

**FAIRWAY HOUSE
HOUSE RULES
2916 DATE STREET
HONOLULU, HAWAII 96816**

REVISED NOVEMBER 2005

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The Association of Apartment Owners of Fairway House has adopted the following House Rules to promote harmonious living in the Fairway House and all owners, residents, occupants and guests shall be bound by these House Rules and standards of reasonable conduct whether covered by these House Rules or not.

The House Rules may be amended by the Board of Directors of the Association of Apartment Owners, as provided in the Bylaws of the Association.

The full authority and responsibility of enforcing these rules is that of the Board of Directors but may be delegated to the Resident Manager by the Board of Directors of the Association of Apartment Owners.

Apartment owners will be responsible for their guests' observance of all House Rules. In the event expenses are incurred due to violations of House Rules by guests or invitees, the owner shall be responsible for payment of the expenses.

It should be clearly understood that all residents of Fairway House must at all times observe the laws, as established by governmental authorities. Residency within a condominium community does not exempt one from the responsibility of normal citizenship. For example, engaging in actions which disturb others constitutes not only a violation of House Rules but may also constitute a tort with civil remedies and/or a criminal offense – e.g. disturbing the peace. Damaging, vandalizing, pilfering of property will be referred to the Honolulu Police Department.

In maintaining the property for the common interest, the building management will endeavor to handle minor disturbances; however, the appropriate governmental authorities may be called to handle any problem which is within their jurisdiction.

GENERAL

1. All occupants, owners, their families, tenants, guests, employees and any other persons using the Project on their behalf shall observe these House Rules.
2. No commercial activities shall be carried on in any apartment. No trade or business of any kind may be conducted in or from any apartment or elsewhere at the Project except that an owner or occupant residing in an apartment may conduct such business activity within the apartment so long as: (a) the existence or operation of the business activity is not apparent or detectable by sight, sound, or smell from the exterior of the apartment; (b) the business activity conforms to all zoning requirements; (c) the business activity does not involve persons coming onto the common elements who do not reside in the condominium; (d) the business activity does not increase the liability or casualty insurance obligation or premium of the Association; and (e) the business activity is consistent with the residential character of the Association and does not constitute a nuisance or hazardous or offensive use, as may be determined in the sole discretion of the Board of Directors.

3. No commercial soliciting of goods, services or religious activities shall be permitted on the premises. Solicitation of proxies or distribution of materials relating to Association matters is permitted by owners on the common elements provided such solicitation occurs at a reasonable time, place and manner.
4. Occupants shall not require building employees to perform private errands for them.
5. Occupants shall not require building employees to do work in any apartment unless there is danger to other apartments or the common area.
6. Occupants shall inform the resident manager a minimum of 2 days (48 hours) in advance for use of the freight elevator. Occupants shall inform the resident manager in advance of an expected delivery or repairman.
7. Occupants, owners and/or agents for the owners shall notify the resident manager when their apartments are unoccupied for more than three days.
8. Occupants will not make or allow disturbing noises after 10:00 p.m., Excessive noise at any time or any violations of these House Rules should be reported to the resident manager or security personnel. If an emergency occurs, call 911.
9. Owner, or other rental agents shall give a copy of the House Rules to new residents. Owners who use the services of a rental agent are required to provide the agent with a copy of the House Rules.
10. Owners, tenants and residents are to register with the Resident Manager upon arrival. Registration includes names of all occupants, description of vehicle(s) including license number(s), residence and day time (work) telephone numbers, identification of rental agent and expected duration of occupancy.
11. None of the provisions herein are intended to be in contravention of the Federal Fair Housing Act or Chapter 515, Hawaii Revised Statutes. The Board will at all times comply with the provisions of the Federal Fair Housing Act and Chapter 515, Hawaii Revised Statutes, when acting upon requests by handicapped persons to make reasonable modifications, at their costs, to their apartments and/or the common elements of the Project, if the proposed modifications are necessary to enable said handicapped persons to have full use and enjoyment of the Project. The Board will also comply with the provisions of the Federal Fair Housing Act and Chapter 515, Hawaii Revised Statutes, when acting upon requests by handicapped persons for exemptions from any of the provisions of the Association's Declaration, By-Laws, and/or Rules and Regulations which would interfere with said handicapped persons' equal opportunity to use and/or enjoy their apartments and/or the common elements of the Project.

APARTMENT USE

1. No signs, signals or lettering shall be inscribed or exposed on or at any window, wall, door or garage stall nor shall anything be projected out of any window.

2. Awnings. No exterior pull down shades/awnings shall be installed except with the prior written consent of the Board of Directors. The Resident Manager has standard plans and specifications for such shades/awnings (which must be white or off-white in color) which have been pre-approved by the Board. To assure that shades/awnings are approved, it is essential to confer with the Resident Manager or the Board prior to installation.
3. Each apartment occupant will install drapes or window treatment with off-white or neutral liners of facing, so that the exterior of the building presents a uniform appearance.
4. Potted plants, confined to the lanai area (no overhanging or protrusion beyond the boundaries of the lanai), may be used thereon. Water run-off or overspray must be prevented. Articles which are unsightly shall be removed upon the written request of the Board of Directors or the resident manager. Articles must not be thrown from lanais.
5. Drying laundry on the lanai is prohibited.
6. Watering plants, sweeping or mopping of lanais must be done in a way that does not create a nuisance to persons residing in lower or adjacent apartments or to persons or vehicles on the grounds of the premises.
7. Plumbing equipment, such as toilets and garbage disposals, shall be used only for the purposes for which they were constructed. Sweepings, diapers, rubbish rags and paper must be disposed of in the trash and not through the plumbing system. Damage resulting to the building or other apartments from such misuse shall be paid for by the resident who caused such damage or by the owner of the apartment.
8. No water beds shall be allowed in any apartment.
9. No antennas or other objects shall be attached to the outside walls or the exterior of any door or lanai except in compliance with the attached Antenna Policy.
10. No apartment owner or occupant may make material or structural changes within their unit without compliance with Chapter 514A, Hawaii Revised Statutes, and the governing documents including, without limitation, prior written approval from the Board of Directors and of owners as may be required by Chapter 514A and the governing documents.
11. All owners and occupants shall, upon ten (10) days' notice by the Board of Directors or managing agent, allow entry to their units by a licensed and bonded pest control contractor, duly selected by the Board of Directors, for periodic pest control treatment. Any instructions for preparation of the apartments shall be complied with to ensure effective treatment. Non-resident owners shall ensure that rental agreements and leases shall provide for compliance with this provision by their renters and/or lessees.
12. Cigarettes shall not be extinguished or thrown in or onto common elements, nor shall cigarettes be thrown from any window, or lanai of an apartment.

COMMON AREA

1. Public stairways, walks and passageways shall not be obstructed at any time.
2. No items of personal property, including but not limited to, baby carriages, shopping carts, bicycles, tricycles, shoes, shoe racks, plants and other moveable personal property shall be left or allowed to stand in any part of the common elements, including but not limited to, the hallways, stairs, lobbies, elevators or parking area.
3. Fire regulations require that all fire doors must remain closed at all times.
4. Anyone found tampering with the fire fighting equipment, fire alarms, fire doors or the fire sprinkler system will be subject to criminal charges and liable for all repair costs, replacement, or damage caused to the building or personal property.
5. Hazardous, highly flammable or explosive substances, including, but not limited to, all forms of fireworks, shall not be used nor brought on the premises.
6. Occupants are urged not to allow unknown persons in the building or elevator. If there is doubt concerning any person in the elevator or common areas, please notify the resident manager or security guard immediately.
7. No smoking is permitted in the elevators, lobby and walkways to apartments.
8. The lobby, elevators, driveways and parking areas shall not be used for recreational purposes.
9. Use of roller-blades, roller-skates and skateboards is prohibited in the lobby, elevators and parking areas.

PARKING

1. Parking is permitted for occupants only within their assigned stalls.
2. Vehicles parked in stalls assigned to another unit may be removed without warning by the occupant. Vehicles must not protrude beyond parking stalls or block the driveways.
3. Occupants are responsible for the cleanliness of their stalls, including, but not limited to, the removal of any grease buildup.
4. No major repairs to vehicles will be permitted on the premises, with the exception of minor emergency repairs to allow the vehicle to be driven to a garage. No racing of engines or tire squealing is permitted.
5. Parking areas may not be used for recreation.
6. No items of personal property other than automobiles, bicycles, mopeds and motorcycles may be kept in an assigned parking stall.

7. No overnight parking is allowed. Guests must sign onto the guests parking log or their vehicles will be subject to tow-away at owner's expense. Guest parking between the hours of 2:00 a.m. to 6:00 a.m. is prohibited. Vehicles parked in the guest parking during those hours will be towed at owner's expense.
8. Honking of horns upon entering, leaving or while in the parking areas is prohibited.
9. Resident parking in guest stalls is prohibited, unless approved by the Board of Directors. Guest stalls are for visitor use only.
10. All bicycles, mopeds, motorcycles and other vehicles parked in the parking garage/common elements must be in operational condition, and registered with the resident manager.
11. Residents are responsible for false alarms of the security system of their vehicle(s). Alarms should be set so regular wind gusts, the motor or the closing of the doors of a car in a neighboring stall do not set them off. False car alarms disturb residents and neighbors. They are an unnecessary and avoidable nuisance.

RENTALS

1. The resident manager must be notified by the owner and/or agent appointed by the owner of the name of the tenant(s) at least 3 work days prior to date of moving-in.
2. Resident owners, non-resident owners and/or agents appointed by an owner who rent, loan or otherwise permit occupancy of their apartments, shall convey a copy of the most recent version of the House Rules to their occupants. Owners are responsible for the actions or omissions of their agents and of the occupants of the apartment.
3. During an Open House, real estate agents are permitted to post their calling card on the enterphone to permit entry. Removal of respective calling cards and shall be the responsibility of the agent who posted it.

REFUSE

1. All garbage must be wrapped or bagged before being deposited into the trash chute or the bins in the trash room. Do not leave trash on floor in the vestibule.
2. No wet garbage or folded cardboard containers or any other object that would tend to hinder the free fall of trash through the chute may be deposited therein.
3. Cardboard boxes, large bottles, and items that may clog or damage the chute must be taken to the bins in the ground floor trash room.
4. Pet trash (sand, litter paper, etc.) must be wrapped with extra care.
5. No inflammable, explosive or dangerous materials shall be put into the trash chute.

6. No garbage containers or bottles or other items of refuse may be placed outside an apartment.
7. The trash chute shall be used only between the hours of 8:00 a.m. and 10:00 p.m.
8. Bulky items disposal (i.e., furniture, appliances, etc.) is the responsibility of the owner of such items. Arrangements are to be made with the City and County for pickup. Do not abandon any large items on the premises.

PETS

Article V, Section 3(1) of the Restatement of the By-Laws of the Association of Apartment Owners of Fairway House provides that:

No livestock, poultry, rabbits, or other animals whatsoever shall be allowed or kept in any part of the project except that dogs, cats, and other household pets in reasonable number may be kept by the apartment owners and occupants. Said pet shall not be kept, bred or used therein for any commercial purpose nor allowed on any common elements except in transit when carried or on leash. Any such pet causing a nuisance or unreasonable disturbance to any other occupant of the project shall be permanently removed therefrom promptly upon notice given by the Board of Directors or Managing Agent; provided, however, that notwithstanding any other provision herein visually impaired persons may keep seeing-eye dogs, as defined in Chapter 515, Hawaii Revised Statutes, hearing impaired persons may keep signal dogs, as defined in Chapter 515, Hawaii Revised Statutes, and physically impaired persons may keep service animals, as defined in Chapter 515, Hawaii Revised Statutes, in their apartments and may utilize such dogs/animals on the common areas as necessary to full enjoyment of the property. None of the provisions herein will be enforced in any manner that will constitute a violation of the Federal Fair Housing Act or Chapter 515, Hawaii Revised Statutes.

In accordance with the aforementioned to this provision, pets are allowed under the following conditions:

1. A \$100.00 fee (non-refundable) for each animal brought into the project with the exception of fish.
2. Fish are limited to one 55 gallon tank which does not impair the floor or other structure of the building.
3. Up to two pets are allowed in each apartment.
4. Any pet brought in to the project must be registered with the resident manager. Failure to do so is cause for removal.
5. No visiting pets shall be allowed on the premises; provided, however, visually impaired persons may have guide dogs, as defined in Chapter 515, Hawaii Revised Statutes, hearing impaired persons may have signal dogs, as defined in Chapter 515, Hawaii Revised Statutes, and physically impaired persons may have service animals as defined in Chapter 515, Hawaii Revised Statutes, on the premises and may use such dogs/animals as reasonably necessary to enjoyment of the Project.

6. Any damage to the apartment building, grounds, flooring or walls, caused by any pet will be the full responsibility of each pet owner.
7. All pet owners will clean up after from their animals not only on Fairway House property, but that of our neighbors also. All pet owners will comply with all applicable City & County Ordinances.
8. Dangerous pets are not allowed in the building.

SWIMMING POOL & JACUZZI

1. Swimming is permitted during the hours of 7:00 a.m. to 11:30 p.m. daily.
2. Residents and their guests may use the swimming pool at their own risk. No lifeguard is on duty at any time.
3. Minors under the age of 12 years are not permitted in the pool or the pool area unless accompanied by a responsible adult.
4. Guests must be accompanied by a resident adult in the pool area. Guests at the pool/jacuzzi are limited to six (6) per apartment. Guests must be accompanied by a resident age 14 years or older at all times. Minors under the age of 12 years are not permitted in the pool or the pool area unless accompanied by a responsible adult.
5. Swimming is not allowed in other than proper swimming apparel. Diapers shall not be worn in the pool. Hair pins, bobby pins, and hair rollers can damage the pool and must be removed before swimming.
6. No bather may enter the water without first having showered. Suntan oil, ointment and sand must be removed from the body and attire before entering the pool.
7. After using the swimming pool, bathers shall dry themselves thoroughly before entering the building.
8. Running, pushing or shoving, boisterous and loud conduct in the pool area, or loud playing of radios are not permitted.
9. No pets, large inflatable items, surfboards or other equipment is permitted in the pool or pool area. This provision does not prohibit individuals from using floating devices for safety purposes.
10. The use of glassware, bottles, ceramics, chinaware, or other breakables in the pool area is forbidden. Paper cups, paper plates and cans should be deposited in the trash bin provided for that purpose.
11. No pool furniture may be removed from the pool area.
12. Spitting, spouting of water, and blowing the nose in the swimming pool are prohibited.

13. All persons who have an infectious disease or suffer from a cough, cold or sores, and those who wear bandages, must not use the swimming pool.
14. Persons using the pool area should keep the noise down especially after 6:00 p.m. The noise carries due to the concrete and becomes a nuisance to residents and neighbors.
15. Pool rule violations can result in loss of pool use privileges.

PADDLE TENNIS AND HANDBALL COURT

1. Use of the court is permitted during the hours of 7:00 a.m. to 7:00 p.m. daily.
2. A resident must be present on the court during the use of the court by their guests.
3. Any person that is a nuisance or causes unreasonable disturbance will lose the privilege of court use.
4. Only proper shoes permitted on court.

BARBECUE AREA

1. The barbecue area must be cleaned after its use.
2. No barbecuing is allowed after 10:00 p.m.
3. Barbecuing on the lanais is against the law. Residents must use the barbecue area.
4. Only residents may use the barbecue.

SHUFFLE BOARD AREA

1. A resident must be present during use of the shuffle board.

H-1
dated 12/26

FAIRWAY HOUSE

Notice of House Rules Amendment

Enclosed you will find a copy of the proposed amendment to the current House Rules. The Board of Directors will be discussing, possibly modifying, and voting on the amendment at their January 12, 2008 meeting.

The Board welcomes input from all owners. If you have suggestions or comments on improving the proposed amendment, please provide them to the Resident Manager, in writing by January 10, 2008.

If additional changes are made to the amendment, you will be sent copies of the changes. If no changes are made at the meeting, the enclosed copy will serve as your official copy of the amendment to the House Rules.

If you have any questions, please see the Resident Manager during regular office hours.

Date of Notice 12/26/07

FAIRWAY HOUSE HOUSE RULES AMENDMENT

1. Under Section "APARTMENT USE", item 4, shall read as follows:
"Potted plants, confined to the lanai area (no overhanging or protrusion beyond the boundaries of the lanai), may be used thereon. Water run-off or overspray must be prevented. Articles which are unsightly shall be removed upon written request from the Board of Directors or the Resident Manager (e.g. storing bicycles, potted plants and neatly stacking boxes 2 feet away from lanai's edge and no higher than safety rails.)
Articles must not be thrown from lanai(s). Damages resulting from these articles to the building, other apartment(s), and vehicle(s) in the parking structure will be charged to the owner(s), including any legal costs incurred during the process."
2. Under Section "APARTMENT USE", item 5, shall read as follows:
"Drying laundry on the lanai is prohibited. (e.g. on the safety rails, clothes line and portable laundry cadies)."
3. Under Section "APARTMENT USE", item 10, shall read as follows:
"No apartment owner(s) or occupant(s) may make material or structural changes within their unit without compliance with the Hawaii Revised Statutes, and the governing documents including, without limitation, prior written approval from the Board of Directors and of owners as may be required by Hawaii Revised Statutes and the governing documents."
4. Under Section "APARTMENT USE", item 12, shall read as follows:
"Cigarettes shall not be extinguished or thrown in or onto common elements, nor shall cigarettes be thrown from any windows, or lanai of an apartment. In addition, discarding of cigarettes ashes over lanai(s) is prohibited."
5. Under Section "PARKING", item 8, shall read as follows:
"Honking of horns upon entering, leaving or while in the parking areas is prohibited. Speed limit of 5MPH shall be observed and headlights shall be used when driving through the parking structure."
6. Under Section "PARKING", item 12 is added:
"Parking Area for Contractor(s)/Employee(s) is strictly for contractor(s) or employee(s). Parking Area for Contractor(s)/Employee(s) is opened Monday through Sunday, from 8:30am – 8:00pm. Parking area will be chained from 8:00pm through 8:30am. Any vehicles other than that of a contractor or employee shall be towed immediately at the vehicle's owner's expense, unless otherwise permitted by the Board of Directors or Resident Manager. Contractor(s) are prohibited from parking in the guests' parking. Contractor(s) shall post a notification in plain view on the dash board with their Company's name and apartment number. Contractor(s) shall register with the Resident Manager upon their arrival. Contractor(s) shall comply with all Fairway House Rules (e.g. Use of elevators, common areas, noise, and shall be responsible for any damages caused by the Contractor(s))."

FAIRWAY HOUSE HOUSE RULES AMENDMENT

7. Under Section "PARKING", item 13 is added:
"Areas with signs designated as fifteen-minute parking, emergency vehicle parking and loading zone parking must be observed to ensure proper access for emergency vehicles (e.g. ambulance, fire trucks, and police). Violators shall be towed at the owner's expense."
8. Under Section "REFUSE", item 8 shall read as follows:
"Bulky items disposal (i.e. furniture, appliances, etc.) is the responsibility of the owner of such items. Arrangements are to be made with the City and County for pickup. Do not abandon any large items on the premises. Violators shall be assessed the expense for the removal of such items. Bulky items collection line is 768-3202 or visit their website at www.opala.org."
9. Under Section "PETS", item 6 shall read as follows:
"All costs for repairs/cleaning due to damages to the apartment building, grounds, flooring or walls, caused by any pet will be the full responsibility of each pet owner."
10. Under Section "SWIMMING POOL AND JACUZZI", item 1 shall read as follows:
"Swimming is permitted during the hours of 8:00am to 10:00pm daily."
The Board reserves the right to alter the hours of operations."
11. Under Section "SWIMMING POOL AND JACUZZI", item 5 shall read as follows:
"Swimming is not allowed in other than proper swimming apparel. Nude swimming or sunbathing is strictly prohibited. Infants and toddlers must wear swimming diapers. Hair pins, bobby pins, and hair rollers can damage the pool and must be removed before swimming."
12. Under Section "SWIMMING POOL AND JACUZZI", item 8 shall read as follows:
"Running, pushing or shoving, boisterous and loud conduct in the pool area are not permitted. Loud playing of radios and use of musical instruments (e.g. guitars, ukuleles, drums) are not permitted. Diving of any type is prohibited (e.g. back flips, bombing, cannon balls, belly flops, etc.)"
13. Under Section "SWIMMING POOL AND JACUZZI", item 14 shall read as follows:
"Persons using the pool area shall keep the noise down from 6:00pm to 10:00pm. The noise carries and becomes a nuisance to residents and neighbors."
14. Under Section "SWIMMING POOL AND JACUZZI", add item 16:
"Alcoholic beverages are strictly prohibited in the pool area."

FAIRWAY HOUSE HOUSE RULES AMENDMENT

15. Under Section "SWIMMING POOL AND JACUZZI", item 15 shall read as follows:

"The Resident Manager/Security Guard shall have the right to deny anyone the privilege of using the swimming pool/jacuzzi or to remove anyone from the pool area for violating the rules set forth herein, for causing a disturbance or for creating a nuisance in the pool area. Further, the Resident Manager/Security Guard may remove anyone from the swimming pool area and terminate the party if in his reasonable judgement (a) any person appears intoxicated or under the influence of drugs; (b) narcotics and other prohibited drugs are being used; (c) noise emanating from the party disturbs the quiet enjoyment of apartment occupants; and (d) the behavior of any guests attending the party may cause damage to the Association's property or subject the Association to legal liability."

16. Under Section "PADDLE TENNIS AND HANDBALL COURT", item 5 is added:
"No pets allowed in the court area."

17. Under Section "BARBECUE AREA", item 2 shall read as follows:
"No barbecuing is allowed after 9:00 pm."

18. Add New Section: "FINE POLICY":

- a. First Offense: Verbal warning and a written warning for records.
- b. Second Offense: Written violation and a fine of \$25.00
- c. Third Offense: Written violation and a fine of \$50.00. Lost of facilities usage will be decided by the Board of Directors to determine length of time.
- d. Fourth Offense: Written violation and \$100.00 fine and legal action.
- e. The Board of Directors reserves the right to accelerate the fine schedule.
- f. Note: All fines will be charged to the owners.

19. Add New Section: "CAR WASH AREA"

- a. Car wash area is for the use of residents only. Please clean and secure the area when you are through.