

**ASSOCIATION OF APARTMENT OWNERS OF LANIKEA AT WAIKIKI**  
**RULES FOR CONTRACTORS**

1. All owners, contractors, sub-contractors, and workers must conform to these construction rules. Failure to follow the rules may result in the job being shut down. Contractors (including sub-contractors) with a record of these Rules for Contractors violations may be denied permission to do further work in this building at the sole discretion of the Board.
2. Permitted work hours are from 8:00 a.m. to 5:00 p.m. No work will be permitted on Saturday, Sunday or on these Holidays: New Years Day, Martin Luther King, Jr. Day, Kuhio Day Memorial Day, Kamehameha Day, Independence Day, Labor Day, Discovers' Day, Thanksgiving Day or Christmas Day.
3. For security reasons, each worker must sign in with Security at the Lobby Desk upon arrival.
4. All worker must enter and leave the building through an established pathway that will be explained by Security Personnel upon first arrival.
5. Workers must use only the parking stall(s) belonging to the unit where work is taking place. Very limited additional parking (Guest Parking, Loading Doc Parking) may be available by prior arrangement with Security. The user is responsible for cleanliness of the parking stall. Oil or other leakage from the parked vehicle onto the floor must be cleaned up immediately. If the ASSOCIATION finds it necessary to clean up a stall sullied by a contractor's vehicles, the Owner hosting the work will be charged a minimum of \$45.00 and the offending vehicle may be banned from the building.
6. Contractor workers are to confine their presence to work areas and routes of access. All other areas are OFF LIMITS, including the swimming pool and deck, the lawn and lounge chairs, lobby sofas and chairs, and residential floors other than that where the job is located
7. Do not overload the elevator capacity. Only the padded elevator may be used by construction workers.
8. All forms, cabinets, doors, and such are to be made at a shop. Use of our building or parking areas, as a manufacturing facility is not permitted.
9. Protective mesh must be installed on lanais to prevent debris from falling from the lanai to the ground below. Ventilation grills in apartment bathrooms and kitchen must be covered to block dust from migrating to other apartments.
10. Work is to be performed under noise levels acceptable to a residential area.

11. All plumbing and electrical work must be authorized by Lanikea at Waikiki before disconnects or turn-offs can be performed. Plumbing turn-offs and electrical disconnects must be coordinated with the General Manager at least 48 hours in advance so that affected residents may be notified. Only properly licensed workers are to perform such services. The ASSOCIATION reserves the right to inspect all open walls or ceilings when plumbing work is required.

12. Contractors and sub-contractors must clean the elevator and common areas impacted by the construction on a daily basis. Contractors must lay protective covering on deck coating. No duct tape is permitted.

**OWNERS WILL BE SUBJECT TO THE FOLLOWING CLEANING CHARGES:**

- A. Cleaning of hallways - \$45.00 per hour or any fraction thereof.
- B. Cleaning of parking stalls/cement floors, etc. - \$35.00 per hour or any fraction thereof.

13. Repair costs for any damage to elevators or other common areas of the building will be billed to the unit owner employing the contractor at fault. Damage must be repaired immediately and not held off until construction is completed.

14. Contractors are to haul away all trash daily. The ASSOCIATION dumpster is for the use of residents only. If a contractor-provided dumpster is needed onsite, contact the General Manager to determine a permitted location.

\_\_\_\_\_  
Received by Owner or Responsible Party

\_\_\_\_\_  
Date

**ASSOCIATION OF APARTMENT OWNERS OF LANIKEA AT WAIKIKI**  
**POLICY GUIDELINES FOR PERMITTING CONSTRUCTION OR**  
**RENOVATION WORK IN THE INDIVIDUAL APARTMENTS**

This information is provided by the Board of Directors of the Association of Apartment Owners of Lanikea at Waikiki (ASSOCIATION) to assist owners in understanding the process by which renovation work is conducted in a building such as ours. References are included to pertinent laws and regulations, including the **Hawaii Revised Statutes (HRS)** and the **Building Code of the City and County of Honolulu** (the Code). These guidelines are not intended to be all-inclusive. Your interests will be best served and protected by partnering your preparations with a licensed professional architect, engineer, or general contractor.

**Whereas:**

**Article II, Section 2.3 of the By-Laws; Article VIII, Section 8.3 of the By-Laws; Article VIII, Section 8.6 of the By-Laws;**

**On the basis of the above provisions of bylaws of the ASSOCIATION, the board has decided to adopt a resolution defining “Policy Guidelines for Permitting Construction or Renovation Work in the Individual Apartments”.**

I. RESOLVED:

The BOARD OF DIRECTORS OF THE ASSOCIATION OF APARTMENT OWNERS LANIKEA AT WAIKIKI adopts the following resolution providing guidelines for permitting construction or renovation work in the individual apartments:

1. **Work to which these guidelines apply**

1.1 These policy guidelines cover all construction or renovation work for which a building permit is required.

**“Section 18-3.1 Permits - Required (Building Code C&C of Honolulu).**

(a) No person shall perform any of the following or cause any of the following to be performed without first obtaining a building permit therefore as prescribed in this section:

- (1) Erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building or structure;
- (2) Any electrical work;
- (3) Install, remove, alter, repair or replace any plumbing, fire sprinkler, gas or drainage piping work or any fixture, gas appliance, or water heating or treating equipment...”

**An Owner claiming that a building permit is not necessary for the work being performed in the owner's apartment shall have the burden to produce evidence that proves why such a permit is not needed.**

**2 Obtaining permission from the Association**

2.1 ASSOCIATION needs to know what construction or renovation work is taking place on the property. Among the reasons for this are ASSOCIATION'S fiduciary obligations to:

1. Protect the structural integrity of the building and the serviceability of its mechanical systems.
2. Protect ASSOCIATION, its officers, and its owners from the potential liability (financial or criminal) of allowing or acquiescing to un-permitted construction activity on its property.
3. Protect the market valuation of the building and its residential units by maintaining a visually appealing building exterior and a reputation for effective management.
4. Protect the safety and comfort of ASSOCIATION residents by overseeing the tempo and professionalism of construction activity on the property.

2.2 An Owner wishing to order work in his apartment, for which a permit is required under Section 18-3.1 of the Code, must petition ASSOCIATION via its Board of Directors for authority to do so. Such petition should consist of a cover letter summarizing the scope of the work and a copy of the architect-or engineer-supervised drawings and specifications.

2.3 Processing such requests works best when the request and plans are received at least a week before a scheduled monthly Board meeting, and can be circulated among the Directors for review prior to the meeting. The Owner or his representative should then plan to be available at the meeting to respond to any questions from Board members

2.4 If the Owner wishes expedited consideration of his petition, he may request the Board be called into special session to consider his request, for which an administrative fee of \$150 will be assessed to the Owner. The Board will honor such a request at its discretion, depending in part upon the availability of a quorum.

2.5 The Board, at its sole prerogative, may elect to submit complex or unusual renovation plans to a professional architect or engineer of its choosing for independent review. The invoiced cost of such review will be assessed to the Owner.

2.6 When the Board's deliberation is completed, the Owner will be notified in writing by the General Manager of the Board's decision. If the plans are approved or conditionally approved,

this letter of approval will grant authority to the Owner (subject to any stated conditions) to commence the permitting process, acting for this purpose as an agent of ASSOCIATION as the property owner. A copy of the approval letter should be attached to the building permit application to substantiate this grant of agency authority.

2.7 If the Board withholds such approval, the letter will describe what needs to be done to make the plans acceptable to ASSOCIATION. It is not the intent of these policies and procedures to unreasonably deny to any Owner the right to enhance his living situation or the market value of his apartment.

### 3 Obtaining a building permit

3.1 For any construction or renovation job not fully exempt under the provisions of Building Code Section 18-3.1(b), a building permit must be issued before work can proceed.

3.2 Only a contractor licensed under HRS Chapter 444 or 448E can be issued a building permit. The **only** residential exception is for an unlicensed individual acting as his own general contractor working on a single- or two- family detached dwelling occupied solely by family members and not offered for sale. This exception is not applicable to our building. (See HRS Section 444-9.1.)

3.3 A **specialty contractor** (electrical or plumbing) can be issued a building permit only for work within his specialty, including activities that are incidental to the primary purpose for which the contractor holds a license, such as removal and replacement of drywall to access a task site. Any other applicant must be licensed as a **general contractor**. The burden of ensuring that all work performed under his permit complies fully with the Code and with other pertinent laws, rules or regulations fall squarely on the shoulders of the **Permittee**. Penalties for failure to do so can be substantial.

3.4 The Code (at Section 18-4.2) requires that three sets of plans, specifications and other required data be submitted with each application for a building permit. Since ASSOCIATION is a structure in which public health and safety concerns are implicit, such plans and specifications must be prepared by or under the supervision of an architect or engineer licensed under HRS Chapter 464, who must place his signed stamp of approval on them.

3.5 Upon issue of a permit, one set of the approved plans and specifications is returned to the applicant and must be kept on the site of the building or work at all times during which the work authorized thereby is in progress. When the building official issues the permit, he must affix a stamp of approval to each sheet of the job-site copy of the plans and specifications. Such approved plans and specifications may not be changed, modified or altered without authorization from the building official, and all work regulated by the Code must be done in accordance with the approval plans. (See Code Sections 18-5.1 and 18-5.2.)

4 **Authority to commence permitted work**

4.1 One copy of the building permit and these stamp-approved plans and specifications must be provided to ASSOCIATION before work on the project may proceed. These documents will be retained in permanent file in the office of the General Manager, where they will be available for review by interested parties. (If an additional job site copy of the stamped plans and specs is needed, these should be prepared separately.)

4.2 In addition to the above the following items also must be delivered by the Permittee to the ASSOCIATION General Manager before work under the permit may commence.

- 1 Permittee must provide a **Certificate of Insurance** naming ASSOCIATION as an additional named insured on his liability coverage for the duration of the work under the permit.
- 2 Permittee must provide a copy of his license and insurance certificate for each additional contractor and sub-contractor working in the building.
- 3 Permittee must provide a security/cleaning deposit of \$500 by check payable to LANIKEA at Waikiki. Charges may be made from this deposit by the General Manager for cleaning by ASSOCIATION staff of dirt and debris found in common areas and not promptly removed by action of Permittee, and for the invoiced amount of any repairs necessitated by damage to common areas or to other living units caused by a contractor or sub-contractor working under this permit. Permittee may appeal any such changes in writing to the ASSOCIATION Board. If at any time the balance in such deposit account shall be reduced below \$100, the General Manager will request Permittee to immediately restore the original \$500 balance after any pending charges have been debited. The balance in this deposit account will be retained by ASSOCIATION until work under the permit is completed and outstanding claims against the account have been settled.

4.3 Should cleaning or damage repair claims attributable to work under the permit exceed the deposited funds, and the balance remain unpaid by Permittee when work under the permit is completed, ASSOCIATION will assess this debt to the responsible Owner.

4.4 The Owner or Permittee may wish or need to modify the C&C approved plans or specifications for the permitted work after such work has commenced. If the change is of a nature or scope requiring authorization by the building official (per 3.5 above), then the ASSOCIATION Board must also be petitioned for approval. Such request will receive expedited processing, and will not be unreasonable denied. Work in response to the modified plans may not proceed until written approvals by both the ASSOCIATION Board and the building official are received by the General Manager.

4.5 Representatives of ASSOCIATION (officers, staff, general manager or professional consultants) may visit the job site at any reasonable time to assess compliance with the approved plans. If discrepancies or deviations are not promptly resolve after being brought to Permittee's attention in writing, ASSOCIATION, by resolution of its Board, may order that some or all work at the job-site cease until errant work is either corrected or approved post-facto by both the ASSOCIATION Board and the responsible building official.

---

Received by Owner or Responsible Party

---

Date