

# PAKI MAUI ASSOCIATION OF APARTMENT OWNERS

## House Rules

These basic rules are adopted by the Board of Directors of Paki Maui Association of Apartment Owners to safeguard the life, enjoyment and property of each owner and guest to insure that a harmonious coexistence can be maintained.

**NOISE:** The hours between 10:00 p.m. and 8:00 a.m. are established as QUIET HOURS. Any noise that is audible outside of an apartment or, conversely, any noise coming from the common elements, which is audible inside the apartment, will not be tolerated.

**POOL:** The swimming pool and spa areas are open from 9:00 a.m. to 9:30 p.m. The pool gate is locked and requires the room key for entry. Absolutely no person under the age of 14 years is to enter the fenced area without a person eighteen (18) years of age or older. Breakable materials (glasses, bottles, etc.) are not allowed around the pool.

**COMMON ELEMENTS:** At no time should any game playing or loitering be allowed on the property. There is a park just north of us for football, Frisbee, tag, etc.

Resident/owner must be present with invitees utilizing any common element. Number of guests may not exceed six (6) unless prior approval is obtained from the Board of Directors (6/10/2009 Minutes)

Common element may not be altered in any way without written approval of the Board of Directors. Nothing shall be stored or constructed on common elements without written approval of the Board of Directors.

**PARKING:** All guests are required to register at the front desk, where they will be issued temporary parking permits. Owner occupants/renters are required to register their vehicles with the resident manager, who will issue a permanent parking permit, which must be displayed at all times while on the property. Vehicles without properly displayed permits are subject to tow at owner/driver's expense.

Vehicles are limited to (1) per unit and must be parked within the marked stall lines in the common parking area. There will be no "Reserved" parking but there will be handicapped accessible and signed stalls on either side of the parking lot. All vehicles shall be centered in parking stalls so as to prevent crowding of adjacent stalls and blocking of passage ways.

Boats, trailers, derelict or inoperable vehicles are not permitted on property

**REPAIRS:** Owners may wash, clean or polish their cars only in designated car wash areas. Any Owner, Occupant or Guest washing, cleaning or polishing cars within the Project shall thoroughly clean the area immediately after such use. Extensive repairs of a motor vehicle or other equipment, or any repairs of a motor vehicle or other equipment

shall not be permitted in any Common Elements of the Project. Vehicles that leak fluid onto the asphalt are not allowed on the property. Any damage to the asphalt is the responsibility of the owner to repair. If the owner does not repair the damage the Association will contract the work done and chargeback the unit owner's account.

**RESPONSIBILITY FOR DAMAGE:** Damage to cars and other objects or to the Common Elements shall be the responsibility of the person causing the damage.

**VIOLATIONS:** Any Occupant or Guest of a unit who violates the parking regulations set forth hereunder shall have their cars towed away at their own risk, and the Owner of such unit shall be responsible for payment of the towing charge.

**PETS:** In no case shall poultry or other livestock or any animal prohibited by any applicable law (including Chapter 514B of the Hawaii Revised Statutes, as amended, or any rules and regulations promulgated thereunder) be allowed anywhere on the Project.

Notwithstanding the foregoing restrictions on pets or anything contained herein to the contrary, guide dogs, signal dogs, or other animals upon which disabled Owners, Occupants or Guests depend for assistance shall be permitted to be kept by such Owners, Occupants and Guests in their units and shall be allowed to walk throughout the common elements while on a leash, provided that such animals shall at all times be accompanied by their owners while present upon the common elements. If such a guide dog, signal dog or other animal causes a nuisance or unreasonable disturbance or poses a threat to the health or safety of any Owner, Occupant or Guest, the owner thereof will be given an opportunity to rectify the problem by measures which fall short of ejection of the animal from the Project. Ejection will be required only if the Board reasonably detentions that less drastic alternatives have been unsuccessful. If such an animal is ejected, it will nonetheless be allowed to remain at the Project for a reasonable period of time while the owner thereof attempts to find a suitable replacement animal, provided that the problem is controlled to a sufficient degree that the continued presence of the animal during that time does not constitute an unreasonable imposition upon, or threat to, the safety or health of, other Owners, Occupants or Guests.

In no event shall the Board, the Association or the Managing Agent be or be deemed, to be liable for any loss, damage or injury to persons or property caused by or arising in connection with any Owner's, Occupant's or Guest's guide dog, signal dog or other animal. By acquiring an interest in a unit in the Project each Owner agrees to indemnify, defend and hold harmless the Board, the Association and the Managing Agent against any claim or action at law or in equity arising out of or in any way relating to such Owner's or Occupant's or Guest's guide dog, signal dog or other animal.

All animals kept anywhere on the Project must be registered immediately with the Managing Agent.

**LANAIS:** No exterior area including lanais may be used for storage to include surfboards, bicycles, exercise equipment, boxes or containers. Only furniture clearly intended for lanai use may be placed on lanais. Other visually objectionable objects such as towels, swim suits, unsightly or inappropriate plant material, etc. may **not** be kept on lanais. Potted live healthy plants are limited to three in quantity, maximum five gallon in size. Barbecues are prohibited.

Absolutely no modifications to lanais are allowed without written permission from the Board of Directors.

**UNIT CONSTRUCTION AND MODIFICATIONS:** The property manager must be notified prior to any work being done which might cause noise offensive to others. Noise/Construction hours of work are limited to Mon – Fri, 9A – 5P

**TREES AND OTHER LANDSCAPING.** No Owner, Occupant or Guest shall disturb, cut, trim, damage or remove any of the trees located in the landscaped areas adjacent to roadways, recreational areas or guest parking areas, nor harm, remove, disturb or damage in any way any other plants, shrubs, groundcover or other elements of landscaping placed or planted on any of the common elements of the Project.

**TERMITE INSPECTIONS:** At least once each year, the Association, through the Managing Agent, may cause the exterior and interior of each building (including the interiors of the units) to be inspected for termite damage. Each Owner shall cooperate with the Association in providing access to his unit for the purpose of such inspections. Any evidence of termite infestation or damage shall be reported immediately to the Managing Agent. The cost of such inspection shall be charged to the Unit Owners as a Common Expense.

#### **EMPLOYEES OF THE ASSOCIATION**

Every Owner, Occupant or Guest is to do his part and to use his influence on all members of his household to do their part towards abating unsightliness within the Project to the fullest practicable extent.

No maintenance employee shall be asked by an Owner, Occupant or Guest to leave the Common Elements or to perform any tasks. Rather, the maintenance employee is under the direction of the Managing Agent and the Board.

Cleaning of individually-owned units, including all windows, is a responsibility of the respective Owners and Occupants.

**LAUNDRY:** The laundry rooms on each floor are open 7:00 a.m. to 9:30 p.m. Any items in washers or dryers at 9:30 p.m. will be locked in until 7:00 a.m. **NO EXCEPTIONS.**

**OFFICE:** Front desk hours are 7:00 a.m. to 10:00 p.m. The emergency number on Maui is 911, the Site Manager's phone number is 669-1999, and the front office number is 669-8235.

**EXEMPTIONS FOR HANDICAPPED OCCUPANTS:** Notwithstanding anything to the contrary contained in the Declaration, the By-Laws, or these House Rules, handicapped occupants shall: (1) be permitted to make reasonable modifications to their apartments and/or the common elements, at their expense, if such modifications are necessary to enable them to use and enjoy their apartments and/or the common elements, as the case may be, and (2) be allowed reasonable exemptions from the Declaration, the By-Laws, and these House Rules, when necessary, to enable them to use and enjoy their apartments and/or the common elements, provided that any handicapped occupant desiring to make such modifications or desiring such an exemption shall so request, in writing. That request shall set forth, with specificity, and in detail, the nature of the request and the reason that the requesting party needs to make such modification or to be granted such an exemption. The Board of Directors shall not unreasonably withhold or delay its consent to such request, and any such request shall be deemed to be granted if not denied in writing, within forty-five (45) days of the Board's receipt thereof.

**NOTIFICATION OF INFRACTION AND FINES**

Damage, alteration or misuse of common element:

Notification via letter to the owner responsible, with a 30-day limit by which the area must be corrected and returned to its original condition. Failure to do so will result in a minimum fine of \$500, plus the cost of the AOAO to return the area to its original condition.

All other Infractions and fines:

First Offense a written citation given or sent to the owner.

Second through Fourth Offense - written citation given or sent to the owner and a \$100 fine assessed against the owner.

After five months fine will increase to \$100 per day.

Mahalo for your cooperation.

Paki Maui Board of Directors

**PAKI MAUI IS A NON SMOKING PROPERTY**

*Revised and approved August 25, 2015*