



HAWAIIANA

Hawaiiana Management Company, Ltd.
Pacific Park Plaza, Suite 700
711 Kapiolani Boulevard
Honolulu, Hawaii 96813
Tel: (808) 593-9100
Fax: (808) 593-6333
Internet: www.hmcmgt.com

Memorandum

To: Virginia Peacock, Documents

From: Yolanda Ter Hark, Senior Management Executive

Date: March 30, 2006

**RE: DIAMOND HEAD BEACH HOTEL
POLICIES/GUIDELINES**

Pursuant to the Board of Directors' request, please attach the following policies/procedures adopted by the Board with the disclosure statement:

1. Procedures for Plumbing/Electrical Problems/Wire Maintenance (Adopted 1/31/05)
2. Moped Policy (Effective 12/01/04)
3. Bicycle Policy (Effective 12/1/04)
4. Fines Enforcement Policy (Revised 1/23/06)
5. Fine Schedule (Adopted 1/23/06)
6. Collection Procedures (Adopted 1/31/05)
7. Construction Guidelines (Adopted 8/15/05)
8. Parking Stall Allocation Policy (Adopted 3/6/06)
9. Towing Procedures (9/21/04)
10. Lanai Floor Covering (10/31/05)
11. Air Conditioner Installation Specifications (Adopted 1/23/06)
12. Lanai Barrier Mauka End of Building "05" Unit Only (Adopted 12/8/05)

Please feel free to see me if you have any further questions regarding the above.

Diamond Head Beach Hotel
Procedures for Plumbing/Electrical Problems/Wire Maintenance
(Adopted by the Board of Directors on January 31, 2005)

Plumbing Problems

If there is a leak or flood within the apartment:

1. Locate the source of the leak (example: kitchen, bathroom, etc.) shut off interior valve, if applicable, to stop water from running. If unable to do so or if it does not work, locate shut off valve outside of unit (which may be a stack valve for the building) and shut off to stop leak.
2. Unless it is clearly a common area pipe, each individual Homeowner is responsible to contact their own licensed/insured plumber to respond and make necessary repairs. If it is determined to be a common area problem, the homeowner must notify the Managing Agent immediately to take over the matter.
3. If it has been determined to be a common area problem, the Association will be responsible for the cost incurred. However, if it is a Homeowner responsibility, the individual Homeowner is responsible for the repair and cost, including repair to other units affected.

If there is a backup in your unit affecting the sink, tub, or toilet:

1. Homeowner is responsible to call a licensed/insured plumber of his/her choice to unclog the affected line(s).
2. If the plumber discovers that the blockage was found in the "common" area, the homeowner must notify the Managing Agent immediately to take over the matter. **The plumber will be required to identify the location of the blockage.**
3. If it is determined to be a common area problem, the Association will be responsible for the cost incurred. However, if it not found to be in the common areas, the homeowner will be responsible for the repair and cost. **Back to back plumbing is not a "common" area and therefore not the responsibility of the association to maintain and/or repair. Any expense or damages incurred as a result of these lines, shall be borne between the units involved.**

Electrical Problems

1. If homeowner is experiencing problems with the electrical power within the individual unit, the homeowner is required to contact a licensed/insured electrician to investigate and repair as necessary.
2. If it is determined to be a common area problem, the homeowner must notify the Managing Agent immediately to take over the matter.
3. If it is determined to be a common area problem, the Association will be responsible for the cost incurred. However, if the problem is not found to be coming from the common area power source, the homeowner will be responsible for the repair and cost.
4. In the case of units which share a breaker, owner is to notify the Managing Agent to make contact with the other unit in question. Owners sharing the same breaker will have to resolve issue amongst themselves, unless problem is determined to be in the common area.

Wire Maintenance (Interior of Units)

1. If homeowner is experiencing problems with wiring, to include telephone wiring, within the individual unit, the homeowner is required to contact the appropriate contractors to trouble shoot to find source of problem at the expense of the homeowner. If problem is found to be in a common area then the Association will reimburse for billing. If problem is found within the individual unit, homeowner will be responsible for said repair.



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September 30, 2004

**RE: DIAMOND HEAD BEACH HOTEL
MOPED POLICY**

Dear Owner:

In order to manage effectively the limited space in our garage/basement, the association board of directors has established the following:

- Effective December 1, 2004 all moped(s) stored in the designated area in the garage must be registered with the managing agent, Hawaiiana Management Company.
- A form, for registering, your moped is included in this mailing. Please complete it and return it to Hawaiiana Management Company no later than November 15, 2004.
- For each moped you store in the garage, up to two (2) maximum, you must pay a monthly fee of \$50.00 per moped beginning December 1, 2004.
- Once your registration is received, the Property Manager will tag your moped with a small plastic tag noting registration. All moped(s) must be tagged.
- Moped(s) not registered with Hawaiiana by December 1, 2004 will be removed from the premises at the moped owner's expense.
- It is against the rules of the association to store mopeds in any common area other than the area designated by the association. This means you may not store your moped on any other area on property.
- No more than two mopeds per unit are allowed to be stored on property.
- The association assumes no liability for moped or any other personal property stored on the premises.

If you should have any questions regarding this information, please contact our office at 593-6857.

Sincerely,

FOR THE BOARD OF DIRECTORS
DIAMOND HEAD BEACH HOTEL

Yolanda Ter Hark
Senior Management Executive
#2328/ltr
Attachment – Registration Form



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October 7, 2004

**RE: DIAMOND HEAD BEACH HOTEL
CORRECTED BICYCLE POLICY**

Dear Owner:


In order to manage effectively the limited space in our garage/basement, the association board of directors has established the following:

- Effective December 1, 2004, all bicycles stored in the bike rack in the garage must be registered with the Managing Agent, Hawaiiana Management Company.
- A form, for registering, your bicycle is included in this mailing. Please complete it and return it to Hawaiiana Management Company no later than November 15, 2004.
- For each bike you store in the bike rack, you must pay a monthly fee of \$10.00 per bicycle beginning December 1, 2004.
- Once your registration is received, the Property Manager will tag your bicycle with a small plastic tag noting registration. All bicycles must be tagged.
- Bicycles not registered with Hawaiiana by December 1, 2004 will be removed from the bicycle rack at the bicycle owner's expense.
- It is against the rules of the association to store bicycles in any common area other than the area designated by the association (the bike racks). This means you may not store your bike in front of your unit.
- If you do not store your bicycle in the bicycle rack, you must store it in your unit.
- No more than two bicycles per unit are allowed in the bicycle storage rack.
- The association assumes no liability for bicycles or any other personal property stored on the premises.

If you should have any questions regarding this information, please contact our office at 593-6857.

Sincerely,

FOR THE BOARD OF DIRECTORS
DIAMOND HEAD BEACH HOTEL

Yolanda Ter Hark 
Senior Management Executive
#2328/ltr
Attachment – Registration Form

Diamond Head Beach Hotel

FINES ENFORCEMENT POLICY

(Adopted by the Board of Directors on August 17, 2004)
(Revised January 23, 2006)

WHEREAS, the Board of Directors of the Association of Apartment Owners of Diamond Head Beach Hotel ("Association") is empowered to administer the affairs of the Association pursuant to its governing documents; and

WHEREAS, there is a need to promote harmonious living conditions, peaceful and orderly use of the common elements, and to protect all occupants from annoyances and nuisances caused by improper conduct; and

WHEREAS, Article X, Section 1 of the Bylaws authorizes the Board to amend the Rules and Regulations as the Board may deem necessary for the operation and use of the common elements, including, without limitation, such aspects of the operation and use of the apartments as may affect the operation and use of the common elements, including the enforcement of said Rules and Regulations,

NOW, THEREFORE, BE IT RESOLVED that the Board adopts the following fines enforcement policy to be added to the Rules and Regulations as new paragraph 3 to Article XIII (Violations of these Rules):

"XIII. VIOLATIONS OF THESE RULES

* * *

3. Fines Enforcement Policy

- a. The Board of Directors has adopted this enforcement policy that gives the Association the right, in addition to any other rights or remedies, to issue violation notices and to levy fines against the responsible owner, whether or not the violator is the owner, tenant or guest of the owner's apartment. Fines duly imposed by the Board or its agent but unpaid will constitute a lien on the apartment that may be foreclosed upon in like manner as a lien for unpaid common expenses.
- b. The Board of Directors has adopted the following schedule of fines (Noted in "Attachment A") for any violation of the Association's Declaration, By-Laws or Rules and Regulations (collectively "Governing Documents"):

Initial violations. A written notice of any initial violation shall be distributed to said violator(s). A copy of the violation notice shall also be sent to the unit owner if the violator is not the unit owner. A copy of the violation notice shall also be sent to the management company for processing of any associated fines. If the unit is a unit managed through the designated Hotel Operator who holds the front desk lease, and if the violation is against a hotel guest, the notice of violation will be given to the hotel employee on duty to deliver to the hotel guest. It will be the hotel operator's duty to collect the fine or reflect the amount in the bill at checkout and submit fine payment to the AOA.

Diamond Head Beach Hotel
Fines Enforcement Policy
Adopted on 8-17-2005. Revised 01-23-2006

Fines for initial violations shall be assessed according to the violation type with amounts as noted in Attachment A.

It shall be expected that the violator/owner shall not engage in further violations of the same nature. However, in the event a second violation occurs at a future date by the same violator, the fine assessment shall be for a Repeat Offense and not an Initial Offense with amounts as specified in Attachment A.

Continued Violations. If the violation continues after the time period for compliance stated in Exhibit A, a per day fine may be imposed against the violator with notice of the same sent to the apartment owner if the violator is not the apartment owner.

Payment of Fines.

Violator/owner shall have 10 days to pay any associated fines. If the fine remains unpaid after 10 days from the date of the notice, it will be assessed against the apartment owner unless appealed. If the violation ceases and/or is corrected within the time allowed, it shall be expected that the violator/owner shall not engage in further violations of the same nature.

Repeat violations. If recurring violations of the same provision of the Governing Documents occur or if the violation continues after the time period for compliance stated, the matter may be referred by the Board to the Association's legal counsel for appropriate action. Any legal fees and costs incurred by the Association after the matter has been referred to legal counsel shall be assessed against the apartment owner.

- c. The Managing Agent and his/her staff, or any duly authorized agent of the Association such as the resident manager or property manager, as the agent for the Board of Directors, are authorized to issue violation notices and levy fines.
- d. In the event of a violation of the Governing Documents that poses a threat to persons or property, as determined by the Board, the procedures set forth hereinabove and below, may be suspended and referred directly to legal counsel for appropriate action.
- e. An apartment owner, for his/her self or for the violator, if the violator is not the owner, may appeal a notice of violation or fine as follows:

Notice of Appeal. By delivering to the Resident Manager or mailed to the Board of Directors in care of the Managing Agent for the Association, postage prepaid, certified mail, return receipt requested, no later than 20 days from the date of the notice of violation or fine, a written notice of his/her appeal and the reasons therefore. Such written notice shall constitute a Notice of Appeal. The date of mailing as certified by the post office or the date of hand delivery to the Manager shall constitute the date of the appeal.

Contents of Notice of Appeal. In the Notice of Appeal, the apartment owner shall indicate whether he/she wants a hearing before the Board or, alternatively, wants the Board to decide the matter without a hearing. Failure to request a hearing in the Notice of Appeal shall be deemed a request for the Board to decide the matter without a hearing. Any hearing shall be held within 30 days of the receipt of the Notice of Appeal. If the apartment owner does not request a hearing, he/she should enclose with the Notice of Appeal a statement of facts, affidavits or

Diamond Head Beach Hotel
Fines Enforcement Policy
Adopted on 8-17-2005. Revised 01-23-2006

declarations of witnesses, and other written materials the owner wants the Board to consider in deciding the appeal.

Disposition of Appeal. The Board shall deliver or mail a written decision to the apartment owner within 30 days of the hearing, or if there is no hearing, within 45 days of receipt of the Notice of Appeal.

- f. **REMEDY NOT EXCLUSIVE.** In addition to the imposition of fines, the Board of Directors is empowered to take all such other action as permitted by the Declaration, Bylaws, and these Rules and Regulations to enforce the provisions of the Association's governing documents. This includes the retention of legal counsel, initiating legal action or arbitration proceedings, and/or any other form of remedy available to the Association by and through its Board. All remedies shall be cumulative and not be exclusive of the other."

FURTHER RESOLVED, that the Board shall give notice to all apartment owners of the above fines enforcement policy.

**BOARD OF DIRECTORS
DIAMOND HEAD BEACH HOTEL**

By _____
Its

**Diamond Head Beach Hotel
Fine Schedule (Adopted 01-23-06)**

Violation	Initial Fine	PLUS Per Day	Repeat Violation	Comments:
Storage Violations: kayaks, bicycles, mopeds, etc. Unauthorized storage on the lawn, common areas, garage or locked to fences or railings.	\$25	Immediate removal required \$25 per day	\$50 plus \$25 daily violation fine	
Microwaves or heating elements of any kind in lodging units	\$25	Immediate removal required plus \$25 per day	\$50 plus \$25 daily violation fine	
Non-conforming window coverings	\$25	\$25 per day		
Maintenance Violations: Failure to keep lanai drains clear of debris and lanai's clear of pigeon droppings, nests and allowing any unsanitary condition to persist. Dumping of large items in common area.	\$25 plus hauling costs or the actual cost to remedy the problem if the association undertakes remediation.	\$25 per day until clean	\$50 plus \$25 daily violation fine	
Construction, Modification and Renovation: Any interior or exterior renovation, alteration or construction without prior Board approval and appropriate city building permits. Includes, but not limited to: Washer/Dryer installation or hook-ups, unapproved and unpermitted exterior modifications such as door openings, awnings, window changes or alterations	\$500	\$500/per day until work has stopped or violation corrected	\$1000 plus \$500 daily violation fine	
After hour noise	Call the police		Call the police	Call the police
Glass containers in lawn area	Warning	Not applicable	\$25	

All violations of the House Rules or the governing documents are subject to enforcement even if there is not a specific fine associated with a particular violation.

Diamond Head Beach Hotel

DELINQUENT ACCOUNT COLLECTION PROCEDURES (Adopted by the Board of Directors on January 31, 2005)

The following procedures are submitted by HMC for adoption by the Board of Directors for Diamond Head Beach Hotel for collection of all delinquent accounts:

1. HMC to send demand letter when account is 15 days delinquent (C-1 letter).*
2. HMC to send 2nd demand letter when account is 30 days delinquent (C-2 letter).*
3. HMC to refer delinquent account to attorney when account is 30 days delinquent.*
4. Attorney to send 30-day demand letter at receipt of delinquent accounts.
5. Attorney to order title report and file lien if no response to 30-day demand letter.
6. Attorney to send post lien demand letter and notify owner that a money judgment is being prepared and will be filed if no response.
7. Attorney to file DCA (District Court Action) for money judgment.
8. Attorney to proceed with garnishment of wages.

* Note: There is will be a \$15.00 fee assessed to owner for each delinquent letter sent. This fee is in addition to the regular late fee charge.

The collection attorney should be instructed to follow the above noted procedures with the following exceptions:

1. Title report reveals no mortgage balance or a balance that would allow the AOA to foreclose on the property and collect delinquent funds.
2. Owner files a Chapter 7 bankruptcy.
3. Owner proposes a payment plan with an initial, substantial contribution to delinquent balance.

Diamond Head Beach Hotel
Construction Guidelines
(Board of Directors adopted on August 15, 2005)

1. All owners, contractors, their workers and sub contractors must conform to the construction guidelines. Failure to conform to the rules may result in shutting down of the construction and removal of the contractor.
2. Working hours 8:00 a.m. to 4:30 p.m. Monday through Friday, no work on weekends or holidays (New Years, President's Day, Kuhio Day, Memorial Day, Kamehameha Day, Independence Day, Labor Day, Discovers Day, Thanksgiving Day, and Christmas Day).
3. Upon entering building all workers must sign in with the Resident Manager, office hours 8:00 a.m. to 9:00 a.m. and 4:00 p.m. to 4:30 p.m., Monday – Fridays, except Tuesday afternoons.
4. Worker(s) must use parking space(s) assigned to unit only. User is responsible for the cleanliness of the parking space; oil or other malfunction of the parked vehicle on the floor must be cleaned immediately. If the Association finds it necessary to arrange for cleanup of the space, the owner will be charged a minimum of \$35.00. If the owner fails to correct the problem causing the need for clean up, the vehicle will be required to be removed from the premises until repaired.
5. Work to be performed under noise levels acceptable to residential area.
6. All plumbing and electrical work must be done by licensed contractors. All plumbing and electrical work must be authorized by Diamond Head Beach Hotel before disconnects or turn-offs can be performed, that involves other residents of the building. The Association reserves the right to inspect all open walls or ceilings when plumbing work is required. A minimum of 72 hours notice is required subject to no more than one shut down per month.
7. All charges to Diamond Head Beach Hotel relating to remodeling of apartments will be charged to the owner of the apartment e.g. professional fees, water, electrical, structural, or common area damages. Damages must be repaired immediately and not held off until construction is completed.
8. Draping of elevator walls and floors for large, heavy and dirty loads. Positively no overloading of the elevator capacity.

9. Maintaining cleanliness of the elevators and common areas. Cleaning of the elevators and common areas must be done on a daily basis. Contractors must lay protective covering over the hallway flooring. Shareholder/Contractor will be charged for any damages incurred. No duct tape is permitted.

Contractor/Owner will be subject to the following charges:

	Between the hours of 8 am to 5 pm	<u>After Hours</u>
Failure to remove elevator pad	\$30.00/per occur.	\$50.00/per occur.
Cleaning of hallways	\$45.00/per occur.	\$60.00/per occur.
Cleaning of basement lobby	\$40.00/per occur.	\$65.00/per occur.
Cleaning of parking stalls and basement floors	Minimum \$35.00/per occur.	

10. Protective mesh must be installed on lanai's to prevent debris from falling over the lanai onto ground below. Ventilation grills must be covered to block dust from entering other apartments.
11. All workers must enter and leave the building through the lower basement.
12. Contractor is responsible to clean up all public areas used as access to and from the elevators. These areas must be cleaned on a daily basis.
13. Workers are confined to the specific work area ONLY. All other areas are off limits, i.e. deck, lawn, and chairs.
14. All forms, cabinets, doors, etc. are to be fabricated offsite. Use of building or parking areas, as a manufacturing facility is not allowed.
15. Contractor is to haul away all trash and materials daily. Diamond Head Beach Hotel trash dumpster is for residents use only. If an outside dumpster is needed, contact Resident Manager to assist in a location (contractor responsible for cost of construction dumpster).

**Diamond Head Beach Hotel
Parking Stall Allocation Policy
(Revised on March 6, 2006)**

1. Parking stalls are the property of the Association and parking stall usage and assignment is governed by the Association Board of Directors. The Board will assign spaces to the hotel as designated in the Agreement between the hotel management company and the Association, for rental to hotel guests and will assign the remainder of the spaces to unit owners in accordance with this policy.
2. Stall assignments may be changed at any time by the Board of Directors through the Property Management Company. **Occupants wishing to switch parking stall assignments must send letter of request in to the board to be placed on a wait list. Occupants on the wait "switch" list will be given the opportunity to switch with the vacated stall prior to it being rented out.**
3. If a unit is sold, the parking stall will become available to the next Owner on the parking stall wait list. Parking stall assignments do not remain with the unit upon transfer of unit ownership.
4. The waiting list shall be maintained by the Property Management Company and shall be available for review by any owner upon request. Any owner wishing to be added to the waiting list shall make such request in writing to the Property Management Company. Priority on the waiting list shall be on a first come first served basis with the following hierarchy: 1) Full time Hawaii resident owner occupants of the building (**with proof of residence) being on island for at least 240 days out of a 12-month period**; 2) part-time owner occupants **being on island for less than 240 days out of a 12-month period**; 3) rental units (outside the hotel pool) with no owner occupancy at any time.
5. Any occasional overflow parking needs of the hotel or residents (such as when the park is full due to sporting events) shall be managed by the Resident Manager.
6. The Board shall set the monthly fee charged for parking spaces. Parking rental is on a month to month basis. All parking must be paid in advance to the Property Management Company at the beginning of the month for that month's rental. Non-payment will result in forfeiture of the parking space. A late fee of \$20.00 may be assessed for all parking stall rental payments received after the 10th of each month.
7. All owners parking must be paid in advance at the beginning of the month for that month's rental.
8. Rental vacancy notices must be submitted by the first of the month, 30 days in advance of vacancy. Vacancy notices must be submitted in writing to the Property Management Company. If an owner fails to submit a vacancy notice, he/she will be held responsible for all monthly payments.
9. The Hotel Management Company may sublease to Owners and Residents parking stalls assigned to the Hotel.
10. Owners may allow their assigned parking stall to be used by a renter or guest while that renter or guest occupies the owner's unit. However, unit owners may not rent a stall, then in turn rent it to someone other than a renter or guest occupying the owner's unit. Violation will result in the loss of the assigned parking stall.

**Diamond Head Beach Hotel
Parking Stall Allocation Policy
(Revised on March 6, 2006)**

11. Non-hotel parking spaces will be rented only to owners not in the hotel pool. Hotel pool owners are represented by the hotel and thus have allocated parking through the hotel.
12. Parking in the loading zone for greater than 15 minutes is prohibited unless specifically approved by the Resident Manager. Drivers of any car parked in the loading zone for longer than 15 minutes must obtain permission from the Resident Manager to do so. See also "Ace Towing Agreement."
13. Electric automobiles shall be treated in the same manner as gasoline automobiles/hybrids and shall be subject to the same parking stall rental rates and rules.
14. Charging of electric cars shall not be allowed in the parking garage at any time.
15. No more than one parking stall may be assigned per unit.
16. Parking stalls are for Owners utilizing the property. Cars are not to be "stored" in the garage on a long-term basis which is 2 months or longer. **The intent of this requirement is to prevent owners from leaving their vehicles unattended/unused for long periods of time. Vehicles must be utilized on a regular basis.**
17. Board reserves the right to amend this policy as deemed necessary.

Diamond Head Beach Hotel

TOWING PROCEDURES

(Adopted by the Board of Directors on September 21, 2004)

The following procedures are submitted by HMC for adoption by the Board of Directors for Diamond Head Beach Hotel for towing of vehicles:

Illegally Parked Vehicles which Restrict Ingress/Egress to Lower Parking Garage, Lower Elevator Lobby, Stairwells, Fenced Off Area at Entrance of Parking Garage, and/or Laundry Room

1. Vehicle(s) illegally parked will be automatically towed away without warning at vehicle owner's expense.

Use of Loading Zone Area

1. Purpose of the loading zone area is for loading and unloading only with a maximum stay time of 15 minutes in which time someone must remain with the vehicle at all times.
2. Vehicle(s) left in the loading zone unattended will be issued one citation only. Further violations will result in the vehicle being towed away without any further warning at the vehicle owner's expense.
3. There shall be absolutely no parking in loading zone between the hours of 11:00 p.m. to 6:00 a.m. Vehicle(s) parking during this time period will automatically be towed away at the vehicle owner's expense.

Illegally Parked Vehicles in Designated Stalls

1. Illegally parked vehicles in designated stall(s) will be towed away at vehicle owner's expense.

Important Note: The Association, its' representatives, Managing Agent, and/or Board of Directors will assume no responsibility for any losses incurred to implement the above policy. Owners/Residents assume full responsibility to notify all guest, visitors, etc. of the building's policy.

**Diamond Head Beach Hotel
Association of Apartment Owners
Lanai Floor Covering
(Adopted by the Board of Directors on October 31, 2005)**

Application: Requirements for installation of covering for your individual lanais.

Floor cover for the limited common element lanai of each unit may be installed by an owner of an apartment at the owner's expense in accordance with the following:

1. An owner requesting authorization to install lanai floor covering must have written approval by the Board of Directors **prior to construction and commencement of work.**
2. Installation must be completed in accordance with the Construction Guidelines and Lanai Floor Covering Policy approved by the Board of Directors.
3. Materials to use on your lanai include (1st choice) a 12" x 12" Hebe Gold quartzite stone tile from Marblehaus. (2nd choice) Golden Ray from Hawaii Granite with use of either Ocean Mist (gray) or Walnut (brown) color grout.
4. Tile should be straight set with an optional 4" border.
5. The waterproofing membrane must be intact prior to installation of tile.
6. The existing drainage holes/grading must not be altered in any way.
7. Permanent installation of astro turf or any type of carpet is prohibited.
8. Repairs and maintenance of lanai covering shall be the responsibility of the apartment owner to maintain.
9. Owner responsible to have lanai covering removed at owner's expense for normal maintenance requirements, if necessary.

I/we, the undersigned, hereby, request permission to install a lanai floor covering for my apartment unit # _____.

I/we agree to comply with all of the above regulations and bylaws of Diamond Head Beach Hotel.

Owner (print full name): _____

Signature: _____ Date: _____

Approval: This approval assumes that all the above regulations are to be followed and in no way authorizes the owner to violate or alter the regulations in any way.

Approved by: _____ Date: _____
President, Board of Directors

Diamond Head Beach Hotel
Air Conditioner Installation Specifications
(Board of Directors adopted on January 23, 2006)

All window air conditioner installation requires written approval from the Board of Directors at a regularly convened meeting prior to installation. Submit your request in writing to the Board and specify method of installation. The following specifications must be complied with:

- 1) Shall be installed on the bottom 50% of the window **ewa side. Except "01" unit living room can be installed on koko head side of building.**
- 2) Shall not exceed **20** amps or above 120 volts.
- 3) Air conditioner must NOT leak water.
- 4) Material to frame around the window air conditioner or trim expansion shall be clear or white. In the interest of energy efficiency, joints shall be caulked with clear or white silicone exterior grade caulk.
- 5) **All new or replacement** window air conditioners shall be supported on two L brackets of sufficient strength to support the weight of the window air conditioner.
- 6) **New installations shall meet all current energy efficient standards and be quiet.**
- 7) **To maintain efficiency, filters must be cleaned monthly or more often if necessary.**
- 8) Owner will be responsible to maintain unit at all times to prevent deterioration or leaking. Owner will need to replace unit at such time that the unit becomes unsightly, **noisy**, or leaks water.

Failure to comply will result in direction to remove the air conditioner and permanent disapproval.

Diamond Head Beach Hotel
Lanai Barrier Mauka End of Building "05" Unit Only
(Board of Directors Adopted on December 8, 2005)

1. Install clear tempered glass inside of the railing mauka end of building
2. Glass to be installed floor to ceiling with a 2" track mounted in the ceiling and floor of the balcony.
3. Glass to be treated with Diamond Fusion Coating to prevent water spots.
4. Hardware used to secure the glass must not be visible from the exterior of the building.
5. Owner will be responsible to remove all fixtures, at owner's expense, in cases whereby the Association will need access to the area for maintenance and general upkeep of the building.
6. Owner will be responsible to maintain the glass and hardware at all times to ensure compliance with all City and County, State, and/or Waikiki's Special District requirements.
7. Owner responsible for all repairs necessary to prevent deterioration, discoloration, unsightliness, etc. Failure to properly maintain will result in the Board's request of the owner to remove the glass and to have the structure restored back to the original condition prior to installation.
8. Resident Manager to inspect and sign off at complete of work.

I/we, the undersigned, hereby, request permission to install a lanai barrier for my apartment unit # _____.

I/we agree to comply with all of the above regulations and bylaws of Diamond Head Beach Hotel.

Owner (print full name): _____

Signature: _____ Date: _____

Approval: This approval assumes that all the above regulations are to be followed and in no way authorizes the owner to violate or alter the regulations in any way.

Approved by: _____ Date: _____

President, Board of Directors