

HOUSE RULES

Association of Apartment Owners - Kanaloa at Kona



Adopted July 5, 1996 | Amended May 4, 2013, July 30, 2021, October 29, 2021, January 28, 2022, July 28, 2023

Certain guidelines have been adopted to provide for a friendly, pleasant, and congenial environment at Kanaloa at Kona. While these House Rules are meant as a general guide, they do not change the obligation of owners, tenants, and guests to adhere to the specific requirements of conduct contained in the Bylaws of the Association of Apartment Owners of Kanaloa of Kona or the Declaration of Horizontal Properties.

APARTMENT AND COMMON AREAS

1. The apartments and the common area are to be used only for those activities common to a residential community.
2. No owner may store anything in or on any of the common areas. Additionally, no walkways, driveways or other common areas may be blocked or obstructed in such a way as to prevent free access of any owner to any of the common elements of the property. The Board, on occasion, may temporarily choose to store materials and equipment on the common elements of the property being used for the general benefit of the community. The Board of Directors at its discretion may direct the Managing Agent to remove any vehicle or object which is in violation of this HR #2 from any of the common areas. A violation notice will be posted on the object or vehicle for 72 hours and a written notice will be sent to the owner, if known.
3. Only those places in the common area so designated may be used for recreational purposes.
4. No apartment owner shall decorate, landscape, install signs or barricades or in any way modify any portion of the common area.
5. No furniture, fixtures or equipment belonging to the Association shall be removed from the common area for apartment owners' use.
6. Each apartment shall be kept in a clean and sanitary condition.
7. Furniture, equipment and storage in an apartment shall be limited to items regularly used in a residence and no such item that might be a potential structural problem to a building or its surroundings is to be placed in the apartment.
8. No installation, alteration or other physical change may be made to any apartment except in accordance with procedures and limitations prescribed in the Declaration, the Bylaws, and applicable governmental regulations.
9. A handicapped owner may make reasonable modifications to an apartment and may request modifications to the common areas to enable such owner better use of the project.
10. Lanais may not be used for storage or for purposes other than their commonly intended use.

11. All window coverings exposed to the outside are to be white or off-white.
12. No garments, towels or other objects shall be hung from the windows, facades, lanai railings or outdoor furniture.
13. There is to be no sweeping or cleaning that creates dust or debris falling on another apartment or the common elements.
14. Garbage and trash shall be placed or kept in the disposal facilities provided for that purpose.
15. Dumpsters are for normal trash and not to be used for major construction debris, large appliances, or other large or heavy items. Owners or contractors doing major remodeling should obtain private dumpsters.
16. The occupant of an apartment shall take care not to cause undue noise, including, but not limited to, that resulting from musical instruments, radios, stereos, televisions, or other electronic sound amplification devices. Kanaloa at Kona observes quiet hours from 10:00 p.m. to 7:00 a.m. During these hours, owners and occupants shall not make or cause any noise which may disturb other owners or occupants. Noisy maintenance and construction shall not be allowed after 5:30pm.
17. Except as otherwise provided under the provisions of the American with Disabilities Act, the Fair Housing Act, and/or applicable Hawaiian law, no animal shall be allowed on or kept in any part of the project. However, any unit owner shall be permitted to keep small household domestic pets that are confined or caged solely within that owner's respective unit, such as tropical fish or small birds. Any permitted animals shall not be kept, bred, or used for commercial purposes. Any permitted animals causing a nuisance or unreasonable disturbance, as determined by the Board or its Managing Agent, may be promptly and permanently removed from the project upon written notice given by the Board.
18. Apartment owners and guests are permitted to keep a Service Dog trained to perform a specific service or act for the people who depend on them for assistance. Owners or long-term renters who wish to have Emotional Support Animals must submit to the Managing Agent, a letter from a healthcare professional stating the need for such an animal by a person residing on the property.

Owners should acquaint themselves with Hawaii Revised Statutes §347-2.6, effective January 1, 2019, concerning service animal fraud. All Service and Assistance Animals must:

- 1) Be registered with the Managing Agent
- 2) Have proof of vaccination against rabies and distemper submitted to the Managing Agent
- 3) Be on a leash when in the common areas
- 4) Not be allowed into any of the resort pools

All feces must be picked up, put into a plastic bag, and deposited into the dumpsters.

19. Guests renting an apartment are approved to have an additional two non-overnight visitors beyond the maximum occupancy of the rental apartment. The maximum occupancy allowed shall be as follows: One-bedroom – total of six, two-bedroom – total of eight 8, and three-bedroom - total of 10. Exceptions to these limitations must be approved by the Managing Agent. See MOTOR VEHICLE section for limitations on guest vehicles.

20. Owners may reserve the Ocean Pool pavilion for larger parties by getting permission from the Managing Agent.

21. There shall be no use or storage of any flammable or explosive materials such as oil, gasoline, kerosene, and naphtha.

22. No soliciting is allowed.

23. No barbeques or grills are allowed on any lanai.

24. Smoking and Vaping is prohibited on lanais or in any common areas of the property. Individual owners may have additional restrictions for their apartments.

25. Pest control within each apartment, which includes the lanai, window frames, closets, interior walls, and front door, is the responsibility of the owner. The Association will routinely perform pest control, exclusive of termite control, in every apartment at Association expense. If the Managing Agent is unable to access an apartment, the owner will be notified and must contract for the same service to be performed at the owner's expense within 30 days of notification and provide to the Managing Agent proof of performance. The Apartment Owner shall periodically inspect, or have inspected, his apartment for signs of termite presence and shall take mitigation measures when appropriate.

26. Feeding birds or feral animals on lanais or common elements is prohibited.

SWIMMING POOLS

1. Hours for the swimming pools are posted on the pool gates. All users must follow the posted rules and pay particular attention to the State of Hawaii rules concerning hygiene for public pools. The swimming pools and hot tubs are restricted to 8:00am until 10:00pm for all three pools with pool quiet hours observed from 7:00pm until 10:00pm for the Main and Ocean Pools.

2. There are no age restrictions for children, but parents are advised to provide proper supervision for their safety and welfare.

3. Running, screaming and general "horseplay" are not permitted in or around the pools.

4. Glassware and any sharp objects are not to be brought into the pool areas.

MOTOR VEHICLES

1. Owners and guests must register with the Managing Agent as soon as possible after their arrival, provide information about their vehicles and thereafter display the identification cards provided.
2. Parking is to be in assigned covered spaces or designated parking places only.
3. Owner and guest vehicles allowed on property: two vehicles are allowed for one and two-bedroom apartments, three vehicles for three-bedroom apartments. No more than this will be permitted on the property. One of the vehicles must use the assigned covered parking space.
4. No owner who rents their apartment will be allowed to store a vehicle in their assigned parking place during the times their apartment is rented.
5. No long-term storage of vehicles is allowed in open parking spaces.

PROPERTY ACCESS AND USE

1. The owner of an apartment, or that owner's rental manager, must notify the Managing Agent of any persons renting or occupying their apartment and such notification must be at least 48 hours prior to their arrival and should include the information required in Rules 2 and 3, below, if known.
2. All visitors will be required to check in at the front desk. Upon check-in, guests will be required to submit information concerning their group including: full name of all persons in their group, home address and contact information of the responsible person, and arrival and departure dates. Guests checking in will acknowledge receipt of the Kanaloa at Kona House Rules.
3. Guests will provide vehicle make, model and license plate number for any vehicle on property.
4. Guests checking in will also provide a credit card deposit before a gate access card is issued and will be responsible for adhering to the Association Bylaws, House Rules, and Declaration of Horizontal Property. Any damages to the property will be assessed to the credit card on file. A charge of \$30 plus tax will be assessed for any gate card lost or not returned.

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