

**2121 ALA WAI
ASSOCIATION OF APARTMENT OWNERS**

HOUSE RULES

The following administrative rules and regulations ("House Rules"), approved by the Board of Directors of 2121 ALA WAI Association of Apartment Owners ("Association") pursuant to Article V, Section 4 of the Association By-Laws, are effective on February 7, 2006.

These House Rules shall apply to the above-named condominium project and to all present and future owners, lessees and occupants of any apartments of the project; and all other persons who shall at any time use the project. All prior House Rules of the Association are superseded as of the effective date specified above.

The purpose of these Rules and Regulations is to protect all occupants from annoyance and nuisance caused by improper use of the residential condominium apartments and also to protect the reputation and desirability thereof by providing maximum peace and enjoyment of the premises. These Rules and Regulations may be amended by the Board of Directors, as provided for in the By-Laws of said Association.

I. ENFORCEMENT

1. Authority. Compliance with the House Rules is required by Chapter 514A-88, Hawaii Revised Statutes; Section 15 of the Horizontal Property Regime; and Article V, Section 4. of the Association By-Laws.
2. Costs of Enforcement. In accordance with Article V, Section 5. of the By-Laws, the cost of enforcement is the obligation of the apartment owner. Additionally, Chapter 514A-94, Hawaii Revised Statutes, provides, in part:

"All costs and expenses, including reasonable attorney's fees, incurred by or on behalf of the association for:
Enforcing any provision of the declaration, by-laws, house rules, and the Horizontal Property Act against an owner or any occupant of an apartment shall be promptly paid on demand to the association by the apartment owner."
3. Receipt of House Rules. Each owner, lessee, and/or tenant shall be provided a copy of the House Rules by the Managing Agent or the Resident Manager and shall receipt for same. The terms of any written lease between an owner and a lessee shall incorporate the House Rules by reference and require compliance with the same.
4. Violation. The violation of any House Rules adopted by the Association of Apartment Owners of 2121 ALA WAI shall give the Board of Directors or its agent the right to take all necessary steps to enjoin, abate or remedy by appropriate legal means, either at law or in equity, the continuance of any such breach of these rules.
5. Agents. The Managing Agent and the Resident Manager are designated as agents of the Board of Directors for the enforcement of these Rules and Regulations.

II. GENERAL

1. All residents at 2121 ALA WAI must be registered with the Resident Manager, whether they are permanent residents, long-term renters, vacation renters, or residents in excess of five (5) days.
2. All apartment owners, tenants of such owners, employees of owners and tenants of a residential apartment, their guests, or any other person(s) who may in any manner use the property shall observe these House Rules, the By-Laws and the Declaration.
3. No commercial or business activities shall be carried on in any residential apartment.
4. No soliciting of goods, services, or religious activities shall be permitted on the premises, except as may be specifically approved by the Board of Directors.
5. Occupants shall not require 2121 ALA WAI Association employees to perform private errands for them.
6. Occupants shall not request 2121 ALA WAI Association personnel to do work in any apartment unless there is an emergency endangering other apartments or the common areas.
7. Residents should inform the Resident Manager in advance of an expected delivery or repairman.
8. As a security measure, occupants, owners and/or agents for the owners should notify the Resident Manager when their apartments are to be unoccupied for more than three days.
9. Movements of large items, or a major move (in or out) requiring the use of an elevator shall be scheduled in advance with the Resident Manager. Moving shall be done between the hours of 8 a.m. and 4:30 p.m. (Monday-Friday) and between 8 a.m. and 12 Noon (Saturday). No move-ins or move-outs on Sundays or Holidays.
10. No construction work or other activities that create noise above normal levels shall be permitted after 5 P.M. on weekdays, after 12:00 PM (noon) on Saturdays, or anytime on Sundays or holidays.
11. No sign, signals or lettering shall be inscribed or exposed on or at any window, wall, door or garage stall nor shall anything be projected out of any window. This restriction does not apply to names on apartment doors.
12. No awnings, air conditioners, shades, windbreaks or any other thing which is visible from the outside of the building, etc., shall be installed; unless approval is obtained as required in the Association By-Laws.
13. No barbequing or open flames are permitted on any lanai.
14. Each apartment occupant shall install drapes with white liners so that the exterior of the building will present a uniform appearance.
15. Furniture and potted plants suitable to balconies or lanais may be used thereon. Articles which are unsightly shall be removed upon the written request of the Board of Directors.
16. Textile items, including clothes, shall not be hung on balconies or lanais or from the

railings thereof, nor shall clothing or laundry be hung in doorways or windows in such manner as to be in view from persons outside of the building.

17. Watering plants, sweeping and mopping of balconies and lanais will be done in such a way that it will not spill over to persons residing in a lower or adjacent apartment or to persons on the grounds of the premises.
18. Plumbing equipment, such as toilets and garbage disposals, shall be used only for the purposes for which they were constructed. Sweepings, diapers, rubbish, rags, and paper will be disposed of in the trash and not through the plumbing system. Damage resulting there from shall be paid for by the owner of the apartment responsible for such damage.
19. Bicycles, surfboards and similar items are permitted in the elevators only from the second floor to the floor on which a person resides. [See Section V, paragraph 9.]
20. Skateboarding, roller skating, or bicycle riding is prohibited in any of the common areas of the project.
21. Water Beds. Water beds shall not be used in any apartment of the project, except in unusual circumstances and then only on an individual basis with prior written approval of the Board of Directors.
22. Pets. No livestock, poultry, rabbits, dogs, cats or other animals whatsoever shall be allowed or kept in any part of the project. (By-Laws)
23. Workmen and Deliveries. When workmen are performing work on an apartment, the owner shall advise them to use his parking stall or to park on the street, if the building's truck parking area is not available.
24. By-Laws Prevail. The By-Laws of the Association, if inconsistent with these House Rules, shall prevail.
25. Use of Bulletin Board-Outer Lobby. The use of the bulletin board in the outer lobby is restricted in nature to advertising the availability of rentals or sales of personal property only, and no other form of business. To that end, the following must be complied with: (a) Information must be typed on 3 x 5 index cards: (b) Card must be dated (c) State information desired, and the point of contact (telephone number/name) and (d) Deliver card to the Resident Manager. The Resident Manager will post cards on the bulletin board for a period of not to exceed 30 days, after which they will be removed and discarded.

III. OCCUPANCY

1. Use of Apartment. The apartments shall be occupied and used only as-private dwellings by the respective owners thereof, their tenants, families, domestic servants and personal guests and for no other purpose.
2. Absentee Owner. An absentee owner, at his expense, should have an agent,-friend or maid conduct periodic inspections of his unoccupied apartment, assuming responsibility for the contents thereof.
3. All occupants shall exercise care about making noises in the use of musical instruments, radios, televisions and amplifiers that may disturb others. (BY-LAWS)

4. Children. An apartment owner shall be responsible for the conduct of his/her children at all times, ensuring that their behavior is neither offensive to any occupant of the building nor damaging to any portion of the common elements.

IV. TEMPORARY OCCUPANCY

1. Use by Owner's Lessees, Tenants and Guests. Subject to the terms of the apartment lease and the Association By-Laws, an apartment owner may lease his apartment or make it available to friends, but the person or persons leasing, renting or living in the apartment shall abide by these House Rules, and the owner shall assume full and complete responsibility for the occupants' conduct.
2. Conduct of Lessees, Tenants and Guests. An apartment owner shall be responsible for the conduct of his lessees, tenants and guests and shall, upon request of the Board of Directors, or Managing Agent, immediately abate and remove, at his expense, any structure, thing or condition that may exist with regard to the occupancy of his apartment by his lessees, tenants or guests contrary to the interest and meaning of the provisions hereof; or, if the apartment owner is unable to control the conduct of the lessees, tenants or guests to conform with the meaning of the provisions hereof, he shall, upon request of the Board of Directors or Managing Agent, immediately remove such lessees, tenants or guests from the premises, without compensation for lost rentals or any other damage resulting there from.
3. Appointment Local Agent. Owners shall be responsible for designating a local agent to represent their interest if their residence is outside the State of Hawaii or if they will be absent from the apartment for more than thirty (30) days. Such owners shall file with the Resident Manager their out-of-town address and telephone number; and the name, address and telephone number of their agent. (HAWAII STATE LAW)

V. COMMON AREAS, ENTRANCES AND LANAIS

1. Obstructions, Uses. The sidewalks, passages, lobbies, stairways and corridors must not be obstructed or used for any purpose other than ingress and egress.
2. Lanais - Care and Maintenance. An apartment owner shall be responsible for the care and maintenance of all lanais which are part of the apartment. Such owner may not, however, paint or otherwise decorate the walls and ceilings of the lanais without prior approval of the Board of Directors. It is intended that the exterior of the building shall present a uniform appearance and, to effect that end, the Board of Directors may require the painting of the walls and ceilings of each lanai and regulate the type and color of paint to be used.
3. Lanais - Furniture, Plants, etc. Only appropriate furniture and small plants shall be used on lanais and any unsightly or disturbing items shall be removed upon the request of the Resident Manager or the Managing Agent. These areas are not to be used for storage purposes of any kind. Appropriate banners commemorating holidays or festivals may be displayed from lanais only on holidays except that reasonable Christmas decorations may be displayed during the month of December and the first week of January.
4. Laundry, etc. Textile items, including towels, bathing apparel and clothing brooms,

mops, cartons, etc., shall not be placed on lanais or corridors or in windows so as to be in view from outside the building or from the apartments above.

5. Plants. All plants shall be placed in containers so as to prevent the dripping of water or soil onto other apartments or the common elements. Care should be taken in scrubbing lanais so as to prevent water from running down the exterior of the building land onto the lanai of the apartment below.
6. Throwing Objects From Building. Nothing shall be thrown from lanai decks, windows, entrance balconies, etc. Cigarettes and matches, specifically, are a fire hazard. Throwing fire crackers from lanai decks and the explosion of any fireworks anywhere on the project or within the building is expressly prohibited by Law. (City & County Ordinance).
7. Entrances. No shoes, go-aheads, dry cleaning, etc. shall be placed in view at the front entrances of apartments or in hallways.
8. Barbequing. Fires or barbequing are not permitted on any apartment lanai.
9. Bicycles & Surfboards. Bicycles and surfboards shall not be stored on lanai decks, but stored in appropriate storage areas. Contact the Resident Manager for particulars. [See Section II, paragraph 19].
10. Elevators. Eating, drinking or smoking is not permitted in-elevators.
11. Furniture placed in common areas is for use in those specific areas and shall not be removed even for a short duration.
12. No common areas, unless specifically designated as recreational areas, shall be used for recreational purposes.
13. Parents or legal guardians shall be responsible for the appropriate supervision of minors at all times. Minors are defined as those persons under 18 years of age.
14. Residents shall not allow unknown persons through the security doors. If there is doubt concerning any person who may be in an elevator or common area, the Resident Manager or Security should be notified immediately.

VI. BUILDING MODIFICATIONS

1. No structural changes of any type shall be permitted either within or without an apartment without prior written approval and consent of the Board of Directors.
2. No awnings, air conditioners, shades, windbreaks, etc., shall be installed on-lanais or outside of the building.
3. No signs, signals or lettering shall be inscribed or exposed on any part of the building, nor shall anything be projected out of any window or off any lanai.
4. No projections shall extend through any door or window opening into any corridor or beyond the exterior face of the building, especially air conditioners, which are not allowed.
5. No radio or TV antenna shall be created or maintained by owners outside of the physical confines of an apartment.

6. No draperies will be permitted that are visible from the exterior of the building which differs in color from that color established by the Board of Directors.
7. The City & County of Honolulu requires that any replacements of existing toilet fixtures must be water saving toilets. 2121 Ala Wai prohibits the installation of "vacuum flush" toilets due to the noise created by those fixtures. Anyone installing a vacuum flush toilet will be required to replace the fixture at their expense.

VII. USE OF RECREATION DECK AND FACILITIES

1. General.

Use of the Recreation Deck and facilities thereon shall be limited to residential apartment owners, lessees, tenants, members of their families, and guests. Non-residents shall not be permitted to use these amenities unless accompanied by a resident of the building.

2. Swimming Pool.

- a. Swimming is permitted during the hours of 9 a.m. to 10 p.m. daily.
- b. Residents and their guests use the swimming pool at their own risk. Guests: The maximum number of guests per apartment permitted to use the swimming pool shall be ten on Mondays through Fridays (except holidays); and six on Saturdays, Sundays and holidays. Guests must be accompanied by a resident adult of the project.
- c. Persons using the pool should conduct themselves in a responsible manner, so that all may enjoy the pool. Anyone not conducting themselves in a proper manner will be requested to leave the pool area by the Resident Manager or Security.
- d. No food will be permitted in the pool enclosure.

The use of glassware, bottles, ceramics, chinaware, or other breakables is not permitted in the immediate pool area. Used paper cups, plates, napkins, and other disposable items should be deposited in trash containers provided for that purpose.
- e. Swimming is not permitted in other than proper swimming apparel. Hair pins, bobby pins, hair rollers and the like can cause damage to and clog pool equipment, and shall be removed before entering the pool.
- f. No one may enter the water without first having showered. Showers are located in the restrooms in the vicinity of the Recreation Deck. All suntan oil, ointment, and sand must be removed from the body and attire before entering the pool.
- g. After using the swimming pool, bathers should dry themselves thoroughly before entering the building. It is particularly desirable not to walk on carpeting or enter elevators with wet feet.
- h. Running, pushing, or shoving of anyone around the pool area is not permitted, inasmuch as it can cause injury and/or annoyance to others.

- i. Boisterous and loud conduct in the pool area, or playing of radios, is not permitted.
 - j. No swim fins, hard rafts, surfboards, boogie boards, or other large equipment is permitted in the pool.
 - k. No pool furniture may be removed from the pool area, nor is other furniture to be placed in the pool area.
 - l. Towels, mats, caps, and other personal belongings shall be removed from the pool area when the owner leaves.
 - m. No person shall interfere in any manner with any portion of the swimming pool, lighting apparatus, or electrical and plumbing devices in or about the pool area.
 - n. Board of Health regulations require that:
 - 1. "All persons known to be or suspected of being afflicted with infectious disease, suffering from a cough, cold, or sores, or wearing bands or bandages, shall be excluded from bathing in the swimming pool."
 - 2. "Spitting, spouting of water, blowing the nose in the swimming pool are strictly prohibited."
 - o. Radios with ear sets only are permitted in the pool area. All others are prohibited.
3. Saunas.
- Saunas are restricted to adults, or children in the company of adults -- they are not play areas, and should be used with some discretion and feeling towards others who may desire to avail themselves of this amenity. Excess water should be cleared up by persons who cause the excess, and the rooms left in clean condition.

VIII. PARKING/WASHING OF CARS

- 1. Residents and tenants of 2121 ALA WAI shall register their car(s) with the Resident Manager, giving the name and telephone number of the resident(s), make of car, and car license number(s) prior to taking -occupancy of their apartment.
- 2. Parking stalls are assigned to specific apartments for their exclusive use. Parking is permitted for residents only within their assigned spaces. Cars parked in unauthorized spaces may be towed away at the owner's expense.
- 3. Automobiles should be centered in parking spaces to prevent crowding of adjacent spaces and/or blocking of passages.
- 4. Residents are responsible for the cleanliness of their respective spaces, including the removal of grease build-up. No personal items such as lumber, furniture, or crates, shall be permitted in parking spaces.
- 5. No major repairs to automobiles or motorcycles are permitted on the project.
- 6. All cars parked in the garage must be in operating condition, with current vehicle license and safety stickers required by law. Any vehicle left in violation of this

section of the House Rules will be considered to be "abandoned" and may be towed away.

7. Speed within the parking structure is limited to NOT MORE THAN FIVE (5) MILES PER HOUR.
8. Vehicles belonging to guests and visitors shall be parked only in spaces designated as "guest parking" on the ground floor level. Duration of stay in guest parking spaces is restricted to not more than six hours.

All guests and visitors must register at the front entrance in a register provided for that purpose. Registration shall indicate the guest's name, car license number, the apartment number to be visited, and the time registered. Failure to register will result in tow away at owner's expense. No overnight parking is allowed in the guest parking areas, except by special arrangement and registration with the Resident Manager. Failure to observe this rule shall result in such vehicle being towed away at the owner's expense.

9. Washing Cars. Persons washing, cleaning, or polishing cars on the premises shall use the designated area at the Diamond Head side of the building. Car washing must be performed in a manner such as not to interfere with the comfort of others and the area cleaned up before leaving.
10. Bikes and mopeds. Bikes and mopeds must be stored in areas specifically provided therefore. Contact the Resident Manager for details.
11. Residents are not permitted to park in guest parking. Failure to observe this rule may result in tow away.
12. Loading zones/Building Entrance. No personal vehicles may be parked or left unattended at entrance or in the building entrance or in the loading zone areas.
13. Parking stalls may not be rented to non-2121 Ala Wai residents. Honolulu Land Use Ordinance ("Zoning Codes") prohibits commercial uses of the premises and renting parking stalls to non-residents is considered a commercial use. 2121 Ala Wai will strictly enforce this House Rule and Zoning Code.

IX. REFUSE

1. All garbage must be wrapped or bagged before depositing into the trash chute or the containers in the trash room.
2. No wet garbage or folded cardboard containers or any other object that would tend to hinder the easy fall of trash through the chute may be inserted therein.
3. Cardboard boxes, bottles of any size, and items that may clog or damage the chute must be taken to the bin in the ground floor trash room.
4. No inflammable explosives or dangerous materials are to be put into the trash chute.
5. No garbage containers or bottles or other items of refuse may be placed outside an apartment.
6. Cigarettes shall not be extinguished or thrown in or on to common areas, nor shall they be thrown from any window, balcony or lanai of any apartment.
7. The use of trash chutes is limited to the hours of 8 a.m. to 10 p.m.