

Wailea Point Village House Rules



Effective from November 1, 2007

Wailea Point Village House Rules

The House Rules apply to everyone on the property. They promote safety and welfare, help maintain an acceptable quality of life free of nuisance and unreasonable disturbance, and protect the architectural integrity and harmony of the community. They do not replace the Declaration and By-Laws. In case of conflict, the Declaration and By-Laws supersede the House Rules.

Definitions

Accompanied Owner's Guest – Owner's overnight, non-paying guest who stays at Wailea Point while the Owner is in residence.

Accompanied Renter's Guest – Renter's overnight, non-paying guest who stays at Wailea Point while the Renter is in residence.

Day Visitor – A visitor who does not stay overnight at Wailea Point.

Owner Family – Owner's mother, father, children, grandchildren and their spouses. For the purposes of these rules and only while the family member is residing (staying overnight) at Wailea Point, the Owner's Family has the same rights as the Owner whether the Owner is in residence or not.

Renter – The individual who leased/rented a unit and who is listed as a Resident on page one of the Property Management Information Form (PMIF). The resident's spouse/partner is also defined as a Renter.

Unaccompanied Owner's Guest – Owner's overnight, non-paying guest who stays at Wailea Point while the Owner is not in residence.

Documents

The following documents, referenced in the House Rules, are available at the Office or on the website, www.waileapoint.org, which contains up-to-date, valuable information, and printable forms. Owners are encouraged to utilize the website. Contact the Office if you need your assigned password.

Activities Reservation Form

Collection Policy

Entry Release Authorization Form

Owner Information Sheet

Property Management Information Form (PMIF)

Recycling Guidelines

Renovation/Remodeling Form

A. General Rules

- A-1 Owners must keep an up-to-date Owner Information Sheet at the Office.
- A-2 Owners are responsible for the conduct of anyone they permit or invite into Wailea Point. Owners or Rental Agents must provide a copy of the House Rules to Unaccompanied Owner's Guests, Renters, and Accompanied Renter's Guests. Upon request of the Board or Resident Manager, an Owner must immediately correct any condition that is contrary to the House Rules, the Association's Declaration or the By-Laws, including by removing from the premises any Renters or guests who refuse to conduct themselves accordingly.
- A-3 Obey posted signs.
- A-4 Quiet time is 10 p.m. to 8 a.m., except at the tennis court, where it is 10 p.m. to 7 a.m.
- A-5 Smoking is prohibited in or within 20 feet of the pavilions, pools, pool deck areas, spa areas, fitness center, or the business office. Cigarettes and matches may not be thrown from lanais.
- A-6 Two household pets are permitted per unit. Outside the unit, pets are permitted on streets, sidewalks and grass areas ONLY and must be leashed and under full control. Pet owners must clean up after their pets.
- A-7 All concerns regarding compliance with House Rules, the Association's Declaration or By-Laws should be brought to the immediate attention of the Resident Manager or the Patrol Staff.

B. Occupancy by Owners, their Families, and their Accompanied Guests

- B-1 At least 48 hours before arrival, Owners must notify the Office of the arrival plans for all persons who will stay overnight in the unit, including the arrival plans of Owners themselves.
- B-2 When Owners and Owners Family leave for overnight or longer, the Kiosk must be notified.
- B-3 When a unit will be vacant for more than (1) one week, the Owner or local representative must turn off the water supply and the hot water heater circuit breaker.
- B-4 When a unit will be vacant for more than thirty (30) consecutive days, the Owner must designate a local representative to conduct periodic inspections of the unit.

C. Occupancy by Unaccompanied Owner's Guests, Renters and their Overnight Guests

- C-1 Time-sharing is prohibited.
- C-2 Trading the use of a unit for other services or for use of another property constitutes renting and is subject to House Rules regarding rentals.
- C-3 Owners have the right to rent or lease their units for residential purposes for a minimum of thirty (30) consecutive days and only once per 30-day period.
- C-4 When an Owner rents or leases a unit, possession of that unit transfers to the Renter. Renters have the same rights of usage of Common Areas as Owners. The Owner retains the right to attend, participate in, and vote at homeowner meetings, annual meetings and participate at board meetings.
- C-5 An Owner must notify the Office that a unit is going into rental status and provide the name and contact information of the on-island representative.
- C-6 At least two weeks before a rental period begins or two working days before the arrival of an Unaccompanied Owner's Guest, a Property Management Information Form (PMIF) signed by the Owner or Rental Agent must be received by the Office. Office personnel will promptly acknowledge receipt of the PMIF.
- C-7 Accompanied Renter's Guests must be identified on the PMIF.
- C-8 Renter and Unaccompanied Owner's Guest must have an acknowledged PMIF with him/her to enter Wailea Point.
- C-9 Renter and Unaccompanied Owner's Guest must check in and out at the Office. Check-in requires government-issued photo ID.
- C-10 Renter as shown on the PMIF must be the first person to check in and the last to check out during the rental period.
- C-11 If the Renter(s) as shown on the PMIF permanently vacate(s) the unit, no one may stay in the unit until the rental period expires.
- C-12 For non-emergency problems within the unit, Renters and guests should contact the Rental Agent or Owner.

D. Security, Gate Access, and Unit Access

- D-1 Residents must notify the Kiosk of the arrival plans of Day Visitors who are not listed on the unit's Entry Release Authorization Form. See Sections B & C regarding entry of overnight guests.
- D-2 All vehicles entering the property must be registered at the Kiosk.

- D-3 Wailea Point entry stickers must be removed from vehicles that are sold to non-Owners.
- D-4 Except in emergencies, contractors other than those providing services to the Association are permitted entry Monday through Friday, 8:00 a.m. to 5:00 p.m., excluding holidays.
- D-5 Cleaning service providers are permitted entry daily from 7:00 a.m. to 7:00 p.m.
- D-6 Patrol and Administrative staff may request identity verification of all persons on the property.
- D-7 The Resident Manager has the right to instruct Patrol personnel to inspect any unit as warranted.
- D-8 Anyone occupying a unit cannot unreasonably deny permission for routine maintenance, landscaping, painting, or repairs to be done anywhere on the property.
- D-9 Owners must provide keys to their Unaccompanied Owners Guests, Renters, real estate agents, contractors, and regular service providers. If key service is provided as a courtesy for a unit on more than a very rare occasion, a Work Order will have been considered initiated and a service invoice will result.
- D-10 Wailea Point accepts no responsibility for loss or damage of packages or envelopes left at the Kiosk

E. Common Areas

- E-1 Lawn areas may not be used for golf practice or for games that interfere with the rights, comforts or convenience of others.
- E-2 No climbing on trees, fences, walls or other common elements.
- E-3 Skateboards, roller skates and roller blades are prohibited.
- E-4 Private golf carts, bicycles, motorcycles, scooters, skateboards, roller skates, roller blades, etc. are prohibited on the Seawalk.
- E-5 Rubbish must be drained, placed in a securely tied plastic bag and deposited in the container in the garbage areas. Please comply with Recycling Guidelines.

F. Entrances and Lanais

- F-1 Sidewalks, stairways, entryways and corridors must not be obstructed in any way that impairs access. Small plants, sculptures and shoe benches are permitted near front doors.

- F-2 Fires, open flames, hibachis and gas grills are prohibited inside units and on lanais, except the built-in lanai gas grill, used in conjunction with a built-in exhaust fan.
- F-3 Nothing may be thrown from windows or lanais. Rugs etc. may not be dusted or shaken from windows or lanais.
- F-4 Nothing, including clothing, towels, rugs, holiday season lighting or decorations etc., may be hung on lanai railings.
- F-5 Plants must be in containers that prevent water or soil from dripping onto other units or common elements.
- F-6 Garbage cans, household supplies, trash, signs, notices, bills, advertising matter, or other such articles, must not be visible from outside the unit.

G. Pools and Spas

WARNING: No supervisor or lifeguard is on duty. Use pools and equipment at your own risk. The Association is not responsible for injuries resulting from use of pools or equipment.

- G-1 Hawaii State Department of Health requirements are posted at the pool and must be obeyed.
- G-2 The lower Makai pool and pavilion is a “quiet environment.” The upper Mauka pools and pavilion is a “family environment.”
- G-3 The lap pool is for lap swimming only.
- G-4 Before entering pools and spas, showers sufficient to remove suntan oil, dirt, and sand are required, and hairpins, etc. must be removed.
- G-5 Public use of audio equipment is permitted only during formal exercise classes. Personal audio equipment requires use of ear/headphones.
- G-6 Within the pools’ gated areas, cell phones may not be used and audible ring tones must be turned off.
- G-7 Food or beverages are prohibited within three (3) feet of the pools and spas. Use plastic or unbreakable containers. Glassware may only be used at annual AOA events.
- G-8 While in swim attire, cover chairs and chaise lounges with a towel. Please remove towels if you will not be returning shortly.
- G-9 No armbands or mattresses may be used in the pools. Recreation equipment is limited to:
 - a) in the two main and lap pools – exercise equipment, kickboards, certified personal flotation devices, snorkel masks and goggles;
 - b) in the wading pool – soft, small inflatable toys.

- G-10 Children under age ten (10) must be under adult supervision at pools, spas, decks and pavilions. Children not toilet trained must wear waterproof swim diapers. Diaper changing is permitted only in restrooms; changing stations are in the restroom near the wading pool.
- G-11 Running, excessive noise, and “horseplay” are prohibited within the pools’ gated areas.
- G-12 Clean up after yourself.

H. Fitness Center

- H-1 Day Visitors may not use the Fitness Center.
- H-2 Unsupervised use of fitness equipment by children under age twelve (12) is prohibited.
- H-3 Proper attire must be worn, including shirts and appropriate footwear.
- H-4 Fitness center users must leave the equipment and surrounding area clean. Please use the provided disinfectant spray and paper towels.
- H-5 Personal trainers are permitted as guests of Owners for training activities, provided an Activity Reservation Form has been filed at the office.
- H-6 Personal audio equipment must be used with head/earphones.

I. Pavilions

- I-1 Pavilion furnishings may not be moved to other areas. Upholstered furniture may not be used while wearing wet swim attire.
- I-2 Groups are limited to 150 people at the upper Mauka Pavilion and 75 at the lower Makai Pavilion.
- I-3 For a private social function, residents may reserve one pavilion (not including swimming pool, spa or fitness center) if the other pavilion is not already reserved or under repair/ renovation on requested date.
- I-4 For functions such as presentations, fundraisers, classes, etc., only the upper Mauka Pavilion may be reserved.
- I-5 To reserve a pavilion, an Activity Reservation Form must be filled out, signed to demonstrate agreement of the Terms and Conditions, and submitted to the Office for approval. Approval must be received before the event date.
- I-6 Additional Terms and Conditions are listed on the Activity Reservation Form. Changes to Pavilion Reservation Terms and Conditions may only be made by the Board of Directors.

I-7 Requests for change of Activity Reservation Form Terms and Conditions for a specific event must be submitted in writing to the Resident Manager sufficiently in advance of event date to allow adequate review time.

J. Tennis, Pickle Ball, & Paddle Ball Courts

J-1 The tennis court may be used for tennis only.

J-2 Appropriate tennis footwear must be worn on all courts, which excludes footwear that could damage or scuff the courts.

J-3 Please respect the peace and privacy of surrounding residences.

J-4 Food is prohibited on courts. Beverages must be in non-breakable containers.

J-5 Play during unreserved times is on a “first come, first served” basis.

J-6 Play is limited to 60 minutes when others are waiting.

Regarding Reservation of Tennis Court:

J-7 Name and unit number must be written next to the desired time on the sign-up sheet at the tennis court.

J-8 From 7:00 a.m. through 10:00 a.m., reservations must be made on the hour, for one hour only, and may be made only once in three days per unit. Residents who will be playing during one time slot in this 7-10 a.m. period may not make another reservation during this 7-10 a.m. period on the same day.

J-9 For 10 a.m. through 10 p.m., reservations are limited to a maximum of two hours per unit per day. These two hours may be consecutive and may start on the half-hour, e.g. 4:30 and 5:30 p.m.

J-10 If the reserving party has not begun play within ten (10) minutes of start time, the reservation is void.

J-11 Please remove your name if you will be unable to play at reserved time.

J-12 Switching reservations or partners in order to continue to use the court for consecutive periods is not acceptable when such switching deprives other residents of using the sole tennis court at Wailea Point.

K. Vehicles and Parking

To mitigate parking constraints, Owners are highly encouraged to make their garages available for parking and residents are highly encouraged to park in garages.

- K-1 Parking is prohibited on blacktop pavement unless authorized by Patrol Staff or the Resident Manager.
- K-2 Trellised parking areas may be used for cars, trucks, vans, golf carts with Wailea Point disability stickers, and maintenance golf carts.
- K-3 Six spaces in front of the Fitness Center are for short-term parking while using the pavilion, pool or fitness center.
- K-4 Red brick areas at the upper and lower pools are reserved for cars with state Disability Parking mirror tags and golf carts.
- K-5 Garage doors must be kept closed when not in use.
- K-6 Golf carts must be electric-powered and may only be operated by licensed drivers.
- K-7 Covers used on vehicles and golf carts parked outdoors must be of a neutral color, in good condition, and firmly secured.
- K-8 Vehicles may be washed and polished in the Owner's driveway. Boats and other equipment must be cleaned at the designated area near the Landscape Shop.
- K-9 An Owner, Renter, their guests and employees may park on the unit's garage parking pad if the pad fully accommodates the vehicle without restricting traffic.
- K-10 A resident shall direct guests, workers, visitors, etc., to park in trellised parking areas or on the resident's full garage parking pad, if there is one.
- K-11 The Resident Manager may direct short-term parking on the full garage parking pad of an unoccupied unit.
- K-12 From November 1 through March 31, if a unit resident will not be using that unit Owner's vehicle(s) for 25 days or more, the vehicle(s) may not be parked outside that unit's garage.

- K-13 From April 1 through October 31, an appropriate number of trellis spaces determined by management will be set aside for Owners wishing to park a vehicle outside the unit's garage for more than 25 days. The Office will accept one written request per unit for these spaces, which will be designated by the Resident Manager based on needs. If the number of requests received before April 1 exceeds the number of available spaces, a lottery system will be used. Owners with vehicles parked in one of these designated spaces must leave vehicle keys with the Office. Wailea Point Staff may move these vehicles as required.
- K-14 If a vehicle is parked inappropriately, if a vehicle is being stored for someone other than an Owner, or if a vehicle does not have an appropriate pass, the Resident Manager may have the vehicle towed from the property after proper notification has been given. Violators are responsible for towing and any other incurred expenses. If the violator is a Renter or guest, the unit Owner is responsible for payment.
- K-15 When the Resident Manager deems that overnight parking is seriously constrained, units with more than two (2) cars, trucks or vans parked outside the garage overnight at Wailea Point will be notified to temporarily but immediately move one or more vehicles to another area of the property and/or to remove one or more vehicles from the property.

L. Employee Services and Relations

- L-1 Requests for maintenance services through the work order program must be submitted to the Office. Service will be provided on a time-available basis.
- L-2 If a work order is initiated, Owners will be billed at the prevailing rates.
- L-3 Tipping Wailea Point employees is strongly discouraged. Instead, please give to the Wailea Point Employee Holiday Season Fund, which all employees share.
- L-4 Concerns about individual employees should be directed to the Resident Manager or a member of the Board.

M. Building Modifications

- M-1 Major remodel construction is permitted only from April 1 through October 31.

- M-2 All remodel/renovation plans must be approved by the Resident Manager and Building and Site Committee before construction begins. By March 1, Owners who plan to remodel that year must submit a Renovation/Remodeling Form for approval, which may take up to ten (10) working days.
- M-3 After approval, Owners must promptly execute all repair, maintenance, and alteration work which adversely affects any common element or other units.
- M-4 No wiring or other device may be installed on the exterior of the building or protruding through the wall, windows or roof, except as permitted by the Building and Site Committee.
- M-5 Nothing is permitted in any unit or common element that will overload or impair the floors, walls, or roofs of any building or that will be in conflict with the Association's insurance coverage.

N. Real Estate Showings

- N-1 Owners must notify the Resident Manager of intent to have their unit shown, providing listing agent's name and contact numbers.
- N-2 Only "Registered Agents" may show units, that is, real estate agents who have received the House Rules from the Office and signed an agreement to abide by them.
- N-3 Showings must be by appointment only.
- N-4 Agent or Owner must notify the Kiosk of the name of the party, appointment time, and unit(s) to be shown.
- N-5 Agent or Owner must meet the prospective renter or buyer outside the gate and remain with them while they are on the property.
- N-6 Owners must provide their real estate agent with a key to the unit.
- N-7 Open Houses, broker or realtor gatherings for coffee, tea, or other social-sales functions are prohibited.

O. Payments, Late Fees, and Fines

- O-1 Wailea Point's Collection Policy lists payment due dates and sanctions applicable to delinquent payments. Due dates include:
 - a) Monthly Fees – the first of each month. A late fee will apply after the 10th of the month.
 - b) Special Assessments – as specified by the Special Assessment notice. A late fee will apply 10 days after due date.
 - c) Work Order Invoices – within 30 days of date of invoice.
 - d) Fines – within 30 days of citation.

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