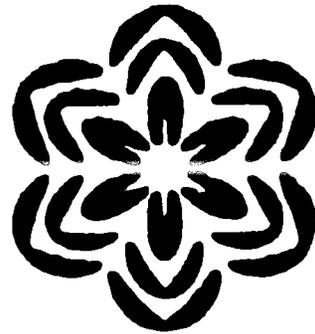


NAURU TOWER



House Rules

NAURU TOWER HOUSE RULES
(Adopted by the Board on March 22, 2016)

INTRODUCTION

Condominium living requires each resident to respect the needs and rights of others who reside in the building. The House Rules are designed to make living at Nauru Tower (the “Project”) safe and enjoyable for you and your guests. The primary purpose of these House Rules is to create a balance of providing ready access to the facilities available, and the quiet enjoyment of living at Nauru Tower, all in the context of a safe environment. In so doing, the comfort and security of all is assured.

The Board of Directors of the Association of Apartment Owners of Nauru Tower (the “Board”) shall be responsible for enforcing these House Rules through the delegated authority of the General Manager and the Managing Agent. All apartment owners and other occupants, tenants, and guests shall be bound by these House Rules.

The House Rules supplement but do not change the obligations of the apartment owners and all occupants, tenants, and guests as set forth in the Declaration of Condominium Property Regime (“Declaration”) and By-Laws (“By-laws”) pertaining to the Project. In the event of any inconsistency between these House Rules and the Declaration or the By-Laws, the Declaration and By-Laws shall prevail.

The Board shall make such other rules and regulations from time to time or amend the following House Rules, as it deems necessary or desirable.

A. OCCUPANCY

1. Use of Apartments

All apartments designated as “residential” in the Declaration shall be used for private residential dwellings only. No residential apartments shall be used for short-term rental purposes, or in connection with the conduct of any business. Vacation rentals of less than 180 days, otherwise known as transient accommodations as defined in Hawaii Administrative Rules Section 18-237D-1-07, are prohibited by the Hawaii Community Development Authority’s (“HCDA”) Mauka Area Rules. Violations may be reported directly to the HCDA by a concerned owner or by the Board at the Board’s sole discretion. Please contact the HCDA for additional information or to verify the Mauka Area Rules. Renters/lessees must be registered with the General Manager. Time-sharing is prohibited.

2. Number of Occupants

The apartments will have no more persons residing therein than is permitted under the Housing Code of the City and County of Honolulu.

3. Responsibility for Guests

A resident or guest of any apartment shall be responsible for the conduct of any person coming onto the property at the request of the resident or guest and for ensuring the person’s behavior is neither offensive to any occupant or guest of the building, nor damaging to any portion of the common elements.

4. Pets and Service/Assistance Animals

a. Residents may keep in their units, fish in aquaria, birds in cages, and no more than two (2) cats. Except for service and assistance animals, as specified below, no dogs shall be kept or allowed in any part of the Project.

b. Assistance animals must be registered with the General Manager’s office prior to coming onto the Association premises or as soon as possible thereafter. The Association reserves the right to verify requests for reasonable accommodation in the form of service or assistance animals by engaging in an interactive process with the requestor, for the purpose of verifying that:

- (1) the individual has a disability, as defined in Hawaii or federal statutes, provided that medical records, access to health care providers, a diagnosis, nature or severity of the individual’s disability is not requested; and
- (2) if the disability related need for a service or assistance animal is not readily apparent, verification that the service or assistance animal is needed to alleviate one or more symptoms of the individual’s disability.

A suggested Certification Letter Regarding Request for Reasonable Accommodation of Service/Assistance Animal is available at the General Manager's office.

c. Whenever in the common areas of the Association, a service or assistance animal must be under the control of the animal's owner or handler by use of a harness, leash, tether, cage or other means of physical control. If the nature of the person's disability makes physical control impracticable, or if physical control would interfere with the assistance that the animal is providing, the animal must be under the control of the animal's owner or handler by voice control, signals, or other effective means.

d. All ambulatory pets must be registered with the General Manager prior to a resident's move-in. Pets transported through the common areas must be on a leash or carried.

e. Pet and animal owners are responsible for the behavior of their pets and animals. No pet or animal shall create any nuisance, disturbance or noise which interferes with the quiet enjoyment of other residents. No pet or animal shall urinate or defecate in any of the common areas including the landscaped grounds of the Project. The Board of Directors reserves the right to cite, fine, and ultimately require removal of a pet or animal if the pet or animal bites, becomes a nuisance, or is destructive to common areas.

5. Move-in / Move-out Procedures

a. Movement of large items requiring use of the freight elevator shall be scheduled in advance with the General Manager or Nauru Tower Security during business hours. The passenger elevators shall not be used for moving.

b. Move-ins and move-outs are permitted only between 8:00 a.m. and 5:00 p.m. Monday through Saturday. Moving is not permitted on Sundays or holidays. (No exceptions).

B. TEMPORARY OCCUPANCY

1. Use by Owners, Tenants and Guests

Subject to the terms of each apartment owner's Condominium Conveyance Document, the Declaration, the By-Laws, and these House Rules of the Association, and applicable laws prohibiting vacation rentals and time-share use, an apartment owner may lease or rent his or her apartment or make it available to friends, but the person or persons leasing, renting or living in the apartment shall abide by the aforesaid Association governing documents and applicable laws..

2. Conduct of Tenants, Guests and Other Persons

An apartment owner shall be responsible for the conduct of his or her tenants and such apartment owner's (or tenant's) guests. A tenant shall be responsible for the conduct of his or her family members or guests. An apartment owner or tenant shall upon request of the Board or Managing Agent, immediately abate and remove, at his or her expense, any structure, thing or condition that may exist with regard to the occupancy or use of his or her apartment by any such person or

persons contrary to the intent and meaning of the provisions hereof. If an apartment owner or tenant is unable to control the conduct of any such person or persons to conform with the intent and meaning of the provisions hereof, such apartment owner or tenant shall, upon request of the Board or Managing Agent, immediately remove such person or persons from the premises, without compensation for lost rentals or profits or any other damage resulting therefore.

3. Owner and Resident Contact Information

All owners will be responsible for registering their contact details (or those of an agent) with the General Manager's office. In addition, a key or code should be available in the Nauru Tower Security office to facilitate emergency access. Such information will be solely used to contact the owner on any matter relating to the ownership of his/her unit. In the event of an emergency wherein the owner cannot be contacted, these rules give the General Manager the right to enter a unit for the sole purpose of mitigating any damage to the building.

- a. All unit occupants shall register with the General Manager's office pursuant to Section H.1 herein.

C. USE OF COMMON AND LIMITED COMMON ELEMENTS

1. Use of Roadways and Recreation Areas

The roadways and recreation areas of the Project are administered by the Association and are for use by the apartment owners and their tenants and guests. The walkways, passages, and roadways must not be obstructed or used for any purposes other than ingress and egress.

2. Parking Automobiles and Other Vehicles

Parking in unmarked areas is prohibited. Assigned parking stalls may be used to park automobiles, trailers, motorcycles or bicycles. All vehicles parked in stalls must be properly licensed and registered, in safe and operable condition, and street-legal in Honolulu County. Trailers may carry watercraft (including but not limited to boats, jet skis or similar personal watercraft, canoes, kayaks, and surfboards or paddleboards) providing such trailer and watercraft shall not protrude from the stall and shall be kept in a neat, organized manner. All vehicles, including bicycles and motorcycles, when not being used, must be kept in the area or areas designated for such purpose or within the confines of an assigned parking stall. Except for bicycles, no other wheeled toys or similar vehicles (including but not limited to skateboards, scooters or toy cars) shall be permitted in the garage structure. Stall may not be used to store or maintain any furniture, packing crates, beach items, scuba gear or other personal property items except as set forth herein.

- a. Violators of any parking regulations promulgated by the Board shall have their vehicle towed away at their own expense.
- b. No vehicles, including bicycles, are to be ridden on walkways, planted areas or in the park area. Unlicensed motorized vehicles are not permitted to be operated in the Project.

Skateboards are not to be ridden anywhere within the Project. Bicycles shall not be taken into the elevators (except the freight elevator), lobbies, stairways, or lanais of the Project. No wheeled vehicles, including but not limited to bicycles, tricycles and toys, shall be taken into the tennis court area.

- c. The circular drive parking area around the front of the building may be used by both residents and guests for short stops such as for loading and unloading, and is limited to a maximum period of 30 minutes. Registration is required.
- d. Guest parking stalls identified as C20 through C30 inside the parking garage are for the use of guests only, not for residents. No overnight parking (between the hours of 1:00 a.m. and 5:00 a.m.) is allowed. Registration is required.
- e. Persons parking in either of the above areas must register on the guest-parking log located on the table under the entry phone at the elevator lobby entrance. Vehicles that are not registered may be towed.
- f. The speed limit in the parking garage and on common driveways is five (5) miles per hour.
- g. Use headlights while in transit through parking garage.

3. Open Recreation Area

Open private park areas are for the exclusive use of the residential owners and tenants and their guests during posted hours.

- a. No camping or use of tents in the common areas of the Project is allowed.
- b. Use of fireworks of any kind anywhere in the Project is strictly prohibited at all times.
- c. Outdoor cooking shall be permitted only on the outdoor grills provided on the roof top park area. Open fires, including charcoal briquette fires, are not permitted elsewhere in the Project.

4. Vehicles

- a. No vehicle repairs may be made at any time in the common areas of the Project. Only minor adjustments to the vehicle not requiring specialized tools may be made within an owner's parking stall.
- b. Damage to vehicles, personal property or common elements shall be the responsibility of the person causing the damage.

5. Recreation Equipment

- a. Bicycles Residents wanting to store bicycles in the common area must use the racks provided for this purpose. No bicycles shall be left unattended anywhere else on the property. Each bicycle stored in the bicycle rack shall be registered on an annual basis with Security. Failure to renew a bicycle's registration may result in that bicycle being disposed of as abandoned personalty, per the Condominium Property Act. Residents wanting to transport bicycles to their unit must use the service elevator. No bicycles are permitted in the passenger elevators or the main lobby. All bicycles returning to the property must be cleaned of dirt and debris before entering the building.
- b. Ocean-recreation Equipment Residents wanting to store surfboards, paddleboards, kayaks, etc. in the common areas must use the racks provided for this purpose and must abide by its rules, inclusive of the yearly storage fee set by the Board. Storage is limited to no more than two racks per unit on a first come, first served basis. No ocean-recreation equipment shall be left unattended anywhere else on the property. No ocean-recreation equipment shall be stored in any parking stall. Each piece of ocean-recreation equipment stored in the board/kayak racks must be registered with Security. Failure to renew an item's registration may result in that item being disposed of as abandoned personalty, per the Condominium Property Act. Residents wanting to transport ocean-recreation equipment to their unit must use the service elevator. No ocean-recreation equipment is permitted in the passenger elevators or the main lobby. All ocean-recreation equipment returning to the property must be cleaned of sand and debris before entering the building.

6. Fire Stairwell Exit Doors and Apartment Entry Doors

Fire stairwell exit doors and apartment entry doors must be kept closed at all times except during entrance or exit. This is a Fire Code requirement.

D. NOISE AND NUISANCES

1. Noise and Nuisances Prohibited

No nuisance shall be allowed in the Project, nor shall any use or practice be allowed which is improper or offensive in the reasonable opinion of the Board, or which is in violation of the By-Laws or these House Rules, or which unreasonably interferes with or is an unreasonable annoyance to the peaceful possession or use of the Project by other apartment owners or occupants.

2. Specific Rules

- a. **Excessive Noise and Objectionable Odors Prohibited:** Residents and other occupants of the apartments shall avoid unreasonably excessive noise of any kind at any time, and shall not cause or permit any unreasonably disturbing noise or objectionable odors to emanate from their apartments.

- b. Hours for Workers: No workers will be allowed in any buildings before 7:00 a.m. or after 5:00 p.m. except in an emergency. (Monday-Saturday) See construction guidelines.
- c. Hours of Reduced Volume for Radios and Stereos: Radios, TVs, stereos, etc. in the apartments, if used between the hours of 10:00 p.m. and 8:00 a.m., shall be played at reduced volume.
- d. Departure of Guests: Minimizing Noise. When guests of any apartment are leaving at night, noise must be kept at a minimum.
- e. Reporting of Excessive Noise: Excessive noise at any time should be reported to the Nauru Tower Security Office.

3. Soliciting Prohibited

No soliciting, whether commercial or religious is allowed in the Project. Report all solicitations to the Board or Managing Agent (through the General Manager).

4. Hours for Apartment Jacuzzi Use

The operation of a Jacuzzi in an apartment may disturb residents in apartments below. Therefore, the Jacuzzi shall not be used between the hours of 10:00 p.m. and 6:00 a.m.

E. SAFETY CONSIDERATIONS

1. No Objects to be placed or Left in Common Areas

Apartment owners, tenants and guests shall not place or maintain in or upon the common areas of the Project any furniture, vehicles or other objects of any kind.

2. Inflammable or Dangerous Liquids

Inflammable fluids such as gasoline or kerosene, or explosive materials or other articles deemed hazardous to life, limb or property will not be brought into buildings or stored in storage lockers.

3. Overloading of Floors: Activities Which Would Invalidate Insurance

Nothing shall be allowed, done or kept in any apartment or in the common areas which would overload or impair the floors, walls or roofs, or cause any increase in the ordinary premium rates, or cancellation or invalidation of any insurance maintained for the Association. This load limit has been determined to be 50 pounds per square foot.

4. Water Beds Prohibited

Pursuant to Article VI, Section 1 (o) of the By-Laws, no waterbeds shall be permitted in any apartment in the Project.

5. Rules of Governmental Authority

Each apartment owner, tenant or guest shall at all times observe and maintain all laws, rules and regulations now and hereafter made by any governmental authority or the Association applicable to the use of the Project.

6. Right of Entry in Favor of Association

Every apartment owner, tenant or guest hereby grants right of entry to the General Manager, and other persons authorized by the Board, in the event of an emergency originating in or threatening such apartment, whether or not such owner or occupant is present at the time. Keys or codes are required to be submitted to the Nauru Tower Security office for this purpose.

F. AESTHETIC CONSIDERATIONS

1. Cleanliness: Attractive Appearance of Apartments and Lanais

All owners and tenants are responsible for the cleanliness and maintenance of their apartments and lanais areas. Said areas shall be maintained in a sanitary condition. No objects other than appropriate lanai furniture and potted plants are permitted on lanais. The storage of surfboards, bicycles, packing crates, furniture (other than appropriate lanai furniture) and similar objects is strictly prohibited.

2. Window Cleaning

All owners shall be responsible at such owner's expense for cleaning all windows, which are accessible from inside the apartment or lanai. All other windows shall be cleaned by the Association as a common expense.

3. No Objects to be Hung from Windows or Railings

No clothes, bedding, carpeting or anything else shall be hung on or from windows or lanais for any purpose. Nor shall clothing or laundry be hung in walkways or windows in such a manner as to be visible from roadways, walkways and common areas.

4. Trash Disposal

Food waste shall be disposed of through the garbage disposal wherever possible. In order to minimize any odors emanating from the trash chute, all other household trash, except recyclable items, shall be secured in bags and deposited into the trash chute. Refuse garbage or trash of any kind shall not be placed or thrown in any common area of the Project.

5. No Household Objects to be Placed Outside Apartments

No garbage cans, household or commercial supplies, excess items or similar articles shall be placed outside any apartment or any lanai in a place where they can be seen from outside any apartment, except as the Board shall prescribe.

6. No Objects to be Placed in Common Areas

No items of personal property, including shoes or slippers at corridor unit entries, baby carriages, bicycles, surfboards, packages, boxes or crates, shall be left or allowed to stand on any of the common areas of the Project, except as may be specifically permitted by the Declaration, the By-Laws or these House Rules. Articles of any kind left in any common area shall be treated as abandoned personalty pursuant to the Hawaii Condominium Property Act.

7. Sewer Lines

Owners and tenants will not flush sanitary napkins, tampons, paper towels, dental floss or any such materials, which may clog sewer lines, down toilets. The cost of cleaning lines will be charged to owners if such items are found in the lines.

8. Curtains and Drapes

Windows, if curtained or draped, are to be done so with curtain liners of a light neutral shade as approved by the Board, in conformance with aesthetics of the Project.

G. BUILDING REPAIRS, MAINTENANCE AND MODIFICATIONS

1. Repairs and Maintenance

- a. Apartment Owner's Duty to Repair and Maintain: Every apartment owner from time to time and at all times shall perform promptly all repair and maintenance work within his or her apartment, the omission of which would adversely affect any common element or any other apartment. The owner shall be responsible for all loss and damage caused by his or her failure to do so.
- b. Repairs Inside Apartments to be at Owner's Expense: All repairs of internal installations within each apartment, such as plumbing and electrical fixtures, appliances, telephones, doors, lamps, air conditioner and electrical metering equipment, and other fixtures and accessories belonging to such apartment, including the wall and floor coverings, shall be at the apartment owner's expense.
- c. Repairs Affecting Common Elements: Any repairs or maintenance that may affect the common elements shall be performed by a licensed contractor and must first be approved in writing by the Board or Managing Agent.

2. Modifications and Alterations

All modifications and alterations must receive prior written permission of the Board.

- a. Signs: Except as permitted by the Board, owners and tenants shall not place any signs in or on buildings or in or upon any of the common elements.
- b. Board May Require Plans and Specifications: The Board may require the presentation of plans and specifications prepared by a registered architect or engineer for the modification or alteration prior to approval.
- c. Licensed Contractors Required When Common Elements May be Affected: Any modification or alteration which may affect the common elements shall be performed by a licensed contractor approved in writing by the Board or Managing Agent.
- d. No Attachments of Objects to Exterior Without Approval: No owner or tenant, except with the continuing written consent of the Board, shall permit the attachment, hanging, projection or protrusion of any object, including garments, wiring or other devices for electrical or telephone installations, televisions, machines or other equipment or appurtenances on the exterior of the buildings or protruding through the walls, windows or roofs thereof.
- e. Board May Require Removal of Unauthorized Work: The Board may inspect any work and may order the removal of any work which has not been approved or which may adversely affect the common elements or the exterior appearance of the Project.
- f. No Roof Access: No person whatsoever (other than authorized tradesmen and technicians, and owners who have a roof lanai as a limited common element appurtenant to their apartment) shall be allowed on the roof of the Project for any purpose.

3. Restrictions on Unit Alterations

- a. Construction Hours: Construction within an apartment is permitted between 7:00 a.m. and 5:00 p.m., Monday through Saturday; however, no hammering chipping or pounding may begin prior to 8:00 a.m. No construction will be permitted on Sundays or holidays.
- b. Unloading, Entry and Exit and Parking: All contractors must unload their tools, equipment and construction materials at the loading dock, then park their vehicles in assigned areas. The residential elevators **shall not** be used by contractors or their employees unless written permission is given by the General Manager or Nauru Tower Chief of Security. Contractors and their employees are prohibited from roaming or loitering in common areas unless assigned to work in the area or written permission from the General Manager or Nauru Tower Chief of Security has been obtained.

H. GENERAL RULES AND REGULATIONS

1. Registration of Occupants

Owners, tenants and other occupants shall file their name, address and phone number with the General Manager upon purchasing and/or taking occupancy of an apartment, and shall furnish the Board, Managing Agent and General Manager such other reasonable information as shall be requested from time to time, including make, model and license number of all personal vehicles that will be parked on the premises.

2. Access to Apartments

- a. Access: The General Manager is not required to give access to apartments without the written permission of the apartment owner, tenant or other duly registered occupant.
- b. Lock Out Charge: There may be a lock out charge of \$30.00 during office hours and \$50.00 after normal office hours and on weekends and holidays for providing access to apartments in the case of an excessive number of requests by a single unit.

The same charge will apply to residents with requests to Nauru Tower Security or management to open doors for vendors or contractors. The above mentioned written entry authorization form must be completed and signed and submitted with the \$30.00 or \$50.00 charge as applicable.

3. Maintenance Employees of the Association

Maintenance employees of the Association are under the direction of the Board, Managing Agent and General Manager. Employees of the Association are prohibited from working for owners in their units while employed by the Association. No maintenance employee shall be asked by an owner, tenant or guest to leave the common areas.

4. Fire and Other Emergencies

If the immediate service of the Police, Fire Department, paramedics, ambulances or doctors is required dial 911 and explain the nature of the emergency and the assistance needed, then inform Nauru Tower Security and standby until help arrives. Do not call Nauru Tower Security first. Other emergencies, particularly such emergencies as flooding, should be brought to the immediate attention of Nauru Tower Security.

5. Marketing of Units

- a. Open House and Apartment Showings: No open house signs, cards or emblems are allowed on common area walls, entry phones or elevators.
- b. Open House Signs: No open house signs, cards or emblems are allowed on common area walls, entry phones or elevators, with the exception of an 8½ x11 inches Open House sign to be located at the guest sign in table.

6. General Rules

- a. Applicability of Rules: All rules and regulations specified in these House Rules are to be adhered to by everyone on the premises.
- b. Smoking: Smoking is not permitted in any common area other than the two (2) outdoor designated areas where smoking is permitted.
- c. Attire: Proper attire is required while in transit through the main lobby. Footwear and cover-ups will be worn with swimwear when in the elevators and other common areas except the pool deck.
- d. Alcoholic beverages: The consumption of alcohol in any of the common areas of the Project is prohibited at all times with the following exceptions. Alcoholic beverages are permitted only:
 - (1) On the 7th floor recreation deck in the picnic areas;
 - (2) In the makai lobby/lanai areas during social events scheduled by the Board or its committees; and
 - (3) At any other time or place specifically approved by the Board or the General Manager.

The consumption of alcoholic beverages at the above permitted locations and times is subject to the following restrictions:

- (1) Residents must provide their own alcoholic beverages.
- (2) Security staff will monitor all drinking activity and may suspend this privilege for any residents who cause excessive noise or disruption to the quiet enjoyment of other residents.
- (3) The consumption of alcoholic beverages is at the sole discretion of each resident. The Nauru Tower AOA assumes no responsibility or liability for any adverse consequences of this consumption.

7. Swimming Pool and Jacuzzi Rules

- a. Pool Gate: State law requires that the pool gate be closed and latched at all times.
- b. Pool and Jacuzzi Hours: Use of the swimming pool and Jacuzzi is permitted only during the hours of 6:00 a.m. to 10:00 p.m. daily, except during pool maintenance. Excessive noise is not permitted.

- c. Minimum Age to Use Jacuzzi: For safety reasons, it is not recommended for minors 10 years of age and under to use the Jacuzzi. It is recommended that all minors between the ages of 11 to 17 years be accompanied by an adult or legal guardian 18 years of age or older when using the Jacuzzi. Parents or legal guardians of minors are responsible for determining whether their minor may safely use the Jacuzzi.
- d. Use at Own Risk: Occupants and their guests shall use the swimming pool, Jacuzzi, and other recreational facilities entirely at their own risk. The Association accepts no responsibility.
- e. Persons Allowed to Use: Only residential owners, tenants, and immediate family members may use the 5th floor pool deck. Up to five (5) guests per unit, upon advanced request and approval by the General Manager's office, may register to use the pool if accompanied by a residential owner or tenant.
- f. Use of Pool by Competent Swimmers Only: It is recommended that children under the age of 14 be accompanied by an adult or legal guardian 18 years of age or older when using the pool. Only persons who are competent swimmers or who are continuously and directly supervised by a competent swimmer, are permitted to enter the pool.
- g. Swimming Attire: Swimming is allowed only in proper swimming apparel. Hairpins, bobby pins, and hair rollers can damage the pool pumps and filters and must be removed before swimming.
- h. Horse Play: Running, pushing, shoving, boisterous, or loud conduct, or loud playing of radios is not permitted in any recreational area. Radios should be muted so as not to disturb other users of the facilities.
- i. No Tents: No tents or other items may be erected on the Project.
- j. Prohibited Conduct: Use of snorkels, diving gear, rafts, large toys, surfboards and other such equipment, except inflatable arm-band and waist-band floats, is not permitted. No Diving/Jumping is permitted.
- k. No Food or Drinks: No food or drinks, except water, are allowed in the 5th floor uncovered pool deck area. The exception is the covered area mauka of the attached Eco Shade structure characterized by the three concrete planters. Private parties in this area require special permission from the Board of Directors.
- l. Prohibited Items: Only non-breakable items such as paper, plastic, aluminum, or metal items may be used in the covered area mauka/adjacent to the pool deck and Eco-Shade area and 5th floor covered lanai area. Unless removed from the pool area, used items shall be deposited in trash bins provided for that purpose.
- m. Required by Board of Health Regulations:

- (1) All persons known to be or suspected of being afflicted with infectious disease, suffering from a cough, cold, or sores, or wearing band-aids or bandages, shall be excluded from using the swimming pool or Jacuzzi.
 - (2) Spitting, spouting of water, or blowing the nose in the swimming pool or Jacuzzi is strictly prohibited.
- n. Refusal of Admittance: Nauru Tower reserves the right to refuse admittance to the 5th and 7th floor recreation deck and reserves the right to eject any person who is not abiding by the House Rules.
 - o. Showers: All persons must shower first before entering the pool or Jacuzzi and must change from wet to dry attire before entering the residential building.

8. Tennis Court

- a. Tennis court hours are between 8:00 a.m. and 9:00 p.m. Use of the court is limited to residents and their accompanied guests.
- b. Playtime is limited to one hour for singles or doubles. After one hour the players must clear the court. If no one is waiting you may play until the next players arrive, finish your set then leave.
- c. Use the sign-up board at the court to reserve court time. Do not sign up in advance for more than one time to play. Upon completion of play, check the sign-up board, and if court time is available later in the day you may sign up again. No reservations may be made more than 24 hours in advance. The date must be placed next to your name. Sanctioned tournaments will take precedence over all other play.
- d. Proper tennis attire is recommended. Only non-marring rubber sole shoes are permitted on the court (no slippers or waffle-sole shoes).
- e. The tennis court may be used only for playing tennis. Food and beverages are not allowed on the court. No Frisbees, bikes, roller skates or skateboards are allowed.
- f. Posted Court Rules must be observed.

9. Security Cards

- a. Extra security devices will require a refundable \$50.00 deposit per card.
- b. Replacement of lost devices will require another non-refundable deposit of \$50.00 per card. (When the new device is turned in the original \$50.00 deposit will be refunded).
- c. Subject to normal wear and tear broken devices will be replaced at a cost of \$10.00 per device upon submission of the broken device.

- d. Do not bend or otherwise mistreat the devices. Direct heat or prolonged exposure to sunlight will damage them.

10. Recreation Facilities Party Restrictions:

Special requirements pertain to use of the recreation facilities for parties. The execution of a party agreement is required. No alcoholic beverages or glassware are permitted on the 5th floor pool deck area at any time for any occasion. Alcohol is permitted only on the 7th floor recreation deck area for individual or party use. The General Manager must be informed of any planned consumption of alcoholic beverages as part of any gathering and may withhold permission for alcoholic beverages if there were previous disturbances by the same party or parties, or if there is concern about disturbance. Security may close down a party or gathering at any time if there are instances of drunkenness, or disturbance.

No more than 50 persons may be allowed at such parties or a combination of parties at the same date and time. For parties of 15 to 40 persons, the host will be required to hire an off duty security guard from Nauru Tower's staff for a minimum of three hours at \$20/hour or as determined by the General Manager. For parties of 40 persons or more, two security guards are required for a minimum of three hours. Reservations are required for all parties at least seven days in advance. . Any resident planning to host such a party should consult with the General Manager well in advance of the planned party date (at least seven days). Any resident consuming alcohol or hosting a party is responsible that alcohol is not consumed by/served to minors (under 21 years of age by Hawaii law). For any parties where alcohol is served, a certificate of insurance of the host owner's HO6 insurance policy with minimum liability coverage of \$500,000 must also be on file with the General Manager.

I. ENFORCEMENT OF THE HOUSE RULES

1. Reporting Violations and Damage

- a. Reporting of Violations: Violations of these House Rules and damages to the common elements or common areas should be promptly reported to the Board through the General Manager or Managing Agent. Appropriate corrective actions will be taken and enforced by the Board.
- b. Damage to Common Areas: Damages to common elements or common areas will be surveyed by the Board or Managing Agent at the direction of the Board. The cost of repair or replacement, and any legal fees incurred, may be assessed by the Board against the person or persons responsible for the damages, including but not limited to the cognizant apartment owner for damages caused directly or indirectly by his or her tenants or by such apartment owner's or tenant's family members, domestic servants or guests.

2. Violation of Any of These Rules and Regulation Shall Give the Board, the Managing Agent, or Their Agents, the following Rights:

- a. Right to Institute Legal Proceedings: To enjoin, abate, or remedy by appropriate legal proceedings, either by law or in equity, the continuance of any such breach. All costs thereof, including attorney's fees, shall be borne by the defaulting apartment owner (whether caused by the apartment owner or by any person for whose conduct the apartment owner may be responsible).

3. Fines:

- a. Purpose: In addition to other sanctions, any resident who violates the House Rules may be subject to monetary fines. When the actions of a specific resident are significantly and/or repeatedly contrary to the safety, comfort and quiet enjoyment of other residents, fines may be imposed unless or until the House Rule violations are corrected.
- b. Authority: The General Manager shall have the authority to levy fines against any residents who violate the House Rules. The General Manager shall consult with the Board in cases where the Manager is uncertain if fines are appropriate. Because owners are responsible for the behavior of their tenants and visitors, fines shall be levied only against owners. Once fines are imposed, the Managing Agent shall post the fines to the owner's statement of fees owed to the Association.
- c. Process: In any situation in which it is deemed that a violation of the House Rules has occurred or is ongoing, the General Manager shall use the following procedures to communicate concern and request for remediation to the resident:
 - (1) When a violation is first determined, the resident shall be given an oral notice of the alleged violation and the required action(s) to be taken and a request to comply. If compliance occurs, no further action shall be taken.
 - (2) If noncompliance continues, the resident shall be given a written notice of the violation and a request to comply along with a statement of the consequences of noncompliance. If compliance occurs, no further action shall be taken.
 - (3) If noncompliance continues, the resident shall be notified that a fine of \$100 is being levied along with a request to comply to avoid further fines.
 - (4) If noncompliance continues, the General Manager, in consultation with the Board, may levy additional fines, as needed, for every additional day or occurrence of noncompliance.
 - (5) In the case of noncompliance by tenants or visitors, all written communications shall be copied to the owner of the unit.
 - (6) Continued or repeated violations may be referred to the Association's attorney for legal enforcement.

(7) Serious infractions, such as violations which threaten person or property shall be subject to immediate action without any requirement of prior notice.

4. Appeal: As set forth in the By-Laws Article V, Section 1(u)(1), the person penalized (herein called the “offender”) may appeal from the penalty imposed by the Board, the Managing Agent, or the General Manager, as follows:

- a. Notice of Appeal: The offender may appeal such penalty within thirty (30) days after receiving notice thereof, by filing with the Secretary a written notice of his or her appeal and the reasons therefor. The filing of a notice of appeal shall not halt the accrual of any ongoing penalties imposed for the violation which is the subject of the appeal. However, the Board may waive or rescind all or part of the aforesaid penalties at the time of the hearing of such appeal.
- b. Time for Hearing of Appeal: All appeals shall be heard at a meeting of the Board within ninety (90) days after notice of appeal has been filed with the Secretary.
- c. Procedure: The cause of the penalty shall be reported in writing by the Board, the Managing Agent, or the General Manager at such meeting, with a statement of the facts on which the penalty was based, a copy of which shall be furnished to the appellant at least ten (10) days before the meeting, at which time a copy thereof shall also be filed with the Secretary. The appellant shall then present his or her defense in writing, to which the Board or its designee may reply orally. The appellant or any one owner or other person on his or her behalf may then respond, and the Board or its designee may again speak in support of the penalty imposed. Thereafter, no further discussion, except among the Board itself, shall be allowed.
- d. Disposition of Appeal: The Board shall vote as to whether the penalty shall be affirmed. If a majority of those present vote in the affirmative, the penalty shall stand and shall be remitted by the offender in full, within seven (7) days of the date of such meeting. If less than a majority of those present vote in the affirmative, then the penalty shall thereby be rescinded.

OCEAN-RECREATION EQUIPMENT RACK RULES AND APPLICATION

YEARLY STORAGE FEE: A prepaid yearly storage fee set by the Board must be paid for each item stored.

RULES:

1. A copy of this rules and application form must be filled out and brought to the front office with your payment. You will be assigned a numbered rack and key if one is available. If one is not available, you will be placed on a waitlist.
2. Rack storage is reserved for apartment owners and/or residents only.
3. Due to the limited amount of racks, Nauru Tower restricts the use of racks to no more than two racks per apartment on a first come first served basis, until all potential users have been given an opportunity. Multiple board users may be assigned a third rack, but only after all other apartments have been given a chance to reserve a rack.
4. Racks are reserved for personal use and not transferable, meaning racks cannot be subleased or assigned to someone else.
5. You store your ocean recreation equipment at your own risk. Nauru Tower shall not be liable for any claim or loss due to theft or damage to your stored ocean recreation equipment.
6. You are responsible for securing your assigned rack.
7. Keys for locks for kayaks are obtained from the front office. While in your possession, you are responsible for returning all issued keys and locks, and failure to do so will result in a replacement fee being assessed to the apartment.
8. Storage racks may not be modified, altered, or changed in any way.
9. You are liable for any damage you cause to your assigned rack.
10. Any residents violating these rules will forfeit their use of the rack immediately.
11. The Board reserves the right to amend these rules as it deems appropriate to promote the safety, care, cleanliness, and fairness to all residents so long as such rules are not inconsistent with any applicable laws, ordinances, or regulations applicable to Nauru Tower and/or its management or operation.

12. Each piece of ocean-recreation equipment stored in the racks must be registered with Security.

13. Failure to renew an item's registration may result in that item being disposed of as abandoned personalty, per the Condominium Property Act.

BY COMPLETING AND TURNING IN THIS FORM YOU ACKNOWLEDGE THAT YOU HAVE READ, UNDERSTOOD, AND AGREE TO THE RULES HEREIN.

PLEASE PRINT CLEARLY

Contact Information

NAME: _____

MAILING ADDRESS: _____

APARTMENT NO.: _____

TELEPHONE NO.: _____

E-MAIL: _____

DATE: _____

EQUIPMENT DESCRIPTION: _____

SIGNATURE: _____

ADMINISTRATIVE USE ONLY

resident owner resident non-owner

Rack number: _____

waitlisted on: _____ (date)