MAKAHA VALLEY TOWERS

RESIDENTS' HANDBOOK

Effective 26 Feb 2007

Last revised on September 24, 2025

Welcome to MVT

Aloha! Welcome to Makaha Valley Towers. You have chosen to live in one of the most beautiful condominiums on the island of Oahu. Our house rules are meant to make daily living at the Towers more enjoyable for all of us. With the large number of people living in a relatively small amount of space, adherence to the rules will help preserve the safety, aesthetics and ambience of our community.

Our rules apply to all owners, their families, tenants, employees and any other persons using Association facilities on their behalf, and will be enforced by management under the direction of the Board of Directors. Residents are responsible for the conduct of their guests and visitors while on the premises. Complaints and reports of violations should be directed to the General Manager or Security. Owners' suggestions for changes to the rules, or complaints concerning their enforcement should be addressed to the Board.

Owners and agents are required to have all tenants and guests register with the Manager's Office prior to occupying an apartment, furnish their tenants and guests with a copy of the current house rules, and be responsible for their tenants' and guests' compliance with the rules.

This handbook contains an introduction to condominium living and MVT history, our house rules, Board of Director policies explicitly referenced within the house rules, and other information you may find useful as you live and work together with all of us who call MVT home

The revised and recodified House Rules and Board Policies in this Handbook were approved 26 JAN 2007. Effective Date of implementation and enforcement: 26 FEB 2007.

Living and Working Together

Condominiums were developed for that group of people who want to be homeowners with a minimum of work. They exclusively own the inside of their apartment and communally own all other parts, the rest of the buildings, grounds and amenities.

When people decide to live in a condominium they find many benefits over house ownership. All areas outside their unit are maintained for them – no lawn mowing, shrub trimming or pool cleaning. The exteriors of the buildings are completely maintained. But along with the benefits come some responsibilities, most especially when dealing with the communally owned "common areas."

All owners have shared interests in the common areas and are restricted from unreasonably intruding into the rights of each other in those areas. An owner may have to give up some individual wants and desires so as not to cause such an intrusion. This restriction from intruding on the shared rights of others, which each owner agrees to abide by, is the underlying basis for what are known as "covenants" within our governing documents. Anyone not willing to accept and abide by them should reject this type of living arrangement. Covenants are designed to help maintain the quality of life and value of the property. All owners have actual or constructive notice of these covenants upon purchase of their apartments; and are responsible for informing and enforcing the covenants with their tenants, guests and visitors, and any other person using the Association facilities on their behalf.

Our house rules comport with and are authorized by the covenants reasonably arising from or explicitly stated in the Declaration and By-Laws of Makaha Valley Towers Association of Apartment Owners. Please be familiar with and follow the rules and do not interfere with the rights of your fellow owners and residents. Mahalo!

Makaha Valley Towers History

The Makaha Valley Towers condominium complex was officially completed in February 1971. The two multi-storied reinforced concrete apartment wings, containing 586 condominium apartments, sit on fourteen acres at the foot of Makaha Valley along the palisades that rise to the Waianae mountain range. The buildings are oriented to the southwest based upon the contour of the land to take advantage of the trade winds and the sun, with vistas of ocean, mountain and sunsets. From each apartment you can look out across Makaha Valley with its two 18-hole golf courses, forest reserves and the ancient heiau of Kaneaki.

The Makaha Valley rises from the world-famous Makaha surfing beach to mist shrouded mountains, ending at the summit of Mt. Kaala, the highest point on the island of Oahu. Bishop Museum archeologists and historians have unearthed tools, charcoal and artifacts showing that Makaha Valley probably was inhabited by large groups of Hawaiians. The carbon analysis of charcoal found in the habitation sites in the valley indicate such habitation possibly occurred more than 500 years before Captain Cook arrived in the waters of Hawaii.

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MVT Residents' Handbook

Part I – Useful Information

Telephone/E-Mail/Office Hours

Phone Numbers:	Emergency	Ambulance/Fire/Police	911
	Police (non-emergency)		696-4221
	Security Gate (telephone and fax)		695-9112
	Manager's Office:	phone:	695-9568
		Fax	695-7201
		e-mail	office@makahavalleytowers.org
	Managing Agent		836-0911
Office Hours:	Manager's Office	Weekdays	8:00 a.m. to 5:00 p.m.
		Saturdays	8:00 a.m. to 12 noon
	Security Gate	Open all day every day	

Facilities/Security/Service of Apartment A/C and Non-Common Elements

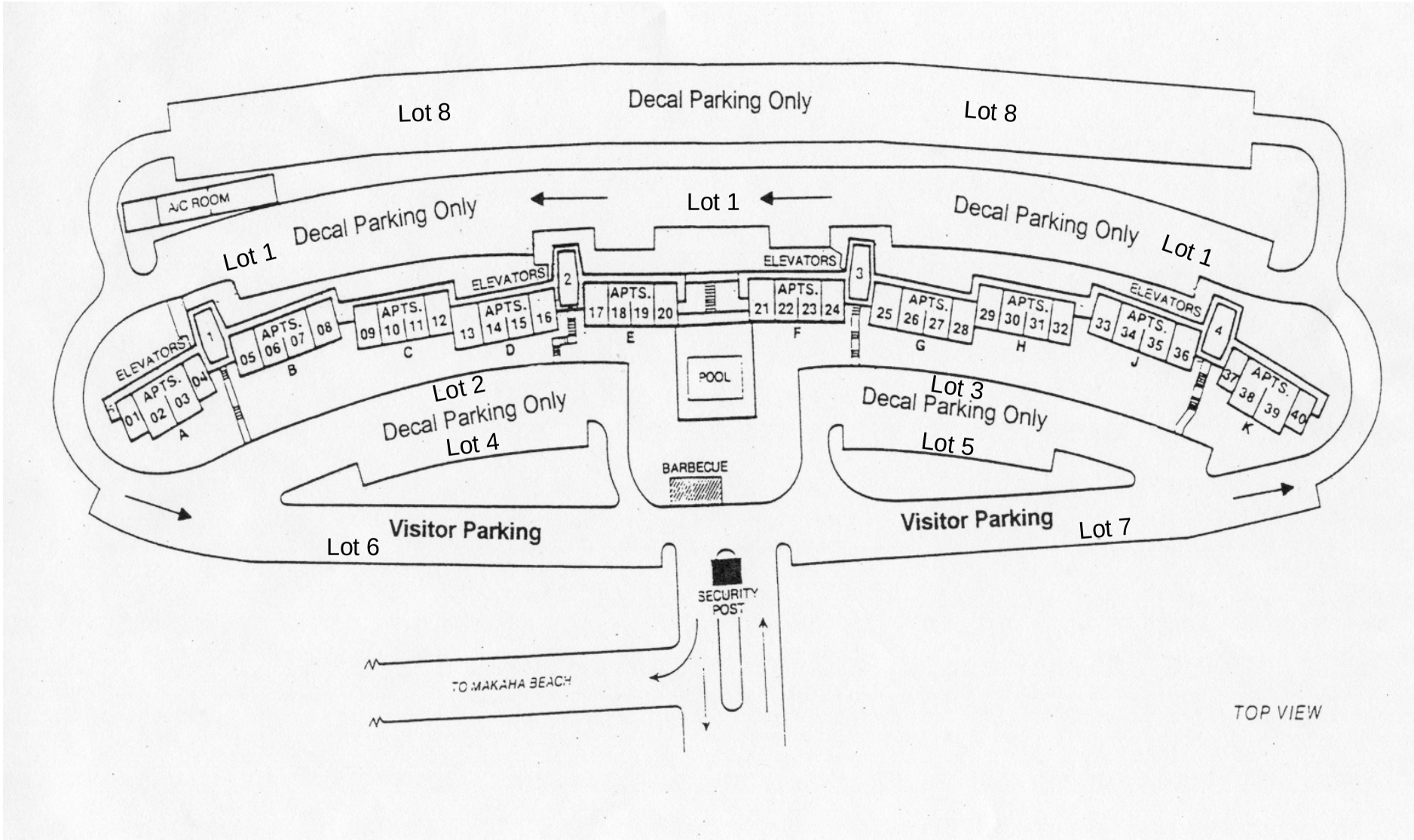
Elevators. In the event that an elevator becomes inoperative and the door will not open, you can communicate with Security by pushing the "Emergency Push to Call" button. When the security officer responds, state your situation. If the elevator stops between floors with the door open, do not attempt to leave or enter the elevator. Assistance will be provided as quickly as possible. If you know that an elevator is improperly stopped on a particular floor, please notify Security.

Fire Alarm Boxes. Alarm boxes are located in the elevator lobby on each floor. All residents should be familiar with the location of the station nearest their apartment. Anyone who tampers with the fire alarm system for no good cause are subject to prosecution.

Security. A security officer is available 24 hours a day at the main entrance to the Makaha Valley Towers complex. Security officers patrol the premises and are empowered to enforce the rules of the Association, but are not authorized to involve themselves in private matters. If an emergency occurs, call 911. If Security assistance is needed, call the security officer at 695-9112. In an emergency situation, always call the appropriate agency (ambulance, fire, police) directly at 911. In an emergency situation that could adversely affect the operation of the Association facilities (flooding or fire, e.g.), Security should also be notified as soon as possible.

Service of A/C and Non-common Elements. Air conditioning (AC) components within individual apartments are "common elements," along with the rest of the AC system. See Board Policy 3-02 for important requirements relating to the in-apartment components of this system.

An apartment may occasionally have a problem with something related to a non-common element, a leaking commode, e.g., that requires a call to MVT maintenance. See Board Policy 3-09 for information about service call charges.

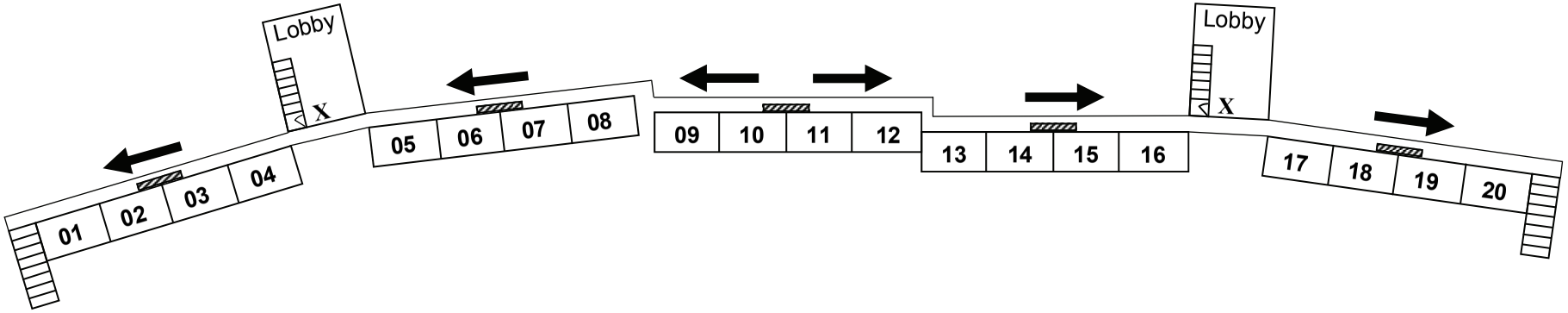

Lot 8
Decal Parking Only
Lot 8
A/C ROOM
Lot 1
Decal Parking Only
Lot 1
Lot 1
Decal Parking Only
Lot 1
ELEVATORS
1
APTS.
01 02 03 04
A
APTS.
05 06 07 08
B
ELEVATORS
2
APTS.
09 10 11 12
C
APTS.
13 14 15 16
D
APTS.
17 18 19 20
E
APTS.
21 22 23 24
F
ELEVATORS
3
APTS.
25 26 27 28
G
APTS.
29 30 31 32
H
APTS.
33 34 35 36
J
ELEVATORS
4
APTS.
37 38 39 40
K
POOL
Lot 2
Decal Parking Only
Lot 4
Lot 3
Decal Parking Only
Lot 5
BARBECUE
Visitor Parking
Lot 6
Visitor Parking
Lot 7
SECURITY POST
TO MAKAHA BEACH
TOP VIEW

Makaha Valley Towers — Makai Towers
Fire / Emergency Evacuation Plan

= Fire Hose/Extinguisher

= Stairwell

X = Fire Alarm



In Case Of Fire In Your Apartment:

Dial 911 to call the Fire Department. Leave your apartment. Close door in room on fire. Pull fire alarm in the nearest lobby. Walk down the stairwell; Do not use the elevators.

If your clothing catches fire — stop, drop, and roll to smother the fire.

When You Hear The Fire Alarm:

Feel door, if cool and no visible smoke, open door cautiously. Take your key. Leave apartment and calmly alert others. Use the stairwell; Do not use the elevators. If stairwell contains smoke, use open stairwell. Do not block stairwell doors in open position. Walk DOWN the stairwell.

If Unable To Leave Due To Heat Or Smoke:

Keep calm — Do not panic. Use telephone to call for help. Do not try to leave through the lanai or windows. Seal under door and vents with wet towels. Leave your door unlocked, if possible. Do not break windows. Keep low to floor where air is clearest. Listen for instructions and wait for rescue.

Makaha Valley Towers — Mauka Towers
Fire / Emergency Evacuation Plan

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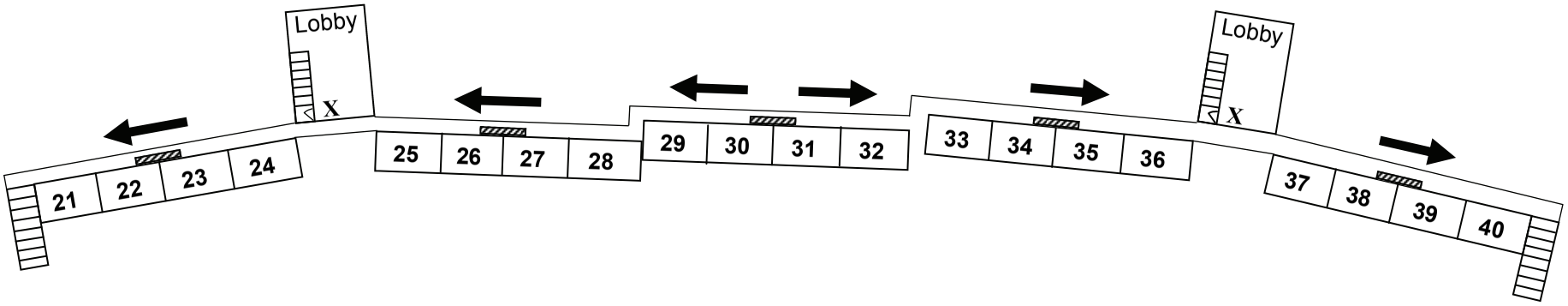

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MVT Residents' Handbook

Part II – House Rules

MVT House Rules
Definitions

01 **Agent.** Any person or business authorized to act on behalf of an owner who has provided the Association with written proof of such authority.

02 **Association of Apartment Owners** (AOAO). All the owners of the Makaha Valley Towers (MVT) condominium complex acting as a group in accordance with the Declaration and By-Laws of the AOAO.

03 **Board of Directors** (BOD). The representative of the AOAO in all matters relating to the operation of MVT.

04 **Board Policy** (BP). A document produced by the BOD, which sets forth administrative directives, guidelines, standards or procedures the BOD considers appropriate for the maintenance of a safe, peaceful and attractive community and the proper management of Association business. A Board Policy referred to in a House Rule whether by number or as "an applicable BP" without the number being stated, is by that reference incorporated within and therefore part of that particular rule.

05 **Caretaker.** A person or business authorized by an owner to look after the owner's property.

06 **Feral Cat Control Program.** A feeding, spaying, neutering and adoption program governed by agreement between the BOD and an approved care group with the primary goal of controlling the feral cat population in a humane manner.

07 **General Manager.** The person responsible for the day-to-day operation of the MVT complex and enforcing the governing documents of the AOAO, including board policies and house rules.

08 **Guest.** Any person who occupies an apartment at MVT for more than 72 hours but less than 30 days in any one calendar year, at the invitation of a resident and who is registered at the Manager's Office.

09 **Harassment.** A person commits the offense of harassment if: with the intent to harass, annoy, or alarm any other person, by means of physical contact, insults, taunts, or challenges another person to a fight; repeatedly makes telephone calls, facsimile, or electronic mail transmissions, after being advised by the person to whom the communication is directed that further communication is unwelcome;

Threatening: a person threatens by word or conduct, to cause bodily injury to another person or to damage the property of another or to cause the evacuation of a building.

Assault: a person causes pain or injury to another person by physical force or with an object used as a weapon. Revised 2 June 2008

10 **House Rule** (HR). A rule adopted by the BOD in accordance with the MVT Declaration and By-Laws that generally prescribes a mandatory principle governing conduct or action by owners, residents, guests, tenants or visitors within the MVT premises.

11 **Interference With Official Duties.** Any conduct that unreasonably detracts or obstructs any employee in the proper performance of his or her duties; and includes stalking or following an employee in a threatening manner, verbally abusing an employee with derogatory language or any conduct or verbiage that unreasonably impedes, inhibits, obstructs or interferes with an employee's ability to properly perform the employee's assigned duties.

12 **Manager's Office.** The Association's business office, located near elevator Core 3 on the 1st floor.

13 **Managing Agent.** The firm under contract to the Association for fiscal management.

14 **Owner.** The person, persons, or business owning an apartment.

15 **Pool.** The water within the swimming pool. The enclosed fenced area surrounding the swimming pool is referred to as the pool area.

16 **Resident.** All persons occupying an apartment at MVT who are not guests and whose names are on the ownership documents or the rental or lease agreements for the apartment

17 **Service Animal.** Any animal that is trained to provide those life activities limited by the disability of the person; any dog that is trained to a alert a deaf person to intruders or sounds; and any dog individually trained by a licensed guide dog trainer for guiding a blind person by means of a harness attached to the dog and a rigid handle grasped by the person. Derived from Hawaii Revised Statutes, Ch. 515, Sec. 515-3.

18 **Tenant.** A person renting or leasing and occupying an apartment at MVT.

19 **Vehicle.** A motorized or non-motorized device for transporting something, an operator, passengers, or cargo of any kind, and includes, but is not necessarily restricted to automobiles, trucks, bicycles, mopeds and motorcycles.

20 **Visitor.** All persons who are not residents or guests, and includes service or trade representatives and contractors called by a resident or agent.

MVT House Rules
General

1.01 **Usage of Apartments and Premises.** The owner of an apartment shall not use the same for any purpose that will injure the reputation of the building or premises; and shall not permit anything to be done or kept in the apartment or elsewhere on the premises that will interfere with or unreasonably disturb the rights of others, that will reduce the value of the premises or that will violate any laws, ordinances, or governmental rules and regulations applicable to the apartment and MVT premises. Revised 16 October 2015

Apartments are to be used for residential purposes, and shall not be used for conducting any business or trade that is inconsistent with residential purposes.

Conducting a business within or from an apartment is prohibited if (a) its existence is apparent by sight, sound, or smell from the exterior of the apartment; (b) it is not in conformity with zoning requirements; (c) it involves persons coming onto the MVT premises who do not reside at MVT; (d) it causes any increase in any MVT insurance obligation; or (e) it is a nuisance, hazardous, or otherwise offensive or inconsistent with the residential character of MVT.

The maximum number of persons residing in an apartment shall not exceed three persons in a studio, four persons in a one-bedroom apartment, and six persons in a two-bedroom apartment.

A guest of a tenant who wishes to remain within an apartment after 30 days must take immediate steps to become a resident by having his or her name added to the apartment rental or lease agreement and complying with HR 1.04 below.
See House Rule Definitions 8, and 16. Revised 2017 March 24

The zoning laws that govern Makaha Valley Towers prohibit the rental of condominium apartments for less than 30 consecutive days (hereinafter in this rule, rentals for less than 30 consecutive days are referred to as "transient vacation rentals"). The City Council of the City and County of Honolulu, State of Hawaii ("City Council"), has recognized that neighborhoods may be negatively impacted by the presence of transient vacation rentals, noting that such rentals have resulted in escalating property values, increased noise, illegal parking, and increased traffic. The City Council has recognized a concern that homes are being purchased as income-producing investments rather than for domiciliary purposes and that significant numbers of absentee owners and constant change in occupancy may change the social patterns of neighborhoods and reduce interactions among neighbors, resulting in a decline in the quality of life for residents.

Over the years, the Association has received numerous complaints from owners and residents regarding noises and disturbances arising from transient vacation rentals. In an effort to protect and preserve the peaceful enjoyment of the apartments in the Makaha Valley Towers condominium project, the Association shall assist the City and County of Honolulu, Department of Planning and Permitting ("DPP") in its enforcement of the ordinance against those persons who are renting their apartments for periods of less than 30 consecutive days or otherwise renting, advertising, or offering to rent their apartments in violation of the LUO provisions related to transient vacation rental units. In this regard, the Association shall provide to DPP such information and documentation that the Association deems appropriate regarding known or suspected transient vacation rentals at the condominium project.

Owners who rent their apartments shall complete an Owner's Registration and Authorization Form and such other forms as the Association may require from time to time and submit the form to the General Manager's office prior to the occupancy of an apartment. All tenant and non-owner occupants shall also be required to complete an Occupant's Registration Form and submit the form to the General Manager's office prior to the occupancy of an apartment. In the event that the Association obtains information that causes or leads it to believe that an apartment may be, is being, or has been, rented for a period of less than 30 consecutive days, the Association may, in its sole discretion, provide to DPP, the Owner's Registration and Authorization Forms and Occupant's Registration Forms and such other information related to the rental or use of the apartment as the Association deems appropriate. The Association shall cooperate with DPP in response to any request for information or documentation or any subpoena issued to the Association seeking records regarding the rental or use of apartments.

It is important for owners to recognize that advertising or renting an apartment for less than 30 consecutive days may expose the owners to ***substantial fines*** imposed by the City and County of Honolulu. In addition, the use of apartments as transient accommodations as defined in tax laws - which are different from zoning laws - will subject the apartment to a much higher real property tax rate. The Association strongly recommends that owners who are renting or allowing persons to use or occupy their apartments for periods of less than 30 consecutive days consult with their respective attorneys and tax advisors to ensure that they are in compliance with the law. The Association cannot render legal or tax advice to owners.

All owners who rent, or advertise or offer to rent, their apartments for periods of less than 30 consecutive days do so at their own risk and with full knowledge that the Association intends to assist the DPP in the enforcement of the LUO against them by providing to DPP such information and documentation as the Association deems appropriate related the owner's apartment and the rental, use, or occupancy of the apartment.

Revised 16 July 2021

1.02 **Treatment of Employees.** Employees of the Association, whether directly hired by the Association or contracted personnel, shall not be subjected by an owner, tenant, guest or visitor to (a) harassment, (b) interference with official duties, (c) threatening, and/or (d) assaulting See Definitions 9,11; BP 5-03.
Revised 2 June 2008

1.03 **Access to Apartments and Premises.** No authorization is to be given to any prospective tenant to enter the premises unless accompanied by an authorized person such as a representative of the rental agency, the owner or a caretaker.

The driver of a vehicle without a valid parking decal wishing to enter onto MVT property will be required to produce a valid driver's license and proof of current insurance, State registration, and safety check for the vehicle. No parking passes or drop off passes will be issued to vehicles between the hours of midnight and 6:00 a.m. except for new check-ins, emergency situations, and newspaper deliveries**.** Persons with a rental vehicle will be required to produce the rental agreement for the vehicle. Any other persons wishing to enter onto the property will be required to produce proof of identification.

All walk-in visitors will be issued a "walk-in visitor's pass". The visitor's walk-in pass must be returned to the Security gate upon exiting. It will be the responsibility of the resident to ensure that the walk-in pass is returned to the Security gate. Revised 17 August 2015

Between the hours of midnight and 6:00 a.m., all walk-in visitors shall be escorted onto and off of the property by the resident who authorizes their entry.
Revised 21 May 2010

1.04 **Registration and Orientation.** Any person e.g. owner, tenant, visitor, or guest who intends to remain at MVT for more than three days must register with the office. Anyone who intends to occupy an apartment at MVT for more than thirty days shall participate in an orientation program, including a discourse on these rules, with the specific content and scheduling to be determined by the General Manager. Revised 2 June 2008

For apartments that are rented or leased, the owner or agent shall provide the general manager with a copy of the rental or lease agreement as part of the registration process. Revised 18 December 2009

1.05 **Visitors.** Residents are responsible for the conduct of their visitors. A visitor entering the property at the invitation of a resident will not be permitted entry unless the resident is on the property and specifically authorizes the visitor's entry. No minor under the age of 18 may authorize a visitor to enter either on the enterphone or by escorting the person onto the property. When a visitor comes to the security gate, the resident to be visited will be called on the enterphone for approval of the visit. See BP 4-08. Revised 23 March 2012

Management will not honor blanket standing authorizations for visitor entry from residents. With prior written authorization from owners, tenants or managing agents, management will permit entry to contractors, cleaning people and real estate agents, and guests or caretakers occupying an owner's apartment while the owner is absent.

Unaccompanied visitors are not permitted to roam the property, use the recreational areas or other common facilities. Whether accompanied or not, visitors are not permitted to use the laundry facilities or wash their cars on MVT property.

1.06 **Entryways.** Entryways shall not be used as storage areas and must be kept clean and neat. Footwear is allowed in the entryways, but must be neatly arranged. A bench, stool, footlocker, shelf or basket not made of cardboard or plastic may be used for keeping footwear. Any such items must be maintained in good condition and cannot extend into the walkways or obstruct clear access to doorways. Any plants placed in an entryway must have adequate drip pans, remain within the entryway boundary, and not obstruct the doorway. Construction work e.g. cutting wood, tile, etc., is prohibited in the entryway. Revised 18 December 2009

Entryway floors must be either painted a solid color or covered with an exterior grade tile. See BP 3-01.

The entry door, storage door, screen doors, security screen doors, transoms and windows are the responsibility of the owner and must be maintained in good clean condition by the owner. Doors or transoms with peeling or chipped veneer, deep scratches, weathered finish or other damage must be repaired, refinished or painted within 90 days of a violation notice pertaining to same, check with the office for approved paint color**.** Only approved entry door numbering is allowed. Check with the office for samples. Screen or security screen doors are allowed in black or bronze colors only. A screen door must be in a closed position, except when in active use. Tarnished, corroded or scratched-up kick plates installed on doors must be repaired or replaced within 14 days of a violation notice. Cracked, damaged or missing windows or louvers must be replaced within 14 days of a violation notice. Only appropriate window dressing, not paper or foil, maintained in good condition is allowed in windows. Revised 24 March 2017

1.07 **Lanais.** The lanais shall not be used as storage areas, except as may be permitted under paragraphs 3 and 4 of this rule. Only outdoor tables, chairs, or plant stands and plants may be placed on lanais; and any such items must be secured so as not to present a safety hazard. Folding chairs are not allowed, unless they are in an unfolded, upright position. Any plants placed on a lanai must have adequate drip pans and remain within the lanai boundary.

Further, except as may be permitted under paragraphs 3, 4, and 8 of this rule, hangings of any type are not permitted from lanai railings. No clothing, towels or swimwear may be hung in the lanai area in such a manner as to be seen from the street.

Holiday decorations may be installed on lanais and entryways twenty-one days before a holiday and must be removed within seven days afterwards.

No rugs may be beaten on the lanais; cigarettes or other such materials or ashes must not be thrown from lanais, and dust, rubbish or litter must not be swept off the lanais onto surrounding property. The cleaning of lanais and the watering of any plants on the lanais must be done in a manner that will not create a nuisance to anyone on the MVT premises.

Lanai floors must be either painted a solid color or covered with exterior grade tile. After being notified of a violation, the owner will have 90 days to comply. See BP 3-06. Revised 23 March 2012

Lanai window coverings, curtains or draperies must be maintained in good condition and are to be lined with a white or off-white lining so that when viewed from the outside the exterior of the building will present a uniform appearance. After being notified of a violation, the owner will have 90 days to comply. Solar control film of an approved type may be installed on the lanai glass doors or windows. Revised 23 March 2012

Lanai railings will be allowed to have clear plastic strips hung from the railing to deter birds from landing on the lanais and creating a nuisance. A sample of the clear plastic strip will be available for viewing at the office. The dimensions of the plastic strips will be strictly adhered to and shall not exceed the following dimensions 1" wide by 18" long and shall only be fastened to the lanai railing by folding the clear strip over the top railing and stapling it to the other side of the clear strip. When the plastic strips yellows and or deteriorates with age they shall be replaced to keep the lanais neat in appearance. Revised 29 April 2011

1.08 **Air Conditioning.** When an apartment is to be vacant for more than 3 days, the air-conditioning fan must be set at low and the thermostat at 78 degrees Fahrenheit. When the doors and windows of an apartment are to be kept open throughout the day or night, the apartment air conditioner unit must be turned off.

1.09 **Signs and Appendages.** Business or commercial signs or similar devices are prohibited from being displayed, and no other signage or writings may without prior written consent of the General Manager be displayed upon any door, window, wall or other part of an apartment so as to be visible from the exterior of the apartment.

Except as may be permitted pursuant to House Rule 1.07, no awnings or other projections shall be attached to or allowed to hang from the outside walls or walkways of the buildings.

1.10 **Noise.** No owner or tenant shall make or permit anyone within his or her control or responsibility to make any noise or sounds that unduly or unreasonably disturb, annoy or interfere with the rightful enjoyment or comfort of any other owners or tenants or their guests. Such sounds include but are not limited to shouting or yelling from lanais, walkways or driveways, and excessively loud audio devices.

Persons utilizing the recreational areas, whether or not involved with parties or other group activities, shall refrain from screaming, shouting or yelling, and shall generally maintain sound levels that will not unreasonably disturb others who may be elsewhere on the premises.

Shell trumpets may be blown in the barbecue area for a maximum of two minutes each day beginning at 5:00 p.m. The blowing of such trumpets at any other time or place on the MVT premises is prohibited.

Any noise associated with reconstruction, renovation or non-emergency repair work shall not start earlier than 8:00 a.m. and shall cease by 5:00 p.m. on Monday through Saturday. No reconstruction, renovation, or non-emergency repairs are allowed on Sunday. Revised 10 April 2015

During the evening and night within the "quiet hours" time frames stated below, quiet will prevail. During these times, extra care and caution shall be taken to minimize and maintain the lowest possible level of noise within the MVT complex. The quiet hours shall start at 9:00 p.m. each day, except Christmas Eve (10:00 p.m) and New Years Eve/Morning (1:00 a.m.), and shall run until 7:00 a.m. each day.

1.11 **Alterations to Property.** No one without proper authorization shall alter any common elements within apartments, or any common area lights, facilities, architectural features, or grounds. Contact the General Manager for applicable BP and forms. Due to the possibility of damage to the post-tensioned concrete construction, drilling into or coring of ceilings or floors is prohibited within apartments, lanais or entryways.

Owners may not replace existing windows, entry doors or sliding glass doors with windows, entry doors or sliding glass doors of sizes, materials, finishes and/or designs that are different from those originally installed. Vinyl framed entry doors, windows or sliding glass doors are specifically prohibited. Before removing and replacing windows, entry doors or sliding glass doors, owners must first (1) submit a Design Review Application for Approval of Modifications to the General Manager's office, and (2) obtain the written approval of the Board. In the

event glass components of windows and sliding glass doors require replacement, the replacement glass shall be clear, tempered glass. Revised 16 July 2021

1.12 **Vandalism/Damage to Property**. No one shall cause damage to any common Association property by breaking, scratching, marking with paint or other substances, or in any other way that detracts from the intended appearance or value of the property. Property under this rule includes but is not limited to buildings, grounds, furniture, equipment, elevators, and directional markers.

1.13 **Keeping Animals.** Permitted Animals, under these rules, are not mere pets but are a class of animals the use of which are necessary to afford a person with a disability equal opportunity to use and enjoy an apartment or the project. Anyone claiming a need to keep a Permitted Animal must contact the General Manager regarding the approval process, applicable Board Policy and forms.

A. **Animals Prohibited.** Pets, animals or birds of any kind are not permitted in any apartment or anywhere on the MVT Project.

B. **Fair Housing Act.** As required by the federal Fair Housing Act and/or Chapter 515 of the Hawai'i Revised Statutes, the Association will make a "reasonable accommodation" in rules and policies for persons who are handicapped or disabled as reasonably necessary to provide an equal opportunity to use and enjoy their apartment or the Project.

The Act defines a "handicapped person" as a person having a physical or mental impairment which substantially limits one or more of such person's major life activities. Major life activities means "functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working." Section 515-2 of the Hawai'i Revised Statutes defines "disability" as "having a physical or mental impairment which substantially limits one or more major life activities, having a record of such an impairment, or being regarded as having such an impairment. The term does not include current illegal use of or addiction to a controlled substance or alcohol or drug abuse that threatens the property or safety of others." The burden of providing evidence of a handicap or disability is on the handicapped or disabled person.

If the Association finds that a resident is handicapped or disabled and that a Permitted Animal is reasonably necessary to afford the resident with an equal opportunity to use and enjoy his or her apartment or the project, the Association may allow the resident to keep a Permitted Animal in his/her apartment. Thus visually impaired persons may keep guide dogs, hearing impaired persons may keep signal dogs, physically or mentally impaired persons may keep animals specifically trained to provide a necessary service for the handicapped person in their apartments, and other handicapped or disabled residents may keep other animals as reasonably necessary to enjoy the Project.

C. **Nuisance.** The Permitted Animals described above shall be permitted at the complex, provided they are on a leash while using any common elements. Any Permitted Animal shall be permanently and promptly removed if, in the opinion of the Board of Directors, it is causing a threat to safety, a nuisance or an unreasonable disturbance to other residents.

D. **Use at the Project**. Permitted Animals are not allowed in a public swimming pool area except for Permitted Animals that qualify under subpart B and are reasonably necessary for the resident's use of the pool. Permitted Animals shall not (a) cause or threaten to cause personal injury or property damage; (b) make excessive noise; (c) defecate and/or urinate on walls or floors of common elements and/or common element landscaping, except when using the Assistance Animal Relief Area; or (d) exhibit any aggressive or vicious behavior. Revised 21 July 2023

E. **Guests at the Project.** These same rules apply to all residents of the Project including guests. The guest must be handicapped or disabled as defined in the Act or Chapter 515 of the Hawai'i Revised Statutes, the accommodation must be reasonably necessary to provide the guest with an equal opportunity to use and enjoy the subject apartment and common elements.

F. **Visitors at the Project.** In the event a handicapped or disabled visitor requires use of an animal at the project, the visitor or resident with whom the visitor will visit, shall notify the General Manager and the General Manager shall communicate with the resident or visitor. Revised 13 December 2013

1.14 **Feeding of Birds or Other Animals.** Other than service animals, which must be fed only within approved animal owners' apartments, and except for authorized participants working in the feral cat control program, no one is to feed any birds or other animals anywhere within the MVT premises. See Definition 06.

Authorized participants in the feral cat control program must carry a card issued by the Manager's Office anytime they are engaged in activities concerning the program.

1.15 **Personal Services and Solicitation.** No staff member or contractor of the Association shall be solicited or asked to perform personal services during their working hours.

An owner shall be permitted to peacefully and orderly solicit proxies and distribute materials relating to Association matters within the four upper-lobby areas between 7:00 a.m. and 7:00 p.m. on Monday through Friday. Otherwise, solicitation or canvassing, donation containers and the distribution of literature are not permitted within any common area.

1.16 **Deliveries, Repairs and Service.** A resident or agent must complete an authorization form before a delivery, repair or service person may be permitted on

the MVT property. The form must include instructions as to who will be available to provide entry into an apartment and who will be responsible for assuring that the authorized persons are properly supervised.

Protective elevator pads must be obtained for all items, such as major appliances and furniture, that cannot be carried by hand or in small cases or carts and which may scar elevator entryways and walls. Protective pads must be returned upon completion of the delivery.

No employee of the Association shall accept any deliveries or packages on behalf of any owner or tenant unless a signed release authorizing the same is on file in the MVT office. The Association will not be responsible for any personal property left at the security gate, in doorways or any other place on the premises.
Revised 2 June 2008

1.17 **Washers and Dryers.** The laundry facilities in Cores 1 and 4 are for the use of residents and guests only, and are not to be used at any time by visitors. Other than those clothes washing or drying machines in place prior to the 1st of June 1982, which cannot be legally replaced, no laundry machines shall be installed or used in any residential apartment. Residents using the washers and dryers must remove their wash upon the completion of the washing/drying cycles to allow other residents to use the washer/dryer. Failure to do so will give MVT security the cause to remove contents and to relocate the wash to the office or to the security gate. Revised 2 June 2008

1.18 **Altering Official Permits.** Altering any parking pass, placard, decal or any other item or document issued by the MVT office that grants any rights or privileges to an owner or resident, visitor or guest is prohibited.

1.19 **Misrepresentations to Employees.** Intentionally making an erroneous statement to an MVT employee, either verbally or on a permit application or other document to avoid paying a lawful obligation, or to acquire monetary benefits, or gain an advantage or anything of value to which the maker of the statement is not otherwise entitled is prohibited.

1.20 **Reckless, Threatening, and Harassing Conduct toward Others.** No person while on Makaha Valley Towers premises shall engage in conduct involving a motor vehicle, a club or other object usable as a weapon, that exhibits a blatant disregard for, or a direct danger of undue harm to the physical well being of another person who is lawfully on the premises of Makaha Valley Towers. In addition, no person will threaten, or physically or verbally harass any person legally on Makaha Valley Towers property. Revised 23 March 2012

1.21 **Smoking.** In accordance with Article V, Section 2 of the By-Laws, smoking is not permitted in the apartments, on any lanai, or upon the common or limited elements, except for one or more areas on the common element designated by the Board of Directors for smoking. The Board has designated a specific area located

in parking lot 7 near the bicycle racks as the only smoking area in the condominium project. Smoking in this area is limited to the smoking of tobacco and/or the use of electronic smoking devices, such as electronic cigarettes, to aerosolize and deliver nicotine to the person inhaling the device. Smoking in all other areas is strictly prohibited, except as otherwise provided herein. A violation of this rule shall be classified as a major violation under Section 6.01 of these rules. A violation of this prohibition shall also be deemed to be a nuisance and shall entitle the Association to levy fines and/or obtain injunctive relief as well as any and all other legal and equitable remedies, provided, however, that in no event shall the Association or its Board of Directors, Directors, Managing Agent, or employees be liable to any person or entity for any damages, injuries, claims, or causes of action whatsoever arising out of, related to, and/or in connection with the enforcement of, or failure to enforce, the prohibitions in this rule.

Revised 24 July 2019

As used in these House Rules, the term "smoking" means inhaling or exhaling the fumes and/or smoke of tobacco or any other plant or other natural or synthetic smoking material, the inhaling or exhaling of the vapors, mist, and/or fumes of any electronic cigarette or other electronic smoking device, the carrying of any lighted smoking equipment, the burning of any smoking materials, including but not limited to tobacco products, or any other plant or natural or synthetic material, and/or the carrying of any lighted cigarettes, cigars, and/or pipes of any type. The terms "smoking," "smoking equipment," "smoking materials," "electronic cigarettes," and "electronic smoking devices" shall be construed in their broadest and most liberal sense in order to achieve the intended purpose of protecting Owners, their families, tenants, occupants, domestic servants, guests, employees, and any and all other persons who may come upon or use the Property in any manner from unwanted exposure to smoke and fumes from tobacco or any other plant material or other natural or synthetic smoking materials and from unwanted exposure to vapors, mists, and/or fumes from electronic cigarettes and other electronic smoking devices.

This provision will not enforce this provision in any manner that will violate federal or state fair housing statues. The Association, acting by and through its Board, shall provide reasonable accommodations under this rule as required by fair housing laws. Revised 24 March 2017

1.22 **Loitering.** Loitering is not permitted in the trash rooms, inner stairwells, outer stairways, or in parking lot areas. Adopted 18 December 2009

1.23 **Alcoholic beverages**. Consumption of alcoholic beverages in common areas is strictly prohibited with the exception of the BBQ area and the Ryder Room.

Adopted 23 March 2012

1.24 **Nuisance in common areas; Receptacles for Trash and Recyclable Items.** Nuisance as described in this section will be anyone appearing to be intoxicated, unsteady on his/her feet, talking with slurred speech and having the odor of an

alcoholic beverage in his presence. In addition, yelling and screaming, using profanity, confronting others and engaging in an annoying and harassing manner will not be tolerated.

Residents, guests and visitors shall not rummage through items left in trash rooms, or in any receptacles or bins on the common areas for trash or recyclable items, or remove any items from the trash rooms or the receptacles or bins. Trash bins are strictly off limits to residents, guests and visitors. If an item is disposed of inadvertently, the resident, guest or visitor may contact the Manager.
Revised 16 October 2015

1.25 **Illegal Activities/Substances.** Owners, residents, guests and visitors shall comply with all laws, ordinances, statutes, and governmental rules and regulations applicable to the project. Use of, possession of or growing of illegal substances of any kind including, but not limited to, marijuana is strictly prohibited within the apartments or anywhere on the premises of the Makaha Valley Towers Project. Violators will be reported to the police and immediate eviction will result. Owners are responsible to prevent illegal activities from being conducted in their units or on the Project by any occupants of or visitors to the Owner's apartment. Possession of marijuana is a violation of federal criminal law, creates impairment to the use and enjoyment of the Project by other occupants and is not permitted at Makaha Valley Towers under any circumstance (including for persons who may comply with state medical marijuana laws). Revised 16 October 2015

1.26 **Storage Lockers.** Storage lockers are rented "as-is." A storage locker will include one lock. One key is to be given to the lessee and one key is to be held in the MVT office. No additional locks may be added to the locker.

The rental term for a locker shall be for one year, with the fee to be determined by the Board. The fee shall be payable in advance.

Owners who are on the waiting list for a storage locker shall not obtain a storage locker if their unit's account is delinquent.

Owners who already have a storage locker and becomes delinquent or is already delinquent shall be made to give up their storage and/or their lease shall not be renewed. Adopted 28 September 2012

1.27 **Painting.** Painting, including spray painting, is prohibited in common areas. However, if prior arrangements are made with the manager's office, painting may be permitted in an area designated by management. Adopted 22 March 2013

1.28 **Display of Flag of the United States.** Subject to the provisions of this Paragraph 1.28, owners and residents may display the flag of the United States on their

lanais if the display is done in a respectful manner. The term "flag of the United States" has the meaning given to it in the Freedom to Display the American Flag Act of 2005, Public Law 109-243. Depictions of the flag of the United States on paper, clothing, bedding, towels, and similar items shall not be approved or permitted for display on lanais under this rule.

The following rules apply with respect to the display of the flag of the United States on the lanais:

(a) The flag must not exceed 3' x 5' in size.
(b) The flag must be clean and not faded, torn, ragged, or tattered.
(c) The flag holder or holding devices must be securely anchored or fastened and not generate any noise.
(d) The flag must be placed in such a position so that: 1) whether moving or still, it is not visible from any adjacent apartment; and 2) any noise created by the flapping of the flag does not create a nuisance or an unreasonable disturbance.
(e) The display of the flag must be in conformance with all applicable laws, statutes, codes, ordinances, rules, and regulations of governing authorities having jurisdiction over the same including, without limitation, the Federal Flag Code, 4 U.S.C., Chapter 1 and the building code of the City & County of Honolulu.

To the extent that the MVT Declaration, By-Laws, and/or these House Rules and/or the Condominium Property Act require the prior written consent of the Board before an owner or resident may display the flag of the United States upon any lanai, this Paragraph 1.28 shall be deemed to provide such consent, so long as the owner or resident complies with the requirements set forth above.

Except for the display of flags within the interior of an apartment which are not visible from the exterior, the display of a flag other than the flag of the United States or the display of the flag of the United States in any location other than a lanai shall require the prior written approval of the board and compliance with the MVT Declaration, By-Laws, and these House Rules and all applicable laws, statutes, codes, ordinances, rules, and regulations of the governing authorities having jurisdiction over the same. Adopted 24 January 2014

1.29 **Security, surveillance and/or video cameras.** Security, surveillance and/or video cameras or any other electronic devices capable of recording visual images shall not be (1) placed, installed or otherwise attached to any surface of the common elements, including limited common element entryways, or to the exterior surfaces of apartment doors or windows; (2) mounted on or installed so as to protrude through exterior doors or windows; or (3) placed or installed anywhere inside apartments to capture images outside the apartments on the adjacent walkways. Adopted 16 November 2018

1.30 **Surfboard Rack. Surfboard rack spaces are rented "as-is."**

Surfboard Rack space will be rented to owners only.
The rental term for a surfboard rack space shall be for one year, with the fee to be determined by the Board. The fee shall be payable in advance.

Owners do not have the right to allow anyone else to use the Surfboard Rack.

Owners who are on the waiting list for a surfboard rack space shall not obtain a space if their unit's account is delinquent.

Owners who already have a space and becomes delinquent or is already delinquent shall be made to give up their space and/or their lease shall not be renewed.

Adopted 30 November 2023

MVT House Rules
Recreation Areas

2.01 **Usage.** Four recreation areas are contained within the MVT complex: the barbecue area adjacent to the swimming pool; residents' work space, located on the ground level of Building K to be used for light repair work or hobby activities; Ryder room, located near the swimming pool up the stairway near the pool shower; and the swimming pool and deck area.

These areas are for the enjoyment of residents, registered guests and authorized visitors. Users of the areas shall properly dispose of any trash produced by them, and shall not engage in any activity that will unreasonably jeopardize any other users' health, safety, well being or right of enjoyment.

When a landlord leases a condominium apartment, he or she leases all of the amenities that go with that apartment to the tenant. Thus, the owner/lessor has leased the right to use all of the facilities and retains no right to use the facilities unless and until the lease is cancelled. Revised 12 October 2012

2.02 **User Limitations.** Visitors may not use the residents' work space, and no spray paint or noisy power tools may be used in this area. No more than four visitors to an apartment may be in any of the other areas at any one time. As stated in paragraph 2 of this rule, exceptions may be made to this four-visitor limit for the barbecue area through prior arrangement with the Manager's Office.

Upon at least 24-hour advance approval by the Manager's office, residents may hold privately sponsored parties in the barbecue area of up to 25 persons, including visitors, between 12:00 noon and 5:00 p.m. Unhosted parties by residents may be held in the barbecue area anytime the area is open in accordance with HR 2.04.

Any person who is not more than eighteen years of age must be under the direct supervision of a responsible adult while in any of the areas. Any visitor in any of the allowed areas must be accompanied by a resident or registered guest of the apartment being visited, and the resident or guest is responsible for the conduct of any such visitor.

Sunbathing is not permitted in any common area except and only in the swimming pool area. Towels, mats, blankets, etc. will not be allowed to be placed on grass in any common area. All swimming pool users must have at least average swimming skills, or be in the care of a person with such skills. No lifeguard will be at the pool. No snorkels, swim fins, or other unauthorized floatation devices, are allowed for use in the pool unless written correspondence from a certified doctor is submitted stating the medical reason/s for the required use. A temporary waiver, not to exceed 90 days, will be issued at the discretion of the General Manager. Reapplication with new doctor certification will be

necessary after 90 days. In addition toys, coins, or games are not permitted in the pool. Revised 10 April 2015

"Smoking" or using any cigarettes, cigars or pipes, or chewing tobacco or snuff, or electronic cigarettes (E-cigs) is not permitted in the swimming pool area. Revised 10 April 2015

2.03 **Special Conditions.** The MVT AOAO will not be responsible for the theft, loss, destruction or damage of any personal articles or materials left in any recreation or other common area. The AOAO will not be liable for any personal injury not caused by MVT personnel or defective MVT facilities or equipment.

2.04 **Hours.** The hours of operation for the recreation areas stated below denote the opening times at which users are allowed to enter the areas and the closing times by which the areas must be vacated.

Barbecue Area – The barbecue area will be open every day from 10:00 a.m. until 9:00 p.m. except on Christmas Eve, when it will be open from 10:00 a.m. until 10:00 p.m., and on New Years Eve, when it will be open from 10:00 a.m. until 1:00 a.m. on New Years Day.

Residents' Work Space - Upon request to the security gate this space may be used every day from 9:00 a.m. until 5:00 p.m.

Ryder Room - This facility will be open every day from 9:00 a.m. until 9:00 p.m.

Swimming Pool - The pool area will be open every day from 8:00 a.m. until 8:00 p.m. Revised 19 March 2010

2.05 **Attire**. Other than while in the swimming pool, no special attire beyond regular "street wear" is required in the recreation areas. Street clothes or gym shorts are not allowed in the pool. Only garments designed as swimwear are acceptable attire while in the pool although white tee shirts may be worn over a swimsuit. Anyone not toilet-trained or incontinent entering the pool must wear a clean swim diaper covered with separate waterproof pants, all of which must fit snugly around the legs and waist and under the swim suit. Standard diapers are not permitted. Revised 26 May 2017

2.06 **Conduct.** Participants at any activity in the recreation areas shall not engage in overly rowdy, unruly or excessively crude behavior. In the swimming pool area especially, offensive behavior will not be tolerated. This includes but is not necessarily limited to the use of foul language or lewd gestures, running, scuffling with or pushing or splashing water on others, and jumping or diving into the pool.

2.07 **Sound Levels.** Unless prior arrangement is made with the Manager's Office, the playing of musical instruments or unmuted audio devices is prohibited in the recreation areas. Unless such arrangement is made, no radios, music players of

any type, or television may be used in the areas unless equipped with earphones that only the possessor of the device can hear.

The sound of any musical instrument or audio device permitted at an activity by prior arrangement with the Manager's Office shall be kept at a reasonable level so that the disturbance of others not participating in the activity will be minimized. Debates, conversations or discussions, and singing shall likewise generally be kept at a level that will minimize disturbance.

2.08 **Health Precautions.** Concern for the health of users is especially high within the swimming pool area. All persons intending to use the swimming pool must wear clean swimwear and bathe or shower each day, either in their apartment or at the pool shower, before entering the swimming pool. No spitting or blowing of the nose or the leaving of any human or animal waste or unsanitary objects of any kind is permitted within the pool area. All hair pins, "bobby pins" and other such items shall be removed before entering the pool unless a fitted swimming cap is worn over the items. Dirty diapers, which may be changed in the pool restroom, shall not be changed on table tops or left in the pool or barbeque area.
Revised 29 April 2011

2.09 **Food and Beverages.** Food and alcoholic beverages may be consumed in the barbecue area and the Ryder Room, and not in the other areas. Non-alcoholic beverages carried in unbreakable containers or cups may be consumed in the pool area.

2.10 **Cooking.** Barbecuing and other types of cooking is only permitted in the barbecue area and only on the grills provided in that area. Food prepared there must be consumed on MVT premises. The grills shall not be left unattended when in use and shall be turned off and cleaned after use.
Revised 25 September 2009

2.11 **Furniture.** Tables, benches and chairs are available for use on a first-come first-served basis in all the recreation areas, except the residents' work space; and may not be removed from those areas. Sitting on any table tops is prohibited. The use of private furniture is not permitted. Revised 10 April 2015

MVT House Rules
Safety and Sanitation

3.01 **Common Area Cleanliness.** Discarding cigarette or cigar butts, food, beverage or food containers or trash anywhere within a common area except in an appropriate trash bin or ash receptacle, or as noted in HR 3.02, is prohibited, as is intentional littering of any sort. Spitting from lanais or walkways or in common areas is prohibited. Urinating or defecating on to any common area is prohibited. Revised 29 April 2011

3.02 **Disposal of Trash and Other Unwanted Items.** No flammable liquid material may be disposed of in the trash chutes. No ashtrays are to be emptied into containers and deposited in the trash chutes without first ensuring that all fire is extinguished. All trash must be securely wrapped in paper or plastic bags before being placed in the chutes.

No large cartons, boxes, heavy trash, loose glass container or fluorescent tubes may be disposed of in the trash chutes. All large cartons and boxes must be flattened and placed in the lower lobbies. Newspapers, fluorescent light tubes, and large glass containers may be placed in the trash rooms on the floor against the wall so as not to pose an unsafe condition. Contact the Manager's Office for disposal or, if after hours, notify Security.

Residents are responsible for the disposal of large items, such as furniture and appliances or fixtures. Such items must not be left in any common area.

3.03 **Fire-Coping Equipment.** Fire doors are located in the inside stairwells of the elevator towers and in the trash rooms. All such doors must remain unobstructed and closed at all times. Tampering with fire-fighting equipment, fire alarms, fire doors or the fire sprinkler system is prohibited.

3.04 **Fireworks and Hazardous Materials.** No fireworks or other explosives are permitted on the premises at any time. No hazardous materials, such as gasoline not in a vehicle tank, kerosene, naphtha or benzene, or other toxic or flammable material shall be brought onto the property.

3.05 **Recreational Devices.** Skateboards, scooters, roller blades, roller skates, wheeled shoes, rail-riding shoes, remote-controlled vehicles, and game equipment that involves the throwing or passing of objects are not permitted to be used on the property. Except for specifically designated recreation areas and other than walking exercise on the roadways, stairs or walkways, no common area shall be used for sports or other forms of recreation.

3.06 **Restricted Areas.** Unauthorized persons are not allowed in restricted common areas. All landscaped areas except the barbecue area, the spaces under the buildings, and the rooftops are considered restricted common areas. Picking or cutting plants and/or flowers on MVT property is prohibited. Revised 18 Dec 2009

3.07 **Walkways and Stairways**. It is prohibited to sit on any walkway or stairway. It is also prohibited to place any object, e.g. chair, tables, plants, etc. on any walkway or stairway.

No rugs may be beaten on the walkways; cigarettes or other such materials or ashes must not be thrown from walkways, and dust, rubbish or litter must not be swept off the walkways onto surrounding property. Adopted 10 April 2015

MVT House Rules
Vehicles

4.01 **Limitations.** The following vehicles are not allowed onto the MVT property: (a) vehicles leaking automotive fluids; (b) boats; (c) trailers; (d) golf carts, and (e) vehicles over twenty-one feet in length except for emergency, delivery, repair and service, or moving vans and trucks. Vehicles to be parked in a regular parking stall must not extend beyond the boundaries of such stall.

With the exception of permitted vehicles, no objects of any kind may be placed, kept or stored in parking stalls, including without limitation, portable batteries, generators, solar collectors, tools, equipment and any other personal property.
Revised 18 July 2024

4.02 **Operating and Parking Vehicles.** Speed limit (15 mph), parking and one-way traffic flow signs are posted and must be observed at all times.

No one shall operate a vehicle on the property in an unsafe manner, including but not limited to passing another moving vehicle, driving across or through parking stalls to avoid speed bumps, and driving either in forward or reverse gear against the posted traffic flow signs (except when going to park a motorcycle in the designated area or when directed by a security guard to exit the premises by driving around the guard post).

Motorcycle, mopeds or bicycles may not be ridden on the property beyond the designated parking areas near the entry gate.

All wheelchairs, electric motorized wheelchairs and carts operated on Makaha Valley Towers property must have a 4-foot pole with a flag attached to their wheelchair or cart not to exceed 6-foot in overall height when mounted, to increase its visibility for safety purposes.

In all side-by-side parking areas, vehicles shall be driven "headfirst" into the parking stalls; backing into the stalls is not allowed.

No vehicle may be left unattended in a parking stall or anywhere on the property while any part of the vehicle is sitting or resting on any type of lifting jack.
Revised 24 January 2014

4.03 **Registration.** All vehicles coming onto the property shall be cleared through the Security gate. Only an owner's or a resident's vehicle displaying a proper parking permit may be parked continuously on the property. To obtain such a permit, the vehicle must be registered to the owner or resident of the apartment, and the vehicle must be registered with the Manager's Office, and may be so registered only upon a showing of the following items: Current Hawaii vehicle safety check and registration, proof of no-fault insurance, and a valid driver's license. A non-

resident will not be allowed to operate a resident's vehicle on or off property unless authorized by the General Manager's office.

Revised 18 December 2009

Each registered vehicle will be issued a parking permit, which will allow that vehicle to be brought onto and parked on the property. The parking permit will be in the form of either (a) *two primary-vehicle decals*, one of which is to be affixed to the left front bumper of the vehicle and the other to the left rear bumper so that, whether looking at the front or the rear of the vehicle, one of the decals will be readily visible; (b) *a primary-vehicle placard*, to be placed in plain view on the left side of the interior vehicle dashboard; or (c) a *secondary-vehicle placard*, to be hung from the inside-center rear view mirror of the vehicle.

In the case of a motorcycle, moped, or bicycle, a "small-vehicle" decal will be issued to be placed on the front fender or steering post of the vehicle. Each apartment shall be permitted to keep no more than two such vehicles on the property.

Each set of *primary-vehicle decals* issued to a registered vehicle shall be assigned to a specific apartment, and permit the vehicle to which the decals are affixed to be parked in any open parking stall on the property. A *primary-vehicle placard* may be issued in lieu of permanently affixed decals and assigned to a specific apartment for an owner/residents' rental vehicle from a license commercial rental agency or a loaner vehicle while owner's vehicle is in a repair shop. A *secondary-vehicle placard* may be issued and assigned to a specific apartment for an owner/resident's second registered vehicle. See also HR 4.07.

Revised 29 April 2011

Parking permits shall not be transferred between different vehicles or different owners of the same vehicle. If a vehicle for which a primary or secondary permit has been issued is sold, and the new owner of the vehicle is an owner/resident who wishes to keep the vehicle on the property, re-registration of the vehicle at the Manager's Office is required. Revised 25 January 2008

4.04 **Removal of Vehicles.** Any vehicle found on the property that has not been properly registered or has an invalid parking permit or pass, or is otherwise improperly on the property will be removed from the property at the vehicle owner's risk and expense. Revised 25 January 2008

4.05 **Deposits.** A deposit shall be required when a vehicle is registered and a parking permit is issued. The deposit shall be refunded by mail when the parking permit (whether in the form of decals or a placard) is returned to the Manager's Office. When the owner or user of a vehicle for which a permit was issued is no longer an owner or legally authorized user of the vehicle, or is no longer an owner/resident of an apartment at MVT, and the permit is not returned, the deposit shall be forfeited and retained by MVT.

As referenced in House Rule 4.03, decals/placards are issued to a specific vehicle. Therefore upon a vehicle's final departure, decals/placards must be returned to the MVT Management Office or the deposit will be forfeited.

In addition, if an expired secondary parking permit is not returned to the MVT office within 30 days of expiration, the deposit will be forfeited and retained by MVT. Revised 19 March 2010

4.06 **Visitor/Contractor Passes.** Depending on the purpose for which permission to come onto the property is sought, an unregistered vehicle may be issued a visitor pass or a contractor pass (contracted work, delivery, service) upon verification of those items required for registration listed in HR 4.03. Any pass for a vehicle under this rule must be returned to the Security gate upon each departure of the vehicle.

A vehicle with a drop off pass is permitted to enter onto MVT for the sole purpose of dropping a person or property off within an allotted 15 minute period. If a vehicle with a drop off pass is located parked in a non-visitor stall or is over the 15 minute limit or parked in a loading zone and over the 15 minute limit the vehicle is subject to be towed at the owners expense. The drop off pass must be returned to the security gate upon exiting and will be the responsibility of the resident to ensure that the pass is returned. Revised 25 September 2009

A vehicle with a visitor pass is permitted to park only in designated visitor parking. Visitor parking hours are 6:00 a.m. to 12:00 midnight. Prior arrangement must be made by 5:00 p.m. with the Manager's Office for any overnight parking, and any such parking on a continuous basis is not allowed. Residents of MVT will not be issued an overnight or day visitor pass unless said vehicle is replacing a vehicle with a registered parking permit. Visitors will not be permitted to park on the property when insufficient parking stalls are available to accommodate resident-vehicle parking. Revised 30 September 2016

A contractor pass, issued to delivery/service vehicles, shall only be effective from 8:00 a.m. to 5:00 p.m. on Monday through Saturday. The pass must be returned by 5:00 p.m. on the day the pass is issued; and no further work will be permitted by a contractor or any employee or agent of the contractor on that date. A contractor's pass will not be issued on Sunday for reconstruction, renovation, or non-emergency repairs which is not allowed on Sunday.

Revised 10 April 2015

4.07 **Owner/Resident Parking**. Each apartment shall be assigned only one primary parking permit. A tenant of an apartment to whom the owner has not authorized the use of the primary parking permit assigned to that apartment may be issued a secondary parking permit upon application at the Manager's Office and payment of the required fee. A vehicle for which such a permit has been issued shall not be parked in Parking Lot 1, regardless of who owns the vehicle.

Revised 25 January 2008

4.08 **Loading Zones**. Parking is permitted along the yellow curbs near the elevator entrances for the sole purpose of active loading and unloading of passengers or goods. Except for vehicles involved in moving-in or-out situations, parking in the loading zones is limited to fifteen minutes. After loading or unloading, a vehicle must be relocated to a proper parking area. Contractors must park in a parking stall, not along the roadway. Parking is not permitted in the red curb area immediately in front of the walkways into each building.

4.09 **Automotive Repairs**. Minor automotive service procedures, which does not include oil changes, are permitted at the mountainside end of parking lot 8. Otherwise, automotive repairs and servicing are not permitted on the property. Inoperative vehicles will be allowed to remain or be towed onto the property for no longer than seventy-two hours, after which such vehicles will be removed from the property at the owners' risk and expense. Vehicles found to be in need of repair because of leaking automotive fluids will not be allowed to remain on the property.

4.10 **Storage of Vehicles**. Owners or tenants who leave their vehicles on the property during an absence exceeding two weeks must inform the Manager's Office prior to departure and store the vehicle in green stalls located in parking lot 8. Even if someone uses or operates the vehicle during such an absence, the vehicle must be returned and parked in the designated green storage stall areas. Vehicles are not allowed to be stored in any parking lot except Parking Lot 8. Therefore vehicles that are left in any parking lot other than parking lot 8 that are unused or are not moved for more than 2 weeks because of the owner's or tenant's absence from Makaha Valley Towers, will be towed to parking lot 8 at the owners' risk and expense. Contact the Manager's office for applicable BP 4.06 and form F.
Revised 18 July 2024

4.11 **Covers**. All vehicle covers, including those for motorcycles, mopeds and bicycles, shall be manufactured for the specific vehicle to be covered. Such covers shall be maintained in a neat, clean condition. Vehicle covers are not allowed in parking lot 1. Tattered and torn covers are not allowed and will be removed from the vehicle by MVT personnel. Revised 14 December 2012

4.12 **Open-bed Trucks**. No "pickup" or other open-bed truck shall be operated on the property without compliance with the following restrictions: (a) The vehicle will not be operated with anyone standing in the load-carrying area. (b) It will not be operated with anyone seated in such area unless (1) no seating is available in the vehicle cab, (2) the vehicle side racks are securely attached and the tailboard or gate securely closed, and (3) anyone in such area is seated on the floor and not attempting to control unlashed cargo. (c) It will not be operated with anyone no more than twelve years old in such area unless (1) a life-threatening emergency exists with respect to that passenger, or (2) the vehicle is on its way to be part of an event that lawfully permits the passenger to occupy such area.

4.13 **Vehicle Noise**. No one operating or in physical control of a vehicle on the property shall permit the vehicle to emit or project any noise or sounds that are unreasonably loud, to the extent that the rightful enjoyment and comfort of anyone on the property is unreasonably disturbed. Such sounds include but are not necessarily limited to those caused by improperly-or non-muffled exhaust on motor vehicles, unnecessary horn blowing and auto-theft alarms. The volume of audio devices must be set so that the sound does not extend beyond the vehicle.

4.14 **Car Wash**. The car wash is for the exclusive use of residents and guests. Vehicles with visitor parking passes shall not use the car wash facilities. Operating hours are posted at the car wash. Water is to be turned off when not in use. Waxing is not allowed in the car wash area. The playing of vehicle audio devices in the car wash area is not permitted.

The car wash area is not to be used for washing cooking pots or pans, or for washing vehicle engines. Cleaning vehicle engines using a degreasing product is not permitted anywhere on the property.

The electrical outlets in the car wash area are for vehicle vacuuming only, and are not to be used for charging vehicle, power tools or other batteries.

4.15 **Motorcycle Wash.** Motorcycles, mopeds and bicycles may be washed only in the motorcycle wash area. The provisions of HR 4.14 shall also apply to the motorcycle wash area.

4.16 **Barricade.** When the outer entrance or exit is barricaded to allow all vehicles entering into MVT to be checked by security, only security personnel are authorized to remove the barricade to allow any vehicle to gain access into MVT.
Revised 2 June 2008

4.17 **Unsafe vehicle loads**. No vehicle with the exception of a contractor's vehicle will be allowed on the property with loads extending beyond the front and rear bumper of the vehicle. Contractors whose loads are for work purposes must be flagged with a red flag to show caution to motorists and pedestrians. Any vehicle found to have an unsafe load will be subject to removal at the owner's expense. The vehicle and or load will not be allowed to remain on Makaha Valley Towers property. Adopted 23 March 2012

MVT House Rules
Apartment Sales and Moving In or Out

5.01 **Open-House Showings.** An "open house" to show an apartment for sale must be held between the hours of 9:00 a.m. and 5:00 p.m. Plans for such a showing must be registered with the Manager's Office twenty-four hours in advance, and must include the apartment number to be open and the name and telephone number of the agent or owner who will be present to show the apartment.

5.02 **Signs.** No apartment "for sale" signs may be placed anywhere on the property. The "open house" sign at the entry gate will be uncovered and security staff will direct visitors to those apartments for which an open house registration has been filed with the Manager's Office.

5.03 **Intent to Move.** The Manager's Office must be notified forty-eight hours before a resident plans to move into or out of an apartment. This requirement applies whether or not furniture, appliances or other goods are to be moved into or out of an apartment. Agents are responsible for notifying the Manager's Office of expected movie-in or-out dates.

Prior to moving in, each tenant must present a true and accurate copy of his or her lease or rental agreement to the Manager's Office, which will be retained by that office. When moving out, residents must check out with the Manager's Office and return any parking decals they have been issued.

5.04 **Hours.** Moving into or out of an apartment is permitted Monday through Saturday from 8:00 a.m. to 5:00 p.m. and on Sundays from noon to 4:00 p.m. Any activity directly associated with the moving in or out of an apartment, such as moving furniture, appliances, boxes of household goods, etc., into or out of the apartment, must occur between these time frames.

5.05 **Use of Elevators.** When the use of elevators is required during moving in or out of an apartment, arrangements must be made with the Manager's Office forty-eight hours in advance. Protective elevator pads must be obtained for all bulky items that may scar elevator entryways and walls. This does not apply to suitcases or other items that can be hand carried and held by an individual while on an elevator.

Protective pads must be returned upon completion of the move.

Revised 2 June 2008

5.06 **Parking.** See HR 4.08.

MVT House Rules
Penalties/Costs

6.01 **Major Violations**. When good reason exists to believe that a person has committed a major violation of these house rules, a citation will be issued and a $400 fine assessed against the person. A major violation is one that involves treatment of employees, HR 1.02; intentionally damaging MVT property, HR 1.12; feeding of birds or other animals, HR 1.14; altering official permits, HR 1.18; intentional misrepresentations to employees for unjust gain, HR 1:19; reckless, threatening, and harassing conduct toward others, HR 1.20; smoking, HR 1.21; nuisance in common areas; receptacles for trash and recyclable items, HR 1.24; illegal activities/substances, HR 1.25; common area cleanliness, HR 3.01; tampering with fire coping equipment, HR 3.03; or bringing and keeping fireworks or unauthorized hazardous materials on the property, HR 3.04.

Revised 24 September 2025

6.02 **Other Violations.** A violation *notice* will be issued to a person when good reason exists to believe that the person is responsible for a non-major violation of these house rules. If the person has not been responsible for a same-type violation within the past year, no monetary penalty will be assessed against the person.

If the person has been responsible for a same-type violation (making the current violation the second such violation) within the past year, a *citation* will be issued assessing a penalty of $100 against the person.

Any subsequent same-type violation by the person within a year will result in another citation and additional penalty of $100 more than the previous citation. Thus, the cumulative penalties for successive same-type violations with no period of one year between them will be: 1st citation, $100; 2nd, $200; 3rd, $300, etc.

Revised 24 September 2025

6.03 **Payment of Fine**. A monetary fine imposed pursuant to a citation shall be due in the Manager's Office within 30 days of the date following issuance of the citation. Monetary fines due by a tenant or guest shall be paid in cash only. A fine must be paid by the due date even if an appeal has been made to the Board as allowed in HR 6.04 below. If a tenant, guest or visitor owing a fine does not pay by the due date, the owner of the applicable apartment will be billed for payment.

6.04 **Appeal.** A person who has been issued a violation notice or citation or has been assessed a penalty under this section may appeal to the BOD with a request to rescind, dismiss, cancel or modify such a notice, citation or penalty. Such a request must be submitted to the Manager's office within 20 days after a notice or citation is issued and must be in writing and state a factual basis for the request.

6.05 **Costs.** In addition to any fines that may accrue from unauthorized alterations to Association property or common elements, or from causing damage to Association property, any repair, restoration or replacement costs plus any attorney fees and costs that may be required to collect the costs of repair, etc., shall be billed to the person responsible for the alterations or damages. Owners may be held responsible for any costs and fees arising from their conduct or that of their families, tenants, guests, visitors, contractors or workmen.

MVT Residents' Handbook

Part III – Pertinent Board Policies

3-01 ENTRYWAY FLOOR COVERING

Apartment entryways are limited common elements the condition of which affects the appearance and value of MVT. While the entryways are in many ways very personal, the Board is responsible for maintaining the condition and value of the property. This policy establishes some minimum expectations for maintenance of entryway appearance.

Entryway floors must either be solidly painted or covered with exterior grade tile. Prior to installation of any permanent tile covering, an entryway must be inspected by management for any spalling, cracks or other damage to the concrete. If concrete damage is evident, repairs must be made by the Association prior to installation.

Floor covering must be maintained in good condition. All tile and mortar joints should be coated with a water repellent material and this process be repeated every two years. The owner is responsible for maintenance and replacement of tile.

Owners with floor covering in poor condition will be notified in writing by the Association. If the floor covering is still in poor condition and not repaired, removed or replaced by the owner within thirty days after notification by the Association, the Association will remove the floor covering and refinish the area with walkway paint. If removal of the old floor covering is required, the owner will be billed for the cost of removal.

Owners who tile their entryway are responsible for cleaning up after the work is done. If the Association finds it necessary to refinish the walkway area due to tiling of the entryway, the owner will be billed for the cost of refinishing the walkway.

In a case where an entryway requires cleaning due to owner/resident negligence the owner/resident will be notified in writing to correct the condition within five days. If not corrected, and the Association finds it necessary to clean or refinish the walkway area, the owner/resident will be billed for the cost. In the case of a rental apartment, the rental agent will also be notified of discrepancies.

3-02 AIR CONDTIONING SYSTEM

All components of the air conditioning system, whether located within or outside of individual apartments are common elements and will be maintained and repaired by the Association as a common expense. Each owner or resident is required to provide access to his or her apartment for servicing, repair and inspection of the system.

The General Manager shall establish a schedule of preventive maintenance for the entire air conditioning system. When entry into apartments is required for other functions, the General Manager shall provide owners/residents with adequate advance notice to schedule entry within a reasonable time-frame and at reasonable hours.

Preventive maintenance requested outside the regular service period shall be chargeable at the rate of $65.00 per hour, one-hour minimum. Revised 12 October 2012

The Board has the right to enter apartments for maintenance, repairs or emergencies. Accordingly, the General Manager and/or other authorized agent shall be allowed to enter any apartment for the purpose of maintenance and system checks, or performing emergency repairs to avoid or abate damage to common elements or other apartments. Entry into an apartment shall be permitted for (a) routine maintenance and system checks – owners/residents will be notified in advance of scheduled maintenance, repairs, or system checks, and (b) emergency repairs – entry into an apartment for emergency inspection or repairs to avoid or abate damage to common elements or other apartments shall be made as required by the circumstances.

If an owner/resident fails to provide access to his/her respective apartment for preventive maintenance service, all subsequent repairs conducted within that apartment shall be charged to the respective owner at MVT's standard rate, one-hour minimum, in addition to the cost of material.

Owners/residents are required to promptly notify management during regular office hours, or personnel at the security gate after office hours, of any air conditioning system malfunction or any sign of condensation or leaks in the system. If an owner/resident fails to notify management or security personnel, any damages caused as a result will be billed to the owner/resident. Owners whose apartments are vacant for extended periods are also liable for the costs of repairing any damages resulting from unreported system malfunctions or leaks. Revised 18 December 2009

Owners who rent their apartments are required to inform tenants of this policy and advise tenants that they must cooperate to assure that access to the apartment is provided as required. Owners will be responsible for any damages caused by a tenant's failure to comply.

3-06 LANAI FLOOR COVERING

Lanai floors must either be painted a solid color, with no paint going onto the edging, or covered with an exterior grade tile**.** After being notified of a violation, the owner will have 90 days to comply. Revised 23 March 2012

Prior to installation of tile, the lanai must be inspected by management for any spalling, cracks or other damage to the concrete. If any damage is observed, repairs must be made by the Association before installation of the tile.

The lanai floor covering must be maintained in good condition. All tile and mortar joints shall be coated with a water repellant material. The owner is responsible for maintenance and replacement of tile.

3-07 SMOKE ALARMS

If a "sounding-off" smoke alarm in an apartment is determined more likely than not to be defective (complaining neighbors report that the alarm has been beeping for a considerable amount of time and no smoke, flames or excessive heat on the entry doorway or nearby windows can be observed), and no one can be contacted at the apartment, the General Manager or a specifically designated employee may enter the apartment to check on the situation if the owner has previously entrusted a key to MVT management to be retained in accordance with BP 4-04.

The General Manager or the designated employee shall then promptly proceed to determine if any visible signs of a fire exist; and if so, the fire cannot be readily extinguished, shall immediately call the fire department via 911. If no such signs exist, the smoke alarm battery shall be checked by replacing the battery with one that is known to be functional. If no beeping then occurs, the bad battery will be retained and the good one left in the alarm. The General Manager or designated employee shall then vacate and lockup the apartment, leaving it as it was, except that the smoke alarm will have a new battery. The owner of the defective smoke alarm will be billed in accordance with the standard rate for non-common element service calls, with no charge for the battery.

Revised 18 December 2009

If the above situation of a beeping smoke alarm occurs in an apartment, and (a) the owner or occupant or a representative of the owner or occupant cannot be contacted, and (b) the owner has not entrusted a key to be retained by MVT management, the fire department shall be called to determine an appropriate course of action.

3-08 DAMAGES AND INSURANCE

This policy establishes the responsibility for payment of "insurance deductible" by apartment owners in certain circumstances.

The Association, as a common expense, provides for two basic types of insurance coverage. One covers property losses and the other covers liability of the Association for such events as water leaks and injuries suffered while on MVT property. Both policies have a deductible amount per claim.

Property or liability damages, or other claims, can result from malfunction of personally owned fixtures or appliances within an apartment or from abuse or negligence by resident, guest or visitor.

Where damage to common elements or other apartments is caused by the failure of a privately-owned fixture, appliance, hose, etc. not a common element of the Association, the responsible apartment owner is liable for payment to the Association for any expenses incurred which are below the deductible level of the Association's insurance coverage, or for the actual monetary amount of the damage, whichever is less.

The Board, in the case of a claim for damage to a unit or the common elements, may:

(1) Pay the deductible amount as a common expense;
(2) After notice and an opportunity for a hearing, assess the deductible amount against the owners who caused the damage or from whose units the damage or cause of loss originated; or
(3) Require the unit owners of the units affected to pay the deductible amount.

Revised 31 March 2011

3-09 NON-COMMON ELEMENT SERVICE

This policy establishes an hourly rate for all non-common element service calls.

Service charges are: (a) Monday through Friday 8:00 am to 4:00 pm, $65.00 per hour, one hour minimum; except for drainage lines, if unable to clear blockage due to obstruction within resident's lines, first hour charged at $65.00 per hour and subsequent hours $32.50 per hour. (b) Over-time charges after 4:00 pm, Monday through Friday, and weekends and holidays, $130.00 per hour, 1-hour minimum, except for drainage lines, if unable to clear blockage due to obstruction within resident's lines, first hour charged at $130.00 per hour and subsequent hours $65.00 per hour.

Revised 12 October 2012

Non-common element staff service calls include but are not limited to: (a) water leaks, (b) electrical outages, and (c) water running.

3-12 DISPLAY OF AMERICAN FLAG DELETED

3-13 POLICY ON ILLEGAL SUBSTANCE/ACTIVITIES

WHEREAS, the U.S. Supreme Court in **Gonzales v. Raich** (previously **Ashcroft v. Raich**), 545 U.S. 1 (2005), decided that under the Commerce Clause of the United States Constitution, the United States Congress may criminalize the production and use of home-grown cannabis even where states approve its use for medicinal purposes.

WHEREAS, marijuana plants are illegal Schedule I drugs under the federal Controlled Substances Act (CSA). CSA is Title II of the Comprehensive Drug Abuse Prevention and Control Act of 1970.

WHEREAS, the Board of Directors has received complaints from its occupants with regard to the smoke from the marijuana; and

WHEREAS, the prior policy of allowing strictly legal use under state laws has proven to be an unreasonable burden on the staff to attempt to administer (to ensure that the practice continues to be legal under state laws, etc.) in that certain persons have failed to comply with the Project and the State requirements;

NOW THEREFORE, based on the statements in the CSA, the Supreme Court decision, the HUD policy on federal housing as well as impairment of the right of others to use the Project and unreasonable administrative burden, the Board of Directors does not believe

that it is a "reasonable accommodation" under either the state or the federal fair housing act to allow medicinal use of marijuana at the Project. This is especially true at Makaha Valley Towers where (1) complaints have been received by neighbors about the adverse effect of smoking marijuana since the Board first allowed it (pursuant to advice from one state official); and (2) whereas the policy has proven to be an unreasonable administrative burden to staff because many if not most of the accommodated individuals have not made the requisite effort to provide the staff of the Makaha Valley Towers with the uptodate and mandatory information from the state. One user recently provided the staff with information that he was and would be out of compliance with state laws for at least a month. The Board of Directors cannot knowingly allow illegal activity under both state and federal laws to continue at the Project inside of apartments or elsewhere on the Project. And, a significant number of those occupants who have applied for the accommodation have not been willing to take even the minimal and timely steps under the state law to comply. Moreover, the reaction of the neighbors who have the right to use and enjoy their apartments has to be considered by the Board in determining what is "reasonable".

Thus, the Board will no longer allow any occupant, even those with permission of the state of Hawaii for medicinal purposes, to use marijuana, to possess marijuana, or to grow marijuana plants in their apartments as to do so is a violation of federal criminal law (CSA), creates impairment to the use and enjoyment of the Project by the neighbors and has proven unreasonably difficult or impossible to administer.

Those occupants who have, as of this date, provided the Board with the requisite information to prove they are compliant with the state law (as required by the former policy which is withdrawn effective today) will be given a reasonable time (not to exceed 60 days) to relocate if they choose to do so. Those occupants who have not provided the Association with the requisite information to prove they are compliant with the state law must immediately cease and desist growing marijuana plants, using marijuana or possessing marijuana at the Project including inside of their apartments upon notice of the change in policy. Adopted 18 May 2012

4-05 SECONDARY AND THIRD VEHICLE PARKING

This policy establishes fees for owners or resident tenants parking more than one vehicle within the MVT premises; and also applies to a resident tenant who wants to park a vehicle on the premises, but for which the apartment owner has not assigned the primary parking permit.

In order to obtain a secondary parking permit for a particular vehicle, the vehicle owner(s) must submit pertinent ownership and insurance documentation for the vehicle to the General Manager. The owner(s) shall also agree that if a shortage of parking spaces occurs for vehicles with primary parking permits, a secondary parking permit for the vehicle may be revoked upon thirty days, or shorter if necessary, written notice. *See Form E*. Upon payment of the below fees as applicable, the General Manager shall then issue a permit to park the vehicle in one of the designated parking spaces.

Whenever a secondary parking permit is issued, a refundable deposit of $100.00 shall be charged. When the permit expires or is revoked, the vehicle owner(s) shall return the permit, at which time the deposit for same will be refunded. If the vehicle is found on the MVT premises with an expired permit, or beyond a properly notified removal period, the vehicle may be removed from the premises and the deposit forfeited.

Revised 30 November 2023

In addition to the refundable deposit, the following nonrefundable parking charges for vans, cars, and truck charges apply: daily parking less than 30 days is $15.00 per day. Monthly parking $85.00 per month for cars, vans, and trucks; and $35.00 per month for motorcycles: and a $15.00 nonrefundable fee for bicycles. Two bicycles maximum per apartment. Reasonable exceptions to the nonrefundability of the parking charges may be allowed under certain circumstances e.g. if the vehicle is sold. Revised 30 November 2023

4-09 SURFBOARD RACK SPACE

Surfboard Rack Spaces are rented “as-is.” A rented surfboard board space reverts back to the Association upon nonrenewal of a lease or upon the lessee no longer being an owner.

The rental term for a rack space shall be for one year, with the fee to be determined by the Board. The fee shall be payable in advance.

The assignment of a space is on a first-come first-served basis, and will be rented to owners only. An owner is only allowed one space, no matter how many apartments one owner may own. Owners do not have the right to allow anyone else to use the Surfboard Rack.

Owners who are on the waiting list for a space shall not obtain a space if their unit’s account is delinquent. Owners who already have a space and becomes delinquent or is already delinquent shall be made to give up their space and/or their lease shall not be renewed.

Adopted 30 November 2023

5-03 HARASSMENT AND INTERFERENCE

The Association's employees should be treated with dignity, respect and courtesy. The Association does not tolerate harassment or interference with the employees as they go about the performance of their duties. If an employee appears to be derelict in his or her duties, the appropriate procedure is not to confront the employee but rather to inform the General Manager or if necessary the Board president.

Employees shall not be subjected to harassment or interference with official duties by an owner, tenant, guest, or visitor. Security personnel working on behalf of the Association within the MVT premises and charged with enforcing Association policies and rules, whether or not employed and paid by an entity other that the Association, are deemed to be employees for purposes of this policy.

Harassment as used here means any physical abuse or assault or the threat of such assault with the apparent intent and means to carry out the threat. When any such act of harassment occurs, the police will promptly be called. Regardless of what action the police may take, MVT security will issue a violation notice. The Association's attorney will then send a letter to the offender with a notice that any such future conduct may result in the Association pursuing legal remedies that could include eviction from the MVT premises.

Interference with official duties means any conduct that unreasonably detracts or obstructs an employee in the proper performance of his or her duties. This includes stalking or following an employee in a threatening manner, verbally abusing an employee with derogatory language, or any conduct or verbiage that unreasonably impedes, inhibits, obstructs or interferes with an employee's ability to properly perform the employee's assigned duties. When any act constituting interference with official duties occurs, a violation notice will be issued. The Association's attorney may then send a letter to the offender with a notice to refrain from such conduct or the Association may pursue legal remedies to alleviate the problem.