office will advise hosts with regarding arrangements for guest entry to the HKP. No flyers or instructions shall be posted at the entry gates. Guests must not park in stalls assigned to specified Apartments. Cars so parked are subject to towing at the owner's or driver's expense.

e. Pool and barbecue use are never included in meeting room reservations. Luna Kai Park cannot be reserved but is available for pre-approved activities on a first-come, first-served basis.

f. The host is responsible for informing guests if applicable rules, including keeping all guests attending an event from playing, walking, or standing in, or on, the raised planter container located just outside the office and recreation center. It is an elevated bed and falls may result in serious injury.

g. The host is responsible to keep noise levels at reasonable levels considering the recreation room is located directly adjacent to residences in the Colony buildings. Unreasonable noise levels and complaints received will be handled by Security who will notify the host for action. Continued warnings may result in termination of room usage.

h. Additional tables for food, gifts, decorations, etc., should be placed at the back or side of the meeting room.

4. The pools and spa are open from 6:00 a.m. to 10:00 p.m. daily except as required for maintenance. The Common pool is closed during the Association's annual meeting. Commercial use of the pool is prohibited. Residents are restricted to four (4) Guests per Apartment.

- a. There are no lifeguards on duty. Owners and Residents are solely responsible for their own health and safety and that of family members and Guests. Children twelve (12) years of age or under must be supervised by a parent or parent-designated adult unless the child is a competent swimmer. The child's parent or guardian shall be responsible for determining if the child is a competent swimmer. Adults must exercise the same supervisory care of children using the kiddie pool or spa as they would for children using the main pool. Persons sensitive to heat or humidity should exercise extra care when using the spa, including being accompanied by an adult for safety. Life-saving equipment is for EMERGENCY USE ONLY. For safety reasons, pool gates must remain closed and locked at all times.
 - b. Persons using the pools and spa must first shower. Appropriate swim attire, including no-leakage bottoms for children not-yet toilet trained and other incontinent persons, is mandatory. Persons with open wounds or communicable diseases are prohibited from using the pools and spa. The pools and spa shall not be used for bathing, bubble baths, hair washing or other unsuitable activities that interfere with normal use by others.
 - c. Horseplay, diving, sliding down handrails, jumping, running, spitting, blowing one's nose in the pool and similar behaviors are prohibited.
 - d. All toys and large flotation devices, such as boogie boards, rafts, large tubes, and water equipment are prohibited in the pool area and in the pools and spa themselves. Small children may use small tubes and water wings for safety purposes but must be accompanied by an adult at all times. Permitted items must be kept out of the way of foot traffic and must not create hazards.
 - e. Food and beverages must not be consumed in or at the edge of the pools or spa. Glassware of any kind and all other breakables are prohibited.
 - f. Earpieces are mandatory when using radios and audio equipment. Cell phone conversations should be kept at a low volume or conducted outside the pool area.
5. There are two (2) barbecue grills within the fenced Common Elements pool area. They are available for use by Owners In Good Standing and their Tenants in legal possession of a pool gate key. As with the swimming pools, Guests are limited to four (4) per Apartment.
- a. One of the grills may be reserved through the Site Office for periods of four (4) hours. Upon request, one of the tables near the grills may be reserved at the same time and for the same four (4) hour period. The second grill is available on a first-come, first-served basis for cooking only.
 - b. Users must clean grills with the provided grill brushes upon completion of barbecuing and leave the rest of the area neat, clean and free of trash.
6. Luna Kai Park is adjacent to the Site Office, fitness room and Common Area pool. It overlooks the Promenade, boat docks and marina. It is available to Residents and Guests for recreational purposes only on a first-come, first-served basis. It may not be reserved for use or events of any kind.

- a. Permitted recreational activities exclude non-private use, as in, but not limited to, meetings, classes, sports meets and musical events.
- b. Large items of equipment of any kind, including but not limited to bounce houses, tents, kayaks, and paddle boards, are prohibited on the grounds of Luna Kai Park. The General Manager is authorized to prohibit at any time such other items, as they deem necessary and appropriate.

M. PARKING

1. Resident parking is restricted to garages, street stalls assigned to specific Apartments with one car garages, those areas in product type cul-de-sacs designated in the Governing Documents for parking and non-designated street stalls. Residents may not park in Guest stalls. Only automobiles with valid Association decals or displaying currently valid Guest parking passes may park overnight on the streets of the HKP. Parking is prohibited at entrances to buildings, in alleyways, in Common and Limited Common Area driveways and in areas designated by "No Parking" signs. Vehicles in prohibited areas or parked in violation of these rules shall be deemed illegally parked and shall be towed at the owner's or driver's expense.
 - a. All residents' vehicles shall be registered with the Site Office within five (5) business days of moving into the residence. Except for Owners parking in their own designated street stalls, anyone intending to move in and needing to park in Common Areas, Villas Limited Common Areas or Colony Limited Common Areas must obtain a special pass from the Site Office until the appropriate decal or decals can be issued or risk being towed.
 - b. Parking stalls displaying "Reserved" numbers belong to specific Owners whose Apartments do not have two car garages. Owners of these stalls may have anyone parking in them without their permission towed by calling the Association towing vendor directly.
 - c. On HKP streets vehicles must be parked fully within the parameters of the parking space (painted white lines) and in the same direction as the flow of traffic. In areas where tire stops are installed, they are not to be moved, damaged or removed for any reason. Vehicles must park with tires (front or back) in front of tire stops at all times. Vehicles are prohibited from driving over the tire stops to park.
 - d. No extensive repairs to automobiles, trailers, motorcycles or any other vehicles or equipment are permitted on any of the Common Areas or the Limited Common Areas. Repairs are extensive if they (1) could result in spillage of oil, (2) involved the removal of major components of a vehicle such as engines, exhaust systems, body parts, etc., (3) involve excessive noise such as banging of hammers, use of compressor assisted hand tools, etc., or (4) take more than one (1) hour to complete. No racing of motors shall be permitted and all motor vehicles parked in the HKP shall be in operating condition with current vehicle registrations and safety stickers displayed as required by law.

- e. Vehicles shall not be stored on the Common Areas or the Limited Common Areas of the HKP.
 - f. Guest stalls are to be used only by Guests of Residents.
 - g. The General Manager may issue special, limited-time parking permits as required. Such permits will rarely exceed four days in duration.
 - h. General enforcement of these parking rules is by towing at the expense of the vehicle's owner or driver.
2. Parking decals permit Residents to park overnight on the Common Area streets of the HKP in unmarked stalls.
- a. One (1) parking decal will be issued for each vehicle registered with the Association with a limit of two (2) decals per Apartment.
 - b. The General Manager may issue a specially-marked third decal for a third vehicle to an Apartment with more than two vehicles as long as the vehicle is registered with the City and County of Honolulu, the vehicle registration address matches an address of the HKP and the owner or driver is a Resident at the HKP with a valid driver's license. The third decal, if issued, must be applied to a vehicle with a different owner or driver from the first two vehicles. The purpose of the third vehicle decal is to accommodate those Apartments with a third Resident owner of a vehicle. The third decal is not intended to permit storage of vehicles within Common or Limited Common Areas.
 - c. All Residents' vehicles parked on HKP streets should have parking decals affixed in the manner prescribed by the Site Office.
 - d. The General Manager may, at their discretion, replace parking decals in exchange for previously issued decals. Vehicle parking decals must be returned to the Site Office when an Owner or Occupant ceases to reside at the HKP.
 - e. The General Manager may cancel any decal if it is being improperly used.
3. ANY VEHICLE PARKED IN GUEST STALLS BETWEEN THE HOURS OF 11:00 P.M. AND 6:00 A.M. WITHOUT THE PROPER GUEST PARKING PASS IS SUBJECT TO TOWING. RESIDENTS ARE NOT ELIGIBLE FOR GUEST PARKING PASSES FOR THEIR VEHICLES AND SHALL NOT PARK IN GUEST STALLS.
- a. Guests may use Guest stalls or, if no Guest stall is available, any other non-reserved open stall for overnight parking as long as they affix a valid Association Guest parking pass to the rear-view mirror and display it so as to be readable at all times between the hours of 11:00 p.m. and 6:00 a.m.
 - b. Residents are responsible for obtaining parking passes for their Guests from the Site Office during normal business hours or from security after hours and should ensure that parking passes are properly displayed.

- c. No overnight Guest parking pass issued by security shall be valid for more than one (1) day or up to three (3) consecutive days on weekends or holidays. Guest passes for a longer term may be authorized by the Site Office/General Manager for warranted circumstances as determined by the Site Office/General Manager.
 - d. Unless expressly authorized by the General Manager, Residents may not obtain more than one overnight Guest parking pass per Apartment per night.
4. The Villas and Colony roadways at 520 Lunalilo Home Road are Limited Common Areas of the Villas and Colony Apartments only. Except if visiting as a Guest of a Colony or Villa Resident, Residents and Guests of the Executive Residences, Carriage Ways and Cottages may not park in these Limited Common Area roadways. All Residents are issued Product Type specific decals and unauthorized vehicles not belonging to Villa or Colony Residents or their Guests are subject to towing according to the towing procedures described in this parking policy.
5. Colony Disabled/Handicap Parking - Designated parking stalls in the Colony shall be used exclusively for the purposes of fulfilling the requirement for disabled guest and disabled residents.
 - a. The Federal Housing Administration (FHA) fair housing law requires that the Hawaii Kai Peninsula (HKP) have one (1) disabled guest stall for each of the Colony buildings (six total spaces – two per building) for disabled guest and/or temporarily loading or unloading of guests. Spaces marked for disabled guest and temporary loading or unloading shall be used for disabled guest(s) visiting a resident, provided the disabled guest first obtains a guest parking pass from the HKP Office and can provide proof of a valid disabled placard or license plate. Alternatively, if no disabled guest is parked in the space, the guest and temporary loading unloading space can be used for any resident to load/unload a disabled person (15-minute limit). Caretakers of disabled persons residing in the Colony must park in the deeded space for the disabled person under their care or an outside parking space and use the 15-minute limit loading/unloading space only for pick up or drop off of the disabled person.
 - b. The remaining handicap parking stalls (six total spaces - two per building) shall be designated as “Reserved Temporary Parking” for Colony residents and the requirements for usage shall be:
 - i. Official requests to use an available “Reserved Temporary Parking” space must be made in writing to the Association through the HKP General Manager’s office before residents are allowed to use the parking stall as a reasonable accommodation for their disability. Information regarding the requester, vehicle, license plate, and placard will be collected at the time of the request.
 - ii. All request for “Reserved Temporary Parking” must be accompanied by proof of a valid disabled parking pass or disabled vehicle registration plate.
 - iii. Disabled residents requesting reasonable accommodations who receives the use of a “Reserved Temporary Parking” space must temporarily exchange one of their deeded parking spaces with the Association for the Association’s exclusive use while the disabled resident is using the Association’s common element disabled space. A “Reserved Temporary Parking” disabled space cannot be used as a third parking space for the resident (i.e., cannot be

perceived as the resident using common space belonging to everyone for personal use without temporarily reassigning use of one of the resident's deeded spaces to the Hawaii Kai Peninsula in compensation.).

iv. If more than two disabled persons per Colony building (two spaces available each for Buildings 6, 7, and 8) request the use of a common element disabled parking space a lottery would be conducted, per building, to determine which two persons have access to the "Reserved Temporary Parking" space (all persons in the lottery would be required to agree to temporarily exchange one of their deeded spaces with the Association for its use as noted in requirement "iii" above). The resident selected for an assigned "Reserved Temporary Parking" space will be notified, in writing, of the space number assigned to them (every effort will be made to assign a space that is located closest to the lobby entrance which they reside).

v. Violations in all Colony handicap parking spaces will be subject to a maximum of two written warnings followed by potential maximum fine up to \$500 for each subsequent violation.

N. TOWING

1. The towing company contracted by the Association is authorized between the hours of 11:00 p.m. and 6:00 a.m. to inspect for illegally parked vehicles. All vehicles in violation of this policy are subject to tow at the owner's or driver's expense. The towing company is also authorized at any time to tow, at the owner's or driver's expense, any vehicle or equipment parked in areas designed "NO PARKING – TOW AWAY" by signage. The Association shall not be subject to any claims for liability or damage in the exercise of this authority.

2. The Managing Agent and the General Manager are authorized to have towed away, at the owner's or driver's expense, any vehicle or equipment illegally parked or parked in violation of Association rules. Neither they nor the Association shall be subject to any claims for liability or damage in exercise of this authority.

O. SPEEDING/RUNNING STOP SIGNS

1. **The posted speed limit in HKP is 20 MPH.** Speeds above 20 MPH on HKP property is prohibited and violations will be strictly enforced. HKP Security will issue warnings and tickets for violations. Radar guns may be used to clock speeds. Speeding tickets carry immediate fines.

2. **Stop Signs mean STOP.** Running and not stopping at Stop Signs with HKP property is prohibited and violations will be strictly enforced. HKP Security will issue warnings and tickets for violations. Stop Sign violations carry immediate fines.

IV. RULES APPLICABLE TO PRODUCT TYPES

A. DESIGN REVIEW COMMITTEE

The Design Review Committee is responsible for helping to maintain property values by ensuring that changes to Apartments conform to the standards set forth in the Design Guidelines originally promulgated by the developer. In general, maintenance of and cosmetic non-structural changes to interiors of Apartments do not require Design Review Committee approval. However, changes to interiors that involve structural changes or include or extend beyond the limits of interior walls, ceilings or floors, or in any way affect safety or noise transmission, and design changes to exteriors of Apartments and land areas require Design Review Committee approval. When in doubt, Owners must check with management rather than risk damage to their Apartments and/or the Apartments and property value of other Owners.

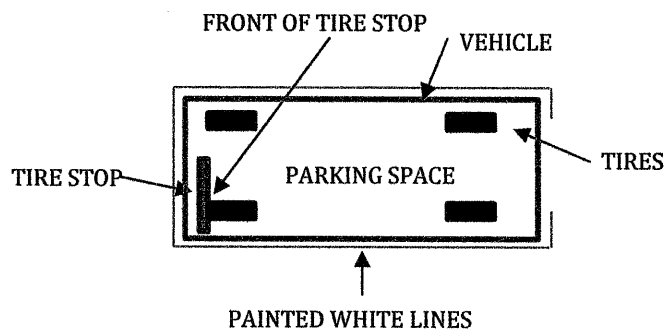
B. EXECUTIVE RESIDENCES, CARRIAGEWAYS, COTTAGES AND VILLAS

1. No unsightliness within the public view is permitted within the HKP. For this purpose, "unsightliness" includes, but is not limited to damaged, torn, or stained window treatments, unshaded or improperly shaded lights that create objectionable glare or the unsightly placement, storage or stowing of garbage cans, household or commercial supplies, non-decorative gear, equipment, cans, bottles, ladders, trash, boxes, barrels or other items of personal property in any Limited Common Area land or yard areas, lanais (if any), porches (if any), driveways or, in the case of a Cottage or Villa, any area outside of such Apartment or in any place where they can be seen from outside any Apartment except as the Board shall prescribe.
2. Outdoor cooking and barbecuing by Residents of Executive Residences, Carriage Ways and Cottages are permitted within the Limited Common Area land or yard areas appurtenant to each of those Apartments and by Villas Residents on the concrete garage courtyards of each building as such area is identified and depicted on the condominium map for the HKP. Outdoor cooking and barbecuing near multi-Apartment buildings must provide at least ten (10) feet clearance from buildings and overhangs.
3. Individual trashcans are picked up by a trash removal service contractor twice per week. All trash must be bagged and tied. Large boxes must be broken down, and need to be placed in trash bin for pickup. Trashcans must be stored in garages or enclosed yards out of sight of the street except on trash pickup day. Yardwork debris must be disposed of in trash bin and/or removed by owner's landscaping vendor.
4. Garage doors must be kept closed except when entering or exiting garages. Garages shall be used for parking operational vehicles only and for incidental storage. Garages shall not be used by any owner, resident, or guest as an additional living space.
5. Washing of cars is permitted in garages, private driveways and in cul-de-sacs of the Cottages and Villas but not on roadways of the HKP.
6. Maintenance of Apartments is governed by the Bylaws, Article V entitled "REPAIR, MAINTENANCE, AND USE" and Owner responsibilities are specified therein.

C. THE COLONY

1. Per state law, smoking is not permitted in the Limited Common Areas of Colony buildings including lobbies, courtyards, partially enclosed walkways, stairwells and garages.
2. Fire doors to lobbies and stairwells must be kept closed for safety and per Fire Department regulations. Fire Exit stairways are for EMERGENCY EXIT ONLY AND OTHER USE IS PROHIBITED. Stairways shall not be used for general entry or exit (includes movement between floors). Storage of any type is prohibited by State fire regulations.
3. Lanais shall not be enclosed in any manner, including wood, fiberglass, metal, glass, cloth, or composites of any kind. Awnings of any type are prohibited. No material of any type (fabric, plastic, wood, etc.) shall be placed or installed on either side of the Lanai railing or attached to railings themselves (including supporting structural columns). Beach towels, rugs, clothing, and similar items are not permitted to hang on or over railings. Laundry drying racks, laundry lines, hanging plants, and wind chimes are not permitted. No items shall be placed on lanais except furniture designed for lanai use, well-tended plants that are in two-gallon pots or smaller, outdoor area rugs that do not protrude beyond confines of the railings, and suitable outside storage containers that are no higher than the railing and are kept closed and away from view of the railings. Christmas decorations are permitted from Thanksgiving until January 15th. All other holiday decorations may be displayed for fifteen (15) days before and after a given holiday. Outdoor cooking of any kind is not permitted on lanais.
4. Stairs, stairways, walkways, lobbies, elevators, courtyards, garages, sidewalks, and the Colony parking garages shall not be used for recreational purposes of any kind. A maximum of four (4) pairs of footwear may be kept immediately outside of apartment doors. The walkways are a fire evacuation corridor and no other items shall be kept or stored on walkways and apartment entrances.
5. Trash shall be wrapped in paper or plastic bags before being placed in the trash chutes and cannot be left outside trash chute room doors. Animal waste shall not be placed in lobby trash containers. Paint, flammable, bulky or hazardous materials or heavy, long or large items must be hand carried to the ground floor trash room. Boxes, including pizza boxes, must be flattened and stacked neatly against the walls of the ground floor trash room in order to avoid clogging trash chutes. HI-5 recyclable materials should be placed in appropriate recycling bins. Trash that would cause excessive noise when placed in trash chutes should be hand-carried to the ground floor trash room.
6. Elevators must be reserved for moving households or large items in and out of Colony buildings. Contact the Site Office for availability and to make arrangements. A refundable \$250.00 security / damage deposit is required upon reserving the elevator. Movers and delivery personnel shall not impede the ingress or egress of the Colony garages or stalls and no debris shall be left behind.
7. In addition to the use of the Common Area pool and barbecue area, Colony Residents have access to pool and barbecue area on Colony grounds. Rules for use and reservation of these amenities are the same as for Common Area facilities. Domestic animals are prohibited in the Colony Recreational Area.

8. Car washing is permitted in the Colony parking area in front of the east end of building eight between 8:00 a.m. and 6:00 p.m. Due care must be exercised to conserve water and protect property.
9. Care must be taken within Colony garages.
- a. No vehicle will be allowed entrance to the parking garage or any place within the HKP when in tow. Disabled vehicles may be towed out of the parking garage. All users are required to use headlights and observe a 5 MPH speed limit.
- b. Extensive repairs (See III.M.1.d above) are prohibited. Vehicles leaking or dripping oil or other fluids onto the parking stall floor are prohibited and subject to towing at the expense of the owner or driver. Residents are responsible for removing unsightly or hazardous accumulations of grease, oil or debris from their designated parking stalls. Automobile oils, anti-freeze, gasoline or various chemicals and personal items shall not be stored in the parking stalls.
- c. Parking stalls and their surrounding area shall not be used for storage.
- d. EMPTY boat trailers are permitted to be parked in the garages provided they can clear the garage gates without damaging them and fit completely within a parking stall without interfering with the ability of any other resident to use their stall. Blocks shall be used to secure wheels. Proof that boat trailers meet all licensing and liability insurance requirements must be submitted to the Site Office and boat trailers must be registered and State decals in place indicating current registration is valid in the same manner as vehicles. Boat trailers are not eligible for parking decals or guest passes. Boat trailers must park with tires (front boat trailer hookup or back tires) in front of tire stops at all times. Boat trailers are prohibited from driving over or around (to avoid) the tire stops. Trailers of any other type or style, other than boat trailers, are prohibited from parking in Colony garages.
- e. All vehicles must be parked fully within the parameters of stalls (painted white lines). Where tire stops are installed, they are not to be moved, damaged or removed for any reason from their current installed locations. Vehicles must park with tires (front or back tires) in front of tire stops at all times. Vehicles are prohibited from driving over or around (to avoid) the tire stops to park their vehicles.



f. Renting or leasing of Colony parking spaces to any non-resident of the HKP is strictly prohibited. Renting or leasing to another Colony resident or non-Colony (another HKP resident) is permitted provided a copy of the rental/lease agreement, current vehicle registration, current safety inspection, and current proof of insurance is provided to the HKP office.

10. Maintenance of Apartments is governed by the Bylaws, Article V entitled "REPAIR, MAINTENANCE, AND USE" and Owner responsibilities identified therein.

11. No unsightliness within the public view is permitted within the HKP. For this purpose, "unsightliness" includes, but is not limited to damaged, torn, or stained window treatments, and items prescribed in Section IV, paragraph C., item 3. above and any area outside of such Apartment or in any place where they can be seen from outside any Apartment except as the Board shall prescribe.

V. VIOLATIONS AND FINES

All Violations and Fines shall follow the process as defined in the "Resolution of the Board of Directors of the Association of Apartment Owners of Hawaii Kai Peninsula Adopting a Schedule of Fines for Violations of the Declaration, Bylaws, and House Rules" dated September 2019.

VI. NON-DISCRIMINATION POLICY

Pursuant to HRS Chapter 515, Title VIII of the Civil Rights Acts of 1968 as amended by the Fair Housing Amendments of 1988, and our non-discrimination policy, the Association does not discriminate on the basis of race, sex (including gender identity or expression and sexual orientation), color, religion, marital status, familial status, ancestry, disability, age or HIV (human immunodeficiency virus infection) in housing or real estate transactions. It is our policy to extend to all individuals the full and equal enjoyment of the advantages, facilities, privileges and services consistent with HRS Chapter 515 and the Federal Fair Housing Laws. When providing services and facilities or enforcing the rules at HKP, the Association will not allow discrimination, except as permitted by law. In particular, the Association will not treat any person unequally:

1. In granting or withholding any approval or consent required under the Association's rules.
2. In enforcing requirements of the Association rules about occupancy restrictions or use of the recreational facilities which might unlawfully restrict families with children.
3. In connection with requests of disabled Occupants or Guests of the project to have guide dogs, signal dogs, or other animals required because of the Occupant's or Guest's disability; except that if the animals become a nuisance to others they will not be permitted at HKP and will have to be removed.
4. In processing requests of disabled occupants to: (i) make reasonable modifications to an apartment or the common areas at their own expense; and (ii) have reasonable exemptions

from requirements of the Association rules, to enable those occupants to have full use and enjoyment of the project.

The Board will suspend any requirement of the Association rules which, if enforced, could result in unlawful discrimination. If, however, an Occupant is requesting a modification to an Apartment or the Common Elements; or if an Occupant or Guest is requesting an exemption from the rules, because of a disability, the Association may require written confirmation of the disability from a physician or other qualified person, including a statement from the physician or other qualified person as to the reasonable accommodation which is being requested. Please contact the Managing Agent if you have any questions.