

ASSOCIATION OF APARTMENT OWNERS HALE ROYALE
3788 L HONOAPIILANI RD
LAHAINA, HAWAII 96761
Ph. (808) 830-0258 Or Email: haleroyaleaoaorm@gmail.com

Alteration/Renovation Request Form for Owners
Revised 02/01/2023

PART I: OWNER ALTERATION REQUEST

Owner Information:

Name(s): _____ **Unit #:** _____

Mailing Address: _____

Phone #1: _____ **Phone #2:** _____ **FAX:** _____

Email Address: _____ **Deposit Check Rcvd: Check No:** _____

On-Island Agent Name & Contact No. _____

Application Package: Forward this package to Managing Agent for Hale Royale

1. This completed and signed forms are required to allow the Board of Directors to review for approval BEFORE any work can commence.
2. Owner will submit a \$250.00 check payable to "AOAO Hale Royale" for the initial deposit to cover damages or expenses for noncompliance with AOAO Guidelines. If there is any remaining balance at completion of the project, it will be refunded to the Owner.

Once a complete application package is submitted, the Resident Manager will act promptly to request Board to review and approve or disapprove the proposal. If the proposal is not approved by the Board, the Owner may appeal his/her decision. When necessary, Owner will be required to get necessary permits, inspections, etc. from the County before work can begin.

Requested Construction Start Date: _____ **End Date:** _____

DESCRIPTION OF WORK TO BE PERFORMED (attach additional pages if needed):

Is Owner doing the work? Yes _____ No _____

Will there be any changes to electrical or plumbing? Yes _____ No _____

General Contractor: _____

License # _____ Phone: _____

Electrical Contractor: _____

License# _____ Phone: _____

Plumbing Contractor: _____

License# _____ Phone: _____

Design Review Indemnification:

- A. By signing below, I/We acknowledge and agree that (i) any approval or inspection by the Board is limited to review of compliance with the governing documents of Hale Royale, and such approval or inspection does NOT constitute inspection or approval of construction, engineering, design, structural soundness, safety or compliance with plans or specifications or with zoning ordinances, building codes or any other governmental requirement; and (ii) I/We are solely responsible for compliance with all federal, state and local laws, rules, ordinances or statutes that may apply to the proposed work described in the application.
- B. By signing below, I/We hereby agree on behalf of myself/us and all current and future owners of the Living Unit, to indemnify, defend and hold harmless the Association, its directors, officers, employees and agents (collectively the "Association") against any claims made against the Association related to (i) the approval of this application, any plans or specifications submitted or any inspection made in connection therewith, and/or (ii) the proposed work described in this application, including without limitation, the design and construction of said work.
- C. By signing below, I/We agree to the terms and conditions contained herein:

Part I	OWNER ALTERATION REQUEST
Part II	OWNER ALTERATION REVIEW CRITERIA
Part III	OWNER ALTERATION GUIDELINES FOR CONTRACTORS
Part IV	HOUSE RULES BUILDING MODIFICATIONS, AMENDMENT TO THE DECLARATION AND THE BY-LAWS

If, at the discretion of the Board, it is deemed necessary that an independent Architect or other Consultant be engaged to review the plans submitted by the Owner then, and in that event, the Owner will be notified and requested to provide authorization for reimbursement to the Association for any fees incurred for such review and said fees shall be paid prior to final disposition of this application.

Owner Signature: _____ Date: _____

General Contractor Signature _____ Date: _____

**Work completed as contracted:
(Owner and General Contractor signatures required).**

Owner Signature: _____ Date: _____

General Contractor Signature _____ Date: _____

AOAO USE ONLY:

Request approved as submitted: Yes _____ No _____

Additional information required for approval: _____

Signature of Resident Manager on Behalf of BOD _____ Date: _____

**REQUIRED BY OWNER for Deposit Refund. Upon 100% Completion,
Page 3 of Alteration/Renovation Request form must be submitted.**

On Behalf of AOA, Received By: _____ Date: _____

Deposit Refund of \$: _____ Date: _____

PART II: OWNER ALTERATION REVIEW CRITERIA

The Owner is required to obtain approval of the Association of Apartment Owners of Hale Royale. You must complete the Owner Alteration/Renovation Request Form available from the Resident Manager.

The Owner must determine from Maui County Building and Construction Codes whether the scope of improvements will require a Building Permit. A general guideline of Building Permit requirements as of Mar 2019 is:

Improvement work valued over \$5,000.00.

Any change of plumbing or electrical in your unit requires a Permit be obtained by your plumber or electrician.

Owner and all workers should read and be familiar with the Guidelines for Contractors.

The Owner will be held financially responsible for workers' non-compliance with the Hale Royale Construction Work Guidelines. Please read those Guidelines and have all your workers read those Guidelines.

The Owner is to submit an initial \$250.00 check payable to "AOAO Hale Royale" for the initial deposit to cover damages or expenses to AOA from Contractor non-compliance with the AOA Guidelines for Contractors. That deposit will reimburse AOA for expenses of damage to common elements of Hale Royale, and expenses of non-compliance incidents by contractors, subcontractors, and all workmen. Notice will be provided to Owner of deductions from the deposit. If the deposit becomes inadequate due to such deductions, Owner is to submit additional \$250.00 deposits as needed. At the conclusion of the project, the deposit balance will be returned to Owner.

Some of the actions or omissions by your workers which could trigger deduction from the deposit include:

- House Rules Violations
- Improper utility shut-off
- Failure to timely advise Resident Manager of intended jack hammer or similar substantial noise
- Failure to notify Resident Manager of proposed use of hazardous chemicals and materials
- Work hour violations before 8:00 a.m. or after 5:00 p.m. Monday through Saturday
- Damage to any part of the common elements of Hale Royale
- Damage to parking lot asphalt
- Use of Hale Royale trash bins for construction debris
- Failure to remove construction debris from Hale Royale
- Unsightly or unsafe storage of materials on lanais
- Clean up of paint, drywall, tile or grout materials or equipment on the common areas of Hale Royale
- Non-compliance with OSHA or HIOSH regulations on site or on common areas of Hale Royale.

Please assist us in keeping Hale Royale clean, safe, and useable by your neighbors.

PART III: OWNER ALTERATION GUIDELINES FOR CONTRACTORS

At Hale Royale, we encourage the continual improvement of our property, both on the interior and the exterior. In order to achieve this end and at the same time protect the rights and privileges of our owners and residents, the following rules have been developed.

The "Guidelines for Contractors" is a supplement to the "House Rules" but does not replace or supersede the "House Rules" of the AOA Hale Royale. These guidelines shall be strictly enforced. Contact the Resident Manager if you have any questions or special needs.

SECTION A. PRIOR TO CONSTRUCTION/RENOVATION

1.

- a) **Written Permission.** The Contractor must have written permission of the Owner before work can begin in any unit.
- b) **Overnight Use of Unit.** Under no circumstances may a Contractor or the Contractor's staff occupy overnight the unit in which work is being done without prior written approval of the Owner.

2. Construction/Alterations

- a) **Permits.** Owner or Contractor must present a valid construction permit to the Resident Manager before commencement of work. All work must conform to Maui County Code. All electrical and plumbing work requiring a permit shall not commence until the permit has been provided.
- b) **Licenses and Insurance.** All Contractors must be licensed and provide insurance appropriate to their trade. A current Certificate of Liability Insurance and Worker's Compensation is required prior to the commencement of on-site work and is required to be on file with the Resident Manager. AOA Hale Royale shall be named additional insured on the Comprehensive General Liability policy for all contracts in excess of \$10,000.
- c) **Structural Changes.** No structural changes of any type shall be permitted either inside or outside an apartment without prior consent and written approval of the Board consistent with the provisions of the governing documents and in Chapter 514B, Hawaii Revised Statutes.

3. Plans and Work Schedules.

- I. Contractor or Owner must submit list of subcontractors who will be working in the unit prior to commencement of work. Any substantial changes or deviations to the plans will require approval by the Board before commencement.
- II. Contractor/Owner must furnish a schedule of start and finish dates for the work to the Resident Manager prior to commencement of work. Changes to dates must be cleared and approved by the Board. A reasonable extension shall be granted for good cause.
- III. All construction or other work on the property must be in complete compliance with the House Rules, Declaration, By-Laws, other pertinent condominium documents, and all applicable City, County and State of Hawaii laws. These documents are on file with the Managing Agent. Any deviation from these rules requires the approval of the Board.
- IV. **Water and Electricity Shut-Down.** Under no circumstances will the water, electricity, or other utility be turned off without notification and the consent of the Resident Manager. At least two (2) days advance notice is required. During substantial re-plumbing, the owner shall install separate shut-off valves for the plumbing.

SECTION B. DURING CONSTRUCTION/ALTERATION

- a) **Clothing and Footwear.** Contractors and their employees must abide by all OSHA rules and regulations regarding clothing and footwear. We encourage Contractors to wear clean, sleeved shirts with Contractor name or appropriate visible name tag or business logo, appropriate footwear (covered shoes), and be professionally presentable at all times.
- b) **Inappropriate or Unprofessional Behavior.** Inappropriate or unprofessional behavior of any kind will result in immediate suspension from the property until such time as the Owner is apprised of the situation. No alcohol may be consumed at any time on property.
- c) **Working Hours.** Working hours are 8:00 a.m. to 5:00 p.m., Monday through Saturday.
- d) **Damages.** Damages caused during construction to any part of the Common Elements of the Hale Royale property, or to any other unit, must be reported to the Resident Manager immediately. The cost of repairing any damage will be charged directly to the Owner.
- e) **Owner and Resident Complaints.** Any work which will potentially disrupt Owners or Residents in the units (i.e. noise or utility shutoffs) must be cleared with the Resident Manager at least two (2) days in advance. Any compensation for House Rules violation(s) by Contractor, following a written warning with no Contractor compliance, will be charged to the Owner.

Clean-Up.

- a. **Trash/Construction Materials.** All trash or construction materials must be removed from the property by the Contractor. Under no circumstances can Hale Royale trash bins be used. All trash must be cleaned up on a daily and on-going basis. Under no circumstances can trash be left on property overnight unless placed in a Contractor's dumpster.
- b. **Common Areas.** Any common areas, entry doors, areas in front of the units, lanais and areas around the building entrances must be left as clean at day's end as they were found upon arrival. A cleaning fee will be charged to the Owner for any negligence of the Contractor in cleaning of common areas.
- c. **Tools and Equipment.** The cleaning of tools or equipment on the outside of the unit without the Resident Manager's permission is prohibited. No cleaning of paint, paint brushes or related equipment, dry wall or related equipment, tile equipment, grout cleanup or related equipment is permitted on property. The unit and common element area drains should not be used for dumping of any material. All sharp implements shall be kept in the unit and not in the common hallways.
- d. **Dumpsters for Construction Debris.** Dumpsters or trash bins up to three (3) cubic yards may be utilized by the Contractor for the collection of construction debris if prior approval of the container and its proposed location is obtained from the Board. All construction debris must be removed from the property by the Contractor as necessary. Under no circumstances will any of the existing trash bins provided by the AOA be used for construction debris.
- e. **Mold/Mildew and Misc. Unit Damage.** Any areas found to have mold/mildew or damage to the drywall, wood, metal studs, plumbing, electrical components or panels must be reported to the Resident Manager and repaired or replaced with mold/mildew resistant materials (where available) while the unit is under renovation.
- f. **Safety Regulations.** All Contractors, their employees and subcontractors must comply with OSHA and HIOSH Regulations while on-site at Hale Royale.

END OF OWNER ALTERATION GUIDELINES FOR CONTRACTORS

Retribution: Should any of the above be violated or ignored, should the Board not be advised of construction or permits obtained, the Managing Agent has the authority to issue a Stop Work Order until all rules are adhered to, notification is received as stated and permits are obtained.

PART IV: AOA HOUSE RULES BUILDING MODIFICATIONS, AMENDMENT TO THE DECLARATION AND THE BY-LAWS

Building Modifications:

1. No structural changes of any type shall be permitted inside or outside an apartment without prior written approval from the Board of Directors, consistent with the provisions in the governing documents and in Chapter 514B, Hawaii Revised Statutes.
2. Owners who wish to install air conditioners may do so only with the written permission of the Management or Managing Agent. Air conditioners must run on 110 volts. Air conditioners are permitted to project into the lanai area only.
3. No installation work of any kind, on or within any Common or Limited Common Element, will be allowed without written authorization from the Board.
4. Plumbing, electrical, and structural systems shall be installed by a licensed, insured and bonded professional, fulfilling all requirements mandated by Maui County.
5. If required, the Owner must obtain a Maui County building permit and proof of such permit shall be submitted to the Board. This refers to installation requiring plumbing or electrical changes, or structural changes to existing floor plans; i.e., increased electrical usage (220 volt) or running new electrical lines, having to run new water lines within the common element and/or building walls, or containment areas, which impact existing floor plans.
6. Any non-emergency work requiring the water or electricity of a unit to be shut off requires a 48-hour notice to be given to Management and to adjacent or affected units.
7. Venting for the dryer must be through the existing venting system. No new venting will be allowed to extend out of any building.
8. No radio, television or other antenna shall be erected or installed on or within the premises of the complex.
9. Nothing shall be allowed, performed or kept in any apartment or common element which will overload or impair the floors, walls, or roofs of the building or cause any increase in the ordinary premium rates or the cancellation or invalidation of the Association's insurance.
10. No awnings or other projections shall be attached to the outside walls of any building or the exterior portion of any door without the prior written consent of the Board, consistent with the provisions in the governing documents and in Chapter 514B, Hawaii Revised Statutes.
11. No alteration or addition to an apartment, or any alteration or addition to the common elements, may be made without the prior written approval from the Board, as may be required by the provisions in the governing documents and in Chapter 514B, Hawaii Revised Statutes.
12. Hale Royale has an approved conforming security screen door for front door installation or replacement. This door has taken into consideration quality, security and aesthetics. Please contact the Resident Manager for Dealers and further information.

AMENDMENT TO THE DECLARATION AND THE BY-LAWS

Declaration - 13. Use of Apartments, Paragraph 5. "An Apartment Owner shall not, without the prior written consent of the Board of Directors of the Association of Apartment Owners, make any structural alterations in or additions to the Apartment, make any interior alterations in or additions to the Apartment visible from the exterior of the Apartment, or make any alterations in or additions to the exterior of the Apartment or to any other portion or portions of the common elements unless otherwise provided in the By-Laws".

By-Laws - Article X – General Provisions; Section 3 Additions or Alterations by Apartment Owners. "No Owner shall make any addition or alteration in or to his Apartment which may affect the common elements or change the exterior appearance of the buildings, without the prior written consent thereto of the Board. The Board shall have the obligation to answer any written request by an Apartment Owner for approval of a proposed addition or alteration to such Apartment within a reasonable time after such request".

THIS ENTIRE DOCUMENT MUST BE ACCEPTED BY THE OWNER AND THE GENERAL CONTRACTOR PRIOR TO COMMENCEMENT OF WORK ON ANY UNIT AT HALE ROYALE. IT WILL BE RETAINED IN THE ASSOCIATION'S OFFICE.