

**ASSOCIATION OF UNIT OWNERS
OF
ATKINSON TOWER**

**REPAIR AND RENOVATION RULES
AND REGULATIONS
HANDBOOK**

September 2012

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ASSOCIATION OF UNIT OWNERS OF ATKINSON TOWER REPAIR AND RENOVATION RULES AND REGULATIONS

I. EXEMPTIONS

Activities not requiring the services of a licensed contractor (such as painting, wallpapering, installation of carpets (when no tack strips are removed or installed); TV repairs; exchanging appliances when no new plumbing is required; hanging fixtures when no new outlets are required; window washing; rug cleaning; and moving furniture in or out of the building) are exempted from this part of the House Rules entitled Contractor Rules and Regulations. However, all parts of the House Rules, including, but not limited to those governing elevator use, parking, cleanup, or debris and packing removal (including those sections with provisions similar or identical to those herein) will be in force.

II. RULES AND REGULATIONS

All remodeling, repair and alternation to the individual units must comply with the Declaration of Condominium Property Regime; the Bylaws; and the House Rules.

III. CODES

Changes to any unit must comply with Federal, State and City building, health and Safety codes.

IV. METHOD OF PROCEEDING

Design Review Requirements

The following procedures must be followed and approved by Management prior to obtaining other required permits or beginning construction. These procedures, and Management review and approval, are only for compliance with the Association of Unit Owners of Atkinson Tower planning and design standards. Owners are responsible for obtaining the necessary City & County building permits and complying with all applicable codes, ordinances and regulations.

Step 1:

Obtain a copy of the “**Apartment Repair and Renovation Request Form**” (Exhibit A) which is available at the Management Office. A preliminary description of the plans must be submitted in writing to Management. This step can be carried out without detailed plans, architectural drawings, permits, etc.

Step 2:

- A. Prepare and submit to Management a copy of the application form, the plot/location plan, and the preliminary plans prepared by a Hawaii licensed architect unless otherwise permitted by Management. The plans should show in detail, with dimensions, the nature of the proposed improvements. All of this, together

with the design review fee for Preliminary Plan review, should be forwarded to the Management Office. The fee schedule is available from the Management office.

- B. Management shall complete the review of your Preliminary Plans within thirty (30) days after submission. Approval or disapproval (objections will be indicated) of the plans will be returned to the owner within thirty (30) days. If plans are not returned within the (30) day period, the plans shall be considered to receive preliminary approval.
- C. Management may consider the preliminary submission adequate to give final approval. Homeowners should submit both the preliminary and final design fee with the initial preliminary submission if such expedited action is to be considered by Management.

Step 3:

Prepare Final Improvement Plans and Specification which shall contain the following:

- A. Plot Plans (Scale: 1 inch = 20 feet) showing the following information where appropriate:

- 1. Property Lines and dimensions.

- B. Building Plans and Specification (Scale: $\frac{1}{4}$ inch = 1 foot)

All dimensions, materials and construction details of the proposed improvements must be shown in plan (top view) and all elevations (front, rear and side views). The plans should also include specifications for the type, finish and color of all new materials,

Step 4:

- A. Mail or deliver a copy of the completed “**Apartment Repair and Renovation Request Form**” (Exhibit A) together with three (3) sets of the Final Plans and Specifications to the Management office along with the design review fee for final plans.
- B. Approval or disapproval of the final plans shall be made in writing to the owner within thirty (30) days. Work shall begin within 90 days from date of approval.
 - 1. If the plans are approved, you will be notified in writing and Management will return one (1) set of the approved plans to you. One set will be retained by Management. The third set will be used for inspection when improvements have been completed.
 - 2. If the plans are disapproved, you will be notified and one (1) set of the disapproved plans will be returned to you with appropriate comments. The plans must be revised in accordance with those comments and, if you still desire to proceed with the project, three (3) copies of the revised plans

and all necessary attachments must be resubmitted to Management for approval.

3. Approval is effective for period of one year from the date of approval. If work has not been started within 90 day period, approval will be revoked. All work shall be completed within the time frame specified on the application form. If work has not been completed within the specified time, the approval will be revoked. If the approval becomes revoked, the owner will be required to resubmit final plans and specifications for approval. Another design review fee will be required.

Step 5:

Upon completion of any work for which approval has been received, the owner is to give written notice to Management which shall, within thirty (30) days inspect such work to determine whether it has been completed in substantial conformity with the approved plans and specifications.

- A. If the work has not been done in conformity with such approved plans and specifications, except for revisions mandated by the City and County Department of Planning and Permitting, the owner will be notified of such and be required to resubmit all as-built changes to Management for approval.
- B. If the owner has not been notified of any such non-compliance within thirty (30) days after notifying Management, the improvements shall be deemed to have been completed in accordance with the approved plans.

V. PROJECTS INVOLVING INVASION OF COMMON AREAS

A. Security Deposit

The following paragraph applies to any reconstruction, alteration or repair which requires invasion of the common areas and limited common areas as defined by the Condominium Property Regime currently in effect. Before any work commences, the owner will post a security deposit of 5% of the cost of the project (with a minimum of \$25,000) unless waived or reduced by the Board of Directors. The deposit will be refunded, without interest, when the work is completed and the unit has been:

1. Approved by the cognizant Federal, State, City or other authorities as evidenced by copies of the approvals; and 2) upon inspection by Management. In the event that there is damage to the common areas or serious violation of the agreed regulation, Management may withhold any reasonable amount of the Security Deposit in remediation.
2. This deposit must be delivered to and received by Management before work begins.

VI. ALL PROJECTS

A. Working Hours

Workers, tradesmen, or vendors will normally only be permitted on the premises between 8:00am – 4:00pm, Monday through Friday. At no time are they permitted to work on the weekends or Holidays. (See Management for list of Holidays).

B. Permit

A copy of all electrical, plumbing or mechanical permits must be given to Management prior to starting work on those systems. Obtaining permits is the responsibility of the owner. All such work must be done by a licensed contractor.

C. Use of Elevators

CONTRACTORS and VENDORS or workers must advance arrangements, during business days (a minimum of 24 hours) and coordinate work schedules with Management before tools, materials or other equipment is moved between floors. Any materials unable to fit in the elevator shall be cut to size prior to being brought on the property (e.g. drywall, metal studs, lumber...). Elevator #2 will only be used for the transfer of all equipment and materials. The elevator shall be released as soon as the transfer of materials or tools is complete. Elevators are reserved for the use of the residents and guests.

D. Parking

Vans, trucks and waste bins must be parked as directed by the Resident Manager, including when unloading and loading in the service parking stalls AA & BB. Any permits needed from the City to park on the streets during work are the responsibility of the contractor or the owner of the unit.

E. Carts

Contractors, tradesmen, and vendors will provide their own equipment. and trucks, and pushcarts belonging to Atkinson Tower are not to be used by contractors, tradesmen or vendors.

F. Storage of Materials and Equipment

All tools, materials and other equipment being used in a project shall be located within the unit and not placed in the hallways or in the common areas. No tools, materials or other equipment shall be leaned against common walls, doors or other surfaces. No flammable materials are to be stored in the unit overnight.

G. Removal of Debris

Debris resulting from work shall be carefully removed on a daily basis. Debris shall not be placed in the condominium dumpster or sent down trash chutes. The owner or the unit is responsible for charges, including permits if any, relating to the proper disposal of debris.

H. Common Area Cleanup

Dust and other debris resulting from the work will be removed from the common areas, including the service parking stalls, on a continuing basis as the work progresses and not only

at the end of the day. If the Atkinson Tower staff must clean up such debris, the unit owner will be charged.

I. Responsibility for Damages

Owners of units undergoing alterations are responsible for any and all damage done to the building and property by the contractors and workers involved.

J. Safety

The contractor is responsible for providing barriers and suitable markers whenever it is necessary or appropriate for the work being performed. When carrying large or bulky materials and equipment (such as rugs and ladders), one person must go before the object to clear the way.

K. Noise and Smoking

Loud radio playing or loud talking that can be heard in any other unit is prohibited. Smoking on common elements such as stair wells, walk ways, elevator lobbies and within 20 feet of the apartment windows or door ways is prohibited.

L. Asbestos

One of the areas of special concern is the removal of any material containing asbestos, such as "popcorn" ceiling, wall coverings and the original floor covering. These materials may only be worked on or removed by certified asbestos contractors. Before any disturbance or removal of asbestos material begins, the owner must notify Management in writing and receive written permission.

M. Plumbing

Each unit has a water service cut off valve located under the bathroom sink. If plumbing work needs to be done to replace the cut off valve, Management requires 48-hours notice to schedule the appropriate water shut-off. No such plumbing work can start until Management notifies the contractor that the water has been turned off and the contractor can proceed. Management shall be notified immediately when water service may be resumed.

N. Concrete Surfaces

Most perimeter walls, and the floors and ceiling of each unit within the building, are concrete with steel reinforcing bars inside. There shall be no drilling, cutting or digging into concrete surface. The only exception to this is for drilling small holes to attaching small objects, such as pictures, to the surface, in which case Management is to be notified before work begins. No demolition jack hammers may be used at any time. The use of handheld power impact tools may be used if authorized by the Resident Manager on a case by case basis.

VII. EATING AND DRINKING

Workers' food and beverages taken on premises may only be consumed in the owner's unit.

VIII. INSPECTION

Routine inspection may be conducted by Management. Management will have the right to stop work when the requirements of these Rules and Regulations are not being met or when changes have been made to plans, permits or replacement of contractors and subcontractors without resubmitting the changes and replacements as stated in the METHOD OF PROCEEDING paragraph above, section IV. Management will check any opening and/or closing walls to see if any common area items within walls (e.g. pipes, wiring, waste lines, and vents) have been disturbed or damaged.

IX. CONTRACTOR INSURANCE

License contractors should provide Proofs of Insurance showing that they have commercial general liability insurance with a minimum of \$300,000 in coverage, \$1,000,000 would be preferable.

They should also have work comp, auto and professional coverage as needed. They should name the association on their general liability policies as Additional Insured

EXHIBIT A

Apartment of Unit Owners Atkinson Tower Apartment Repair and Renovation Request Form

Application for approval of: _____ PRELIMINARY PLANS _____ FINAL PLANS

Application Date: _____ Submission Date: _____

Name of Owner: _____

Project Address: _____ City: _____ Zip: _____

Mailing Address (if different): _____ City: _____ Zip: _____

Telephone No. Residence _____ Business _____ Other: _____

Description of Proposed Project: _____

Estimated time to complete project after approval: _____

Construction performed by: ____ Owner ____

Contractor _____
Name Address

Signed: _____ Date _____
Homeowner

If applicable, provide the following:

1. Electrical Contractor _____
2. Plumbing Contractor _____

For Office Use Only:

☐ Approved as submitted

☐ Approved as modified: Approval is subject to the following conditions and/or modifications as indicated:

Approval is effective for a period of one year and is deemed revoked if the Owner has not commenced with the approval work within that period. Owner is responsible for obtaining the required City and County of Honolulu building permits.

☐ Disapproved for the following reasons:-

Authorized Signature _____

AOAO ATKINSON TOWER REPRESENTATIVE

Date

EXHIBT B

MEMORANDUM OF UNDERSTANDING ON RENOVATION GUIDELINES BETWEEN ATKINSON TOWERS AND UNIT OWNER

1. **Bathroom:** **Drop ceiling is not allowed in bathroom.** Existing exhaust system shall not be modified, cut or extended, if previously modified; the vent must be restored to as built condition. The existing (as built) grill may be replaced with a new grill of same size. Bathtub plumbing drain is **1 ½ inch**, building code requires **2 inch** drain for a shower, if a shower is desired you must work with unit owner below to replace existing 1 ½ inch drain with 2 inch line. Bathroom wall may be removed to access plumbing chase. New wall must be built back using steel studs, and ½ inch drywall. Must meet current code. The unit plumbing may be replaced up to existing common connections. *It should be noted that if Atkinson Tower's Association needs to access the plumbing chase to make repairs, the association will only restore the wall to as built condition.*
2. **Toilet:** **Shall be wall mounted, siphon type**, connected to existing toilet waste soil pipe wall mounting bracket. Existing bracket may be replaced in place, connecting to existing common soil pipe. **Power / Jet assist toilets are not allowed, because of reverberations, disturbing other units.**
3. **Plumbing:** No modification shall be made to common plumbing, in plumbing chase. Unit plumbing to include, hot water lines, cold water lines, vanity sink drain and kitchen sink drain may be replaced up to existing common connections. *For leak detection do not enclose kitchen drain line.*
4. **Plumbing Vents:** Shall not be modified, cut or blocked in any manner.
5. **Washing Machine:** Shall remain in kitchen; having hot and cold water shut off valves and connected to kitchen drain line in accordance with current building code.
6. **Dryer:** May be placed as desired, but must be vented within unit.
7. **Walls Between Units:** **Bedroom** firewall and **Kitchen** firewall between units shall not be removed or modified. A false wall may be framed **using steel studs** in front of existing firewalls.
8. **Building Permit:** Copy must be provided to Atkinson Tower's Office and posted prior to starting work.
9. **Delivery of Material:** Time: 8:00 A.M. to 4:00 P.M., Monday thru Friday, 24 hours notice must be given to allow time to pad elevator. Deliveries outside this time will not be allowed.
10. **Hours of Work:** 8:00 A.M. to 4:00 P.M., Monday thru Friday, excluding holidays and weekends. See management for list of holydays.

Additional Requirements:

1. Request will only be accepted from an owner.
2. Owner and/or Contractor must keep common areas clean at all times.
3. Tentative start and completion date for renovation.
4. Meeting scheduled between contractor, subcontractor and Atkinson Tower's to review renovation policy and procedures.
5. Ceiling popcorn needs to be tested for asbestos before removal.
6. Floor needs to be tested for asbestos before removal.
7. Paint needs to be tested for lead and asbestos before removal.

I will comply with renovation guidelines.

Signature of Owner

Approved by Board on

EXHIBIT C

HOUSE RULES

1. All plans must be approved by the Atkinson Towers Board of Directors, no alterations or modifications to any unit shall be made without prior written notification to the BOD and receipt of written consent thereby. Request forms are available at the Atkinson Towers Office. This includes all types of installed flooring, including carpeting, tile, wood, and laminate.
2. Failure to get approval from the BOD, and, if required, permits for renovations or alterations before performing such work will render the work in violation of Atkinson Tower House Rules and/or Honolulu City and County law, and may require changes or removal at the unit owner's expense.
3. Some minor repairs, such as painting, minor wall or door damage repair, and the like may not require BOD approval; it's best to ask first
4. For approval provide the Board of Directors the following:
 - a. Plans, drawings or blueprints for the proposed alteration.
 - b. Describe the changes to be made in writing and specified by room.
 - c. Include the particulars of any fixtures, equipment or appliance to be installed.
5. Once reviewed and approved by Atkinson Towers Board of Directors a building permit must be obtained from the Department of Planning and Permitting, City and County of Honolulu for any plumbing, electrical, moving or adding walls, changing out of windows if different than the exact replacement of what is currently in place
6. No work may commence until a building permit is issued, a copy provided to Atkinson Towers' office, and a copy posted in the unit window.
7. Except for emergencies, All work must be performed by a licensed and (insured) contractor
8. Atkinson Towers management must be notified when renovation work is initiated. Diligent completion of renovation must be achieved after work is initiated, and the Board of Directors must be notified when work is complete.
9. All work shall be performed only between the hours of 8 a.m. to 4 p.m. Monday – Friday. No work on the weekend and holidays. See office for holiday schedule.
10. Building material may be delivered Monday through Friday between the hours of 8 a.m. and 4 p.m. Building materials are not to be stored on grounds, parking areas or any common areas of Atkinson Towers.
11. Construction trash and left over construction materials are the responsibility of the owner/contractor and not the building. Trash management must be planned and the

service coordinated with Atkinson Towers, management. Such materials may not be put into AT's Dumpsters.

12. All code and permitting violations will be reported to the City & County of Honolulu for enforcement
13. Board approval is required before starting renovation or permitting process through Building Department of City and County of Honolulu.
14. **Atkinson Towers Renovation and Construction Policy** must be strictly adhered to when presenting plans to the Board for approval.
15. Before proceeding with remodeling, painting, replacement of appliances or carpet, owner must notify manager in order to obtain building standards and rules regarding use of the elevator, stairwells and common areas.
16. Plans for removal of, or any renovations requiring alteration of the original "popcorn" ceiling coating must be presented to the Board of Directors for approval. It is against Hawaii State law to remove or alter the asbestos "popcorn" ceiling coating without using a professional contractor licensed for that specific purpose.
17. Repairs and renovations must be done between 8:00 a.m. and 4:00 p.m., Monday through Friday. No work on Saturdays, Sundays, and Holidays. See office for holiday schedule
18. No structural changes of any type shall be permitted within or outside of an apartment
19. No projections shall extend through any door or window opening into any corridor or beyond the exterior face of any apartment.
20. It is required that the installation of all tile, hardwood, and similar hard surface floors in apartments include noise insulating materials below the floor in order to prevent sound transmission to the apartment below. **Floor Specifications and Sound Transmission Criteria are attached as Exhibit D.**
21. Every unit owner from time to time shall perform repairs, maintenance (to include regular drain maintenance), and alteration work within his/her unit, the omission of which would adversely affect any common element or any other unit, and shall be responsible for all loss and damage caused by his/her failure to do so.
22. Air conditioners will be allowed providing plans are submitted and approved by the Board of Directors prior to installation. Approval must be consistent with the provisions in the governing documents and Chapter 514A, Hawaii Revised Statutes and shall meet all the requirements set forth in Atkinson Towers Renovation Policy.
 - a. All air conditioners must be housed completely within the apartment unit and meet established building code requirements.
 - b. Portable air conditioning units are acceptable as long as mounting is done internally to units with no exterior alternations to the building.

- c. Air conditioning units must be drip less or have a self-contained or drip-in condensation collection system. No water is to be disposed outside the unit,
- d. **Before installing any air conditioner** submit detailed drawings to Board of Directors for approval.
- e. **Only unit owners request for air conditioners will be considered**, any improper installation shall be removed at the owner's expense.
- f. **Building Permit** must be obtained when applicable.

FLOORING SPECIFICATIONS AND SOUND TRANSMISSION CRITERIA

02/20/2010

It is the intent of these specifications to control the transmission of sound through flooring into adjacent units. Control of sound from unit to unit is necessary for the comfort and satisfaction of all occupants at Atkinson Towers Inc.

Atkinson Towers Inc. is constructed of reinforced concrete. Reinforced concrete is moderately effective in blocking the transmission of airborne sounds such as voices, music or television audio.

However, reinforced concrete readily transmits impact sounds like footfalls, moving furniture, or dropped items.

These impact sounds can not only be transmitted through the floor to the unit below but also may be transmitted through the floor wall interface to adjacent units or to units many floors away.

Sound Transmission Class (STC) is a single—number rating of a material's ability to resist airborne sound transfer at frequencies from 125 Hz to 4000 Hz. In general, a higher STC rating blocks more noise from transmitting through a partition or wall. Even with a high STC rating, any penetration, air-gap, or flanking path can seriously degrade the isolation quality of a wall or floor. Sound can flank over, under, or around a wall and can also travel through common ductwork, plumbing, or corridors.

Impact Insulation Class (IIC) is a single-number rating of a materials ability to resist impact sound transfer at frequencies from 100 Hz to 3150 I-lz. The higher the IIC, the better the attenuation of impact sound.

The character and level of impact noise generated in the living space below depends on the object striking the floor, on the floor assembly structure, and on the floor covering. The sound of people walking (footstep sound) with a frequency of less than 100 I-lz can still be annoying to the people below even if the floor assembly has a good IIC rating.

Sounds from hard shoe heel impact, moving furniture, vacuum cleaner rollers, or materials dropping on concrete slabs finished with a hard surface such as ceramic tile occur at middle and high frequencies and may be especially annoying.

While the STC rating is important, the IIC rating for a flooring assembly is of paramount importance and is the basis for Atkinson Towers Inc. flooring specifications. The following are typical IIC ratings for a floor assembly consisting of a 6 inch thick concrete slab without a suspended ceiling below and with various floor finish materials.

Ceramic tile or natural stone or concrete — IIC = 28. Hard-finish flooring materials like ceramic tiles adhered directly to concrete slabs do not improve upon the impact sound attenuation achieved by the concrete itself

Vinyl flooring - IIC = 35 to 40. Soft finishing layers play a very important role in determining impact sound attenuation: the softer and thicker the floor covering, the better the IIC. Vinyl coverings, though soft, are typically thin and not very resilient: thus, they produce only small increases in IIC.

Hardwood flooring without an acoustic layer ~ IIC 2 30 to 35. Concrete slabs finished with wood

flooring are only slightly better at impact attenuation than bare concrete. Without an acoustic underlayment beneath the wood, the impact sound insulation with this type of flooring will not be adequate.

Hardwood (9mm thick) on 6mm thick acoustic underlayment - IIC = 45 to 50. Wood flooring and tile, to a lesser extent, placed on top of a sufficiently thick acoustic underlayment can provide acceptable impact attenuation if installed correctly.

Carpeting with 3/8" thick foam padding - IIC = 75 to 85. Carpet with foam padding underlay usually provides very high IIC ratings because impacts are well cushioned. Note that carpet with 3/8" thick underlay is at least 50% more effective than the best hard flooring over an acoustic underlayment in attenuating impact sound transmission to units below. Most occupants of units under a floor covered with carpet and foam padding underlay will not be disturbed by footstep noise or other impact sounds.

The IIC value of hard flooring depends mostly on the acoustic underlayment material. Materials such as I`Geiliert Eco Silence, Quiet core, DAL sound, Noble seal, Acoustic Cork, and Quiet barrier are examples of acoustic underlayment materials that may provide impact sound attenuation of IIC = 50 with proper thickness and proper installation procedures. It is necessary to use Kinetics SR Floorboard of 5/8" thickness as the acoustic underlayment material in order to achieve an IIC = 55 over a concrete floor slab without a suspended gypboard ceiling below. Increasing the thickness of the acoustic underlayment material usually, but not always, increases the IIC rating.

The very best acoustic underlayment under hard flooring will be ineffective if there are holes or open seams in the layer or if the hard flooring is allowed to contact the wall surface. Holes or open seams in this acoustic layer allow the transmission of impact sound via the hard flooring bonding agent. All holes or open seams must be filled with the same acoustic underlayment material with all seams and joints closed and taped. An acoustic underlayment must also isolate all hard surface flooring and the flooring bonding agent from the horizontal/vertical wall interface as well as the concrete slab.. This acoustic underlayment must be installed at all walls and at any texture attached to the wall such as cabinets.

Atkinson Towers Inc. has the following IIC rating and sound attenuation criteria for all new, replacement, or remodeled floor coverings:

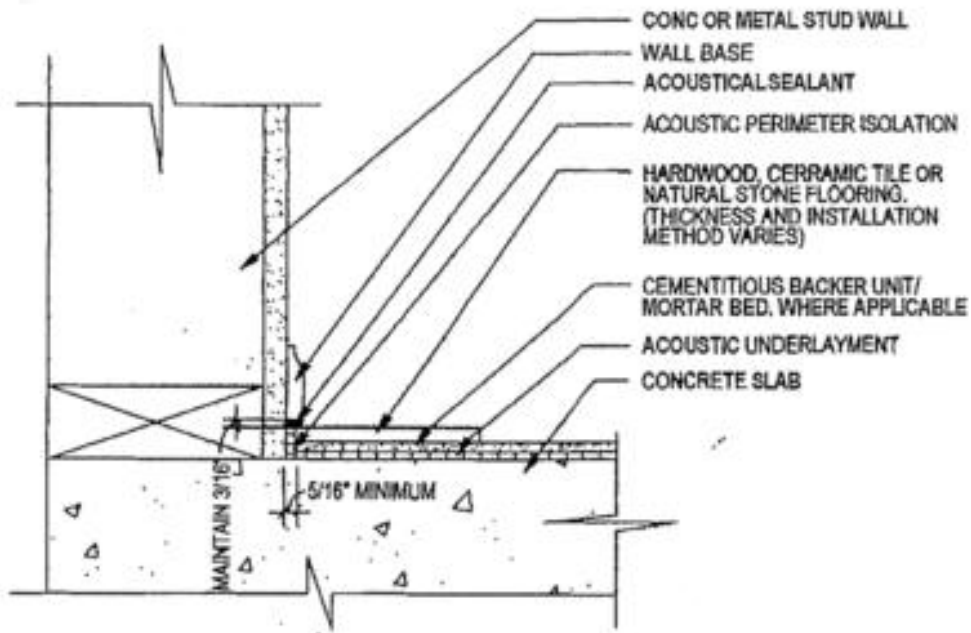
- 1. Living rooms, bedrooms, and enclosed lanais where the common element interior sliding glass doors have been removed: IIC minimum = 55 in both field and lab tests. Continuous carpet is very highly recommended and is one conventional flooring which will meet this criteria. With hard floor covering, the use of Kinetics SR Floorboard or similar product as the acoustic underlayment material will probably be required to achieve this criteria.*
- 2. Entries, kitchens, bathrooms, hallways, unenclosed lanais, and enclosed lanais where the common element interior sliding glass doors are removed or remain in place: IIC minimum = 55 as tested in the lab or IIC minimum = 55 as tested in the field.*
- 3. The installation of new or replacement flooring or an acoustic underlayment may not commence without the prior written approval of the Association.
All drawings, material specifications, procedures, chemical or adhesive material safety data sheets (MSDS), IIC laboratory tests, IIC field tests, and manufacturers' installation instructions and*

recommended waterproofing methods shall be submitted to the Association for review and written approval prior to installation. The fees of any consultants hired by the Association to assist in making a determination of conformance with these specifications shall be borne by the unit owner. A reasonable estimate of consultant expenses will be determined by the Association and shall be paid by the unit owner at the time of submission.

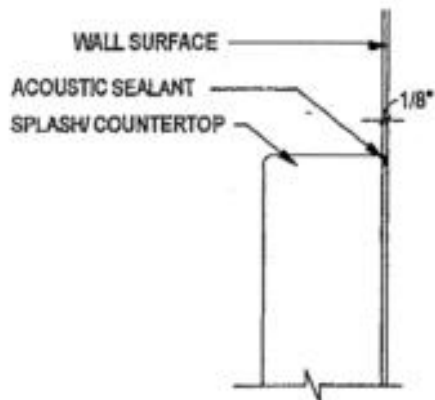
- 4. A field test shall be required for all flooring assemblies if a specific system (including acoustic underlayment) has not been previously tested and approved by the Association. The engineer's field test report is required and must be submitted with the initial application for Association approval. Field test results must be approved by the Association. In situations where the room volume below the tested flooring is too small or if the area below the tested flooring is an unenclosed lanai, the results from Field IIC testing may not be reliable to judge the conformance of the installed flooring with the Association's criteria. Where Field IIC testing may not be reliable or not possible due to access restrictions to the living unit below the tested flooring, Laboratory IIC tests will be mandatory. The cost of Field IIC testing and/or Laboratory IIC testing shall be borne by the unit owner.*
- 5. Hard flooring, indoor/outdoor carpet, and vinyl flooring require an acoustic underlayment between the concrete slab and the floor material. An acoustic underlayment is also required between the floor material and the wall and/or any fixtures attached to the wall. There must not be any holes or open seams of the acoustic underlayment material. Holes or open seams must be filled with the same acoustic underlayment material with all seams and joints closed and taped. Installation of the acoustic underlayment and the separation of the flooring from the concrete slab and the wall or wall fixtures must conform to Detail 1-Acoustic Flooring Detail. Where cabinets, plumbing fixtures, etc. rest upon the existing concrete sub-floor, use of Detail 1 is required. Where new cabinets, plumbing fixtures, etc. are installed onto the new floating (IIC rated) floor, they must be isolated from the existing walls using Detail 2, so that physical contact between the new cabinet, plumbing fixtures, etc. and the existing walls does not occur.*
- 6. The acoustic underlayment installation for hard flooring, indoor/outdoor carpet, and vinyl flooring shall be digitally photo-documented and the digital photos submitted to the Association with a request for acoustic underlayment inspection prior to the installation of the finish flooring. Digital photo-documents shall pay particular attention to the installation of the acoustic underlayment at the floor/wall interface. On site inspection and written Association approval to proceed is required after the installation of the acoustic underlayment and prior to the installation of the finish flooring. Owners may install the acoustic underlayment and flooring in segments. When flooring is installed in segments, acoustic underlayment installation, digital photos, inspection, and written approval is required for each segment before the owner may install finish flooring on that segment.*
- 7. In areas where flooring under the Laboratory IIC minimum = 55 or Field IIC minimum = 55 field requirement has been installed, rubber or Teflon chair, table, and furniture tips shall be used to reduce the potential for sound transmission through the flooring into adjacent units. It is highly recommended that area rugs be used under tables and chairs in these areas for further sound transmission reduction.*
- 8. Approval of the Association is not an assurance or guarantee that noise will not be transmitted to other units. If following installation of any flooring, the owner of any unit located beneath, adjacent, or above such flooring lodges a reasonable and verifiable complaint with the Association concerning the sound impact of such flooring, by request of the complaining owner, upon notice from the Association, given at the Association's discretion, the flooring Field IIC shall be retested. If the flooring Field IIC is in*

conformance with these specifications, the complaining unit owner shall pay for the field tests. If the flooring Field IIC is not in conformance with these specifications, the unit owner whose flooring is out of conformance shall pay for the field tests. In any case the unit owner shall make every effort to mitigate the noise and impact to the complaining owner with soft furniture tips and area rugs with 3/8" foam padding covering 80% of the flooring.

9. *The Association shall have the right to require that any new floor covering installed without the Association's prior written approval or any approved and installed floor covering which does not meet the IIC specifications and criteria established above to be removed upon the written request of the Association and at the owner's sole expense. Flooring installed before the adoption of these specifications by the Association shall be exempt from these specifications and standards. However, Paragraph 8 shall apply to all hard flooring installations, regardless of when installed.*



① ACOUSTIC FLOORING DETAIL - TYPICAL FOR WALLS AND FIXTURES ANCHORED TO SUBFLOOR



② CASEWORK SEALANT DETAIL

MISCELLANEOUS DETAILS
DATE: FEBRUARY 20, 2010

SHEET
1

EXHIBT E

ATKINSON TOWERS
419A ATKINSON DR. HONOLULU, HAWAII 96814

VICTOR 100 AWNING WINDOW - ALUMINUM -

OWNER: _____ UNIT: _____

PROJECT SITE
ATKINSON TOWERS
419A ATKINSON DRIVE
HONOLULU, HAWAII 96814

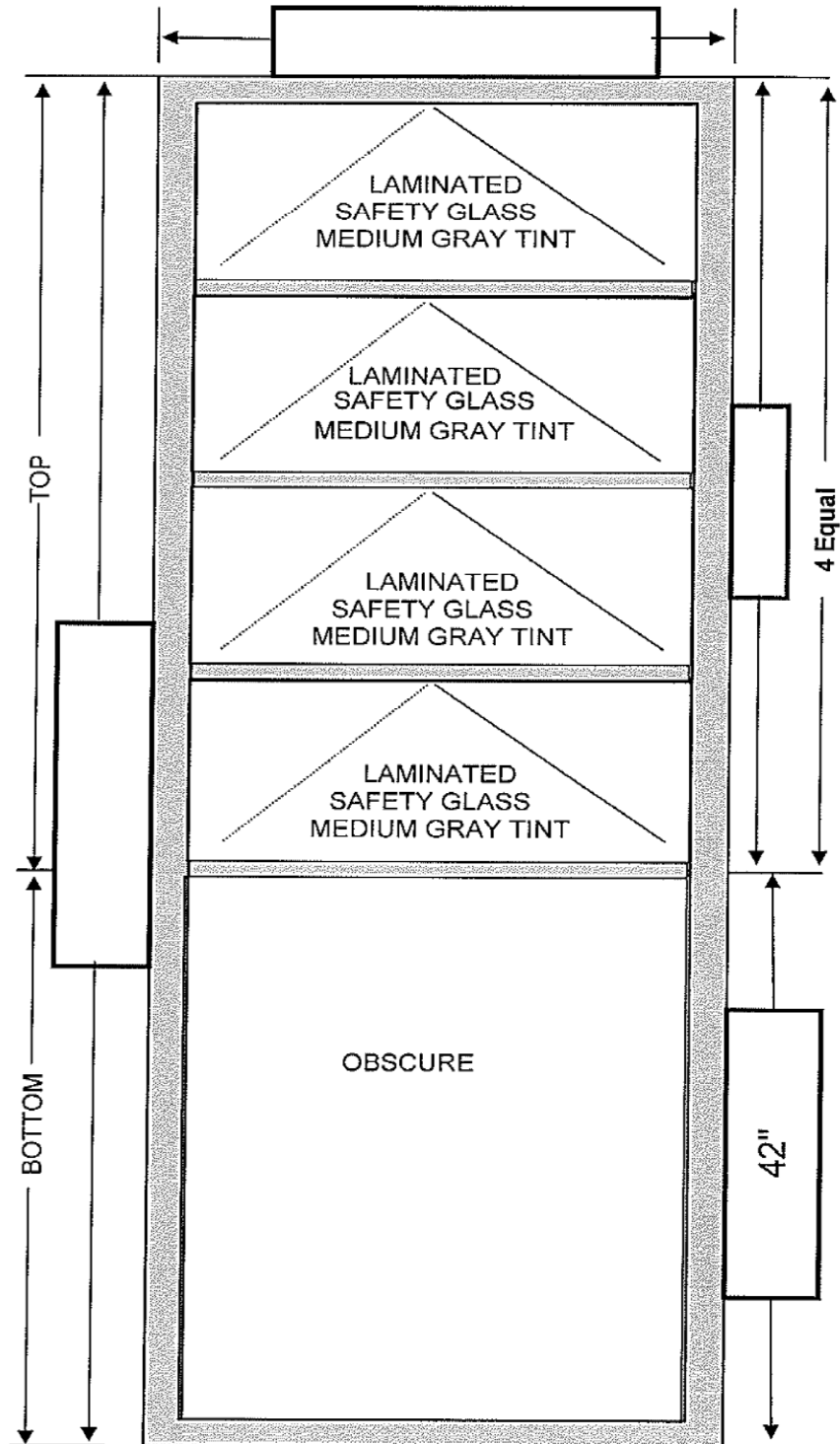
SPECIFICATIONS

Finish: Electrostatic Baked Silver Finish.

Glazing: 1/4" Laminated Safety Glass
Non Mirrored Medium Gray Tint.

Scope of Work

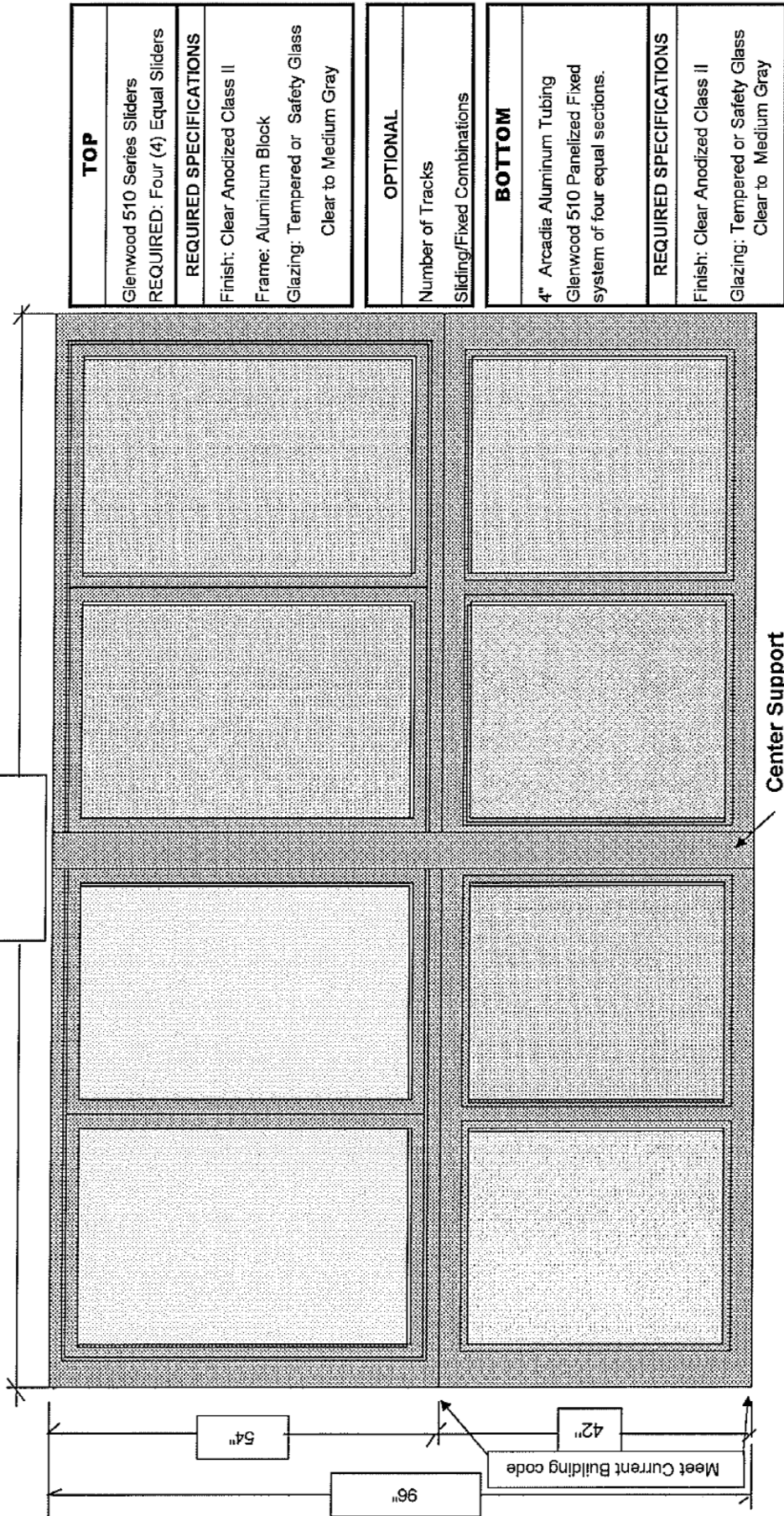
1. For Approx. 100 Apartment Units.
- 1a. **Replace** Kitchen Jalousie Windows with **Victor 100 Awning** windows.
2. Contractor responsible for obtaining Building Permit.
3. Atkinson Towers will assist in providing building and elevation plans.
4. Contractor to remove all jalousie glass and frames from project.
5. Measurements provide on drawing are not exact.
 - a. Contractor may use building plans, measure all windows or measure a sampling of window to establish exact size of new windows.
 - b. It shall be the responsibility of the contractor to insure proper fit of all new windows regardless of the method chosen.



NOT TO SCALE

Atkinson Towers Lanai Window Installation

12' 3" to 15' - 1" Lanai Opening



Outside View (Profile) Windows Fully Closed

Important Contractor Note:

Windows and Frame must fit within existing opening. No wood or other type of framing allowed to decrease size of opening. No cutting or chiseling allowed to increase size of opening. Atkinson Towers will correct any deviations at the expense of the contractor and/or the unit owner. Must be caulked and sealed to prevent water penetration

1. Building permit is required.

2. All Building Code requirement shall be met.

3. Work must be performed by a licensed contractor.

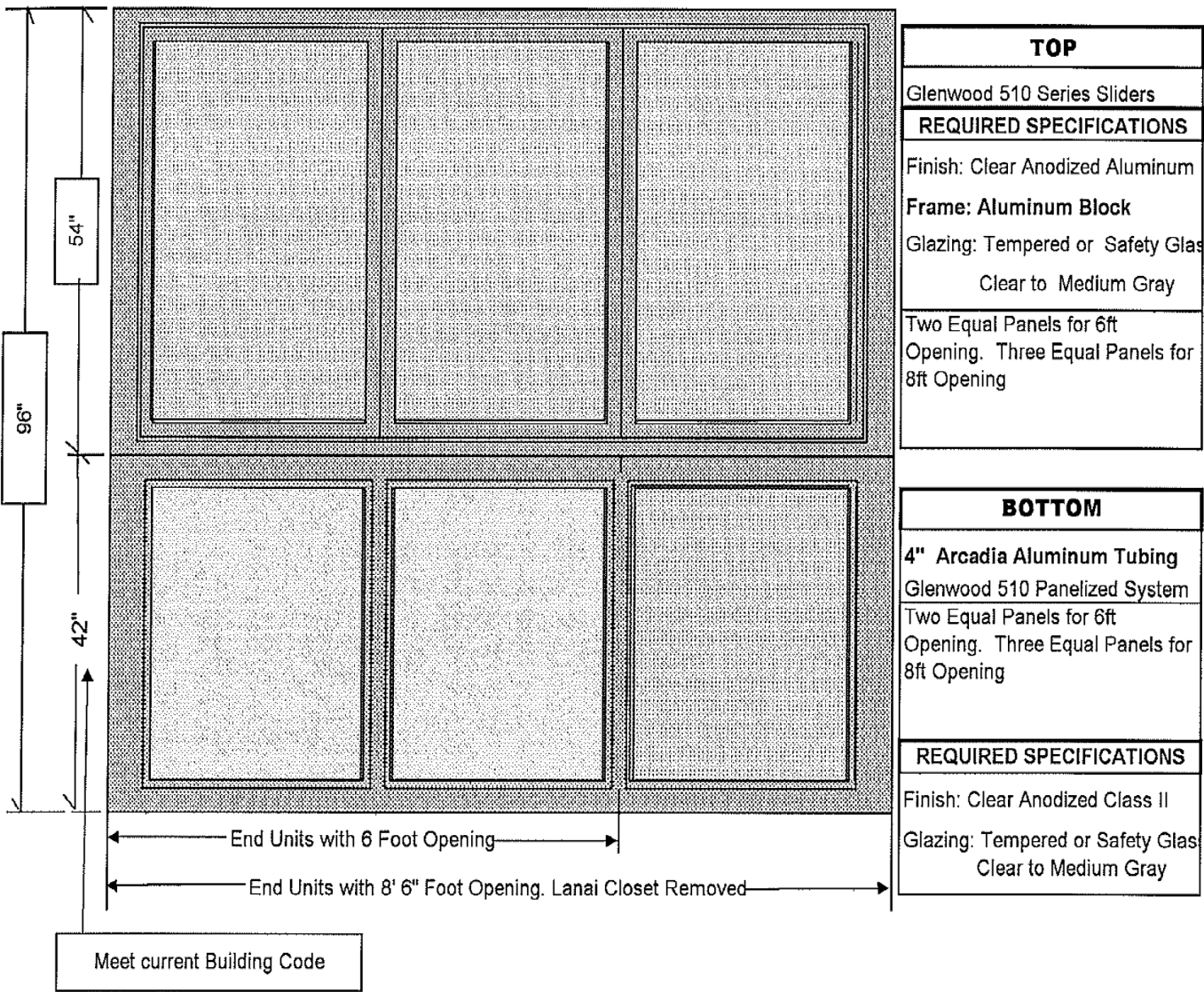
4. Plans must be submitted to Board of Director for approval.

5. Copy of Building Permit must be submitted to Atkinson Towers management prior to start of work.

Contractor Must Measure for Exact Size

END UNITS WITH ADDITIONAL LANAI 6 TO 8 FOOT OPENING OCEAN SIDE

Outside View(Profile) Windows Fully Closed



1. Building permit is required.
2. All Building Code requirement shall be met.
3. Work must be performed by a licensed contractor.
4. Plans must be submitted to Board of Director for approval.
5. Copy of Building Permit must be submitted to Atkinson Tower management prior to start of work.

Measurement are not exact. Actual measurement must taken by contractor for exact sizing.

Important Contractor Note:

Windows and Frame must fit within existing opening. No wood or other type of framing allowed to decrease size of opening. No cutting or chiseling allowed to increase size of opening. Atkinson Towers will correct any deviations at the expense of the contractor and/or the unit owner.

**ATKINSON TOWERS
WALKWAY WINDOW REPLACEMENT OPTIONS**

**Measure to Fit New Window to Existing opening (No Wood or other type framing allowed)
CONTRACTOR MEASURE TO FIT EXISTING OPENING**

TOP SECTION
610 SERIES FIX FRAME
Finish: Clear Anodized, Class II
Frame: Block Aluminum
Glazing: Tempered or Safety Glass.
Glass Color: Clear to Medium Gray

Left

Right

BOTTOM SECTION
GLENWOOD 510 C HORIZONTAL SLIDER
Finish: Clear Anodized Class II
Frame: Block Aluminum
Glazing: Tempered or Safety Glass
Glass: Clear to Medium Gray
or Obscure Glass
Slide: Left / Right
Screen: Standard (Assembled)

OUTSIDE PROFILE

**36" Height
Absolute**

GLENWOOD 510 C
HORIZONTAL SLIDER
Finish: Clear Anodized Class II
Frame: Block Aluminum
Glazing: Tempered or Safety Glass
Glass: Clear to Medium Gray.
or Obscure Glass
Slide: Left / Right
Screen: Standard (Assembled)

Left

Right

OUTSIDE PROFILE

Contractor Important Note:

New window's) must fit into existing opening. No cutting to enlarge existing opening and no framing to decrease size of existing opening. This is an absolute requirement any deviation from this standard will be corrected by Atkinson Towers at the expense of the contractor and/or the unit owner. No wood or other type framing allowed.

Building Permit Required

EXHIBT F

Owner-Builders in Hawaii A Guide to State Regulations

Before you sign on the dotted line...

Chapter 444 of the Hawaii Revised Statutes (HRS) requires that a licensed contractor be hired for any construction work which is more than \$1,000 or for which a building permit is required. This contractor is considered the responsible and liable party of record for the construction described in the permit.

Property owners who are building or improving their own home or business site, however, can register as an Owner-Builder with their county building department. This exempts owners from the requirements to be licensed as contractors, yet still allows them to obtain building permits.

In order to protect and inform consumers about the legal consequences of being an Owner-Builder, the law requires that each applicant must sign a Disclosure Statement provided by the county building departments.

This page discusses some of the major responsibilities and potential liabilities of being an Owner-Builder.

What is the definition of owner-builder?

Chapter 444, Hawaii Revised Statutes (HRS) defines owner-builders as owners or lessees of property who build or improve structures on property for their own use, or for use by their immediate family.

How do I qualify as a builder-owner?

You must register for a permit as an owner-builder at the Building Permit department in your County Building office and comply with the laws defining your responsibilities.

Are there any restrictions on owner-builder exemption permits?

As an owner-builder, a homeowner acts as its own contractor. However, all electrical and plumbing work must be performed by contractors licensed to perform that work.

The structure cannot be sold or leased or offered for sale or lease within one (1) year after completion of the construction.

If a person obtains an owner-builder exemption more than once within a two year period, that person is presumed under the law to be in violation of the exemption requirements.

What are the major responsibilities of an owner-builder?

As an owner-builder, you are acting as your own general contractor overseeing that the work complies with all applicable laws, building codes and zoning regulations. It is your responsibility to insure that all subcontractors hired by you have the appropriate licenses required by state laws and county ordinances.

As a general contractor, you may be acting as the employer of an worker or unlicensed contractors you hire. As an employer, you must comply with all employer requirements such as deducting and paying the State, FICA, and withholding taxes, and providing unemployment, temporary disability and workers' compensation insurance for those workers.

What are the risks of hiring an unlicensed contractor?

You may be sued by an unlicensed individual who is injured while working on your project or be required to pay workers' compensation or other insurance coverage if a claim is filed and an employer

employee relationship is determined.

How do owner-builders find themselves liable for these claims?

An unlicensed contractor may persuade a property owner to obtain an owner-builder permit, and then have that unlicensed contractor do the work. The owner is considered the actual employer of any workers hired by an unlicensed contractor.

Licensed contractors or subcontractors are only qualified to do specified types of construction. A licensed contractor working outside its company contracting license classification is considered an unlicensed contractor on the job.

Does everyone engaging in contracting activity need to be licensed?

The most frequently used and abused exemption in the contractor law is the \$1,000 exemption, commonly referred to as the "handyman" exemption. The handyman exemption permits the hiring of a person not licensed as a contractor if the total cost of the project including labor, materials, taxes, and all other items if equal to, or less than \$1,000.

This exemption does not apply in any case where:

1. a building permit is required no matter what the total contract price is;
2. for electrical and plumbing work;
3. where the work is parceled out into multiple projects.

Are there penalties for owner-builder violations?

Depending on the type of infraction, a first offense may result in a fine of up to \$5,000 or 40% of the appraised value of the building, whichever is greater. Subsequent violations may result in a fine of \$10,000 or 50% of the building's appraised value.

How can a property owner be protected?

Hire contractors that you have confirmed are properly licensed and current in all employer withholdings and insurances.

Contact the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs 586-3000 for licensing information.

You may call the Regulated Industries Complaints Office's (RICO) complaints history line (808) 586-2677 to check if there are any complaints against a contractor.

If I am having problems with my contractor and want to file a complaint, who do I call?

You may call the Regulated Industries Complaints Office, Consumer Resource Center, at (808) 587-3222.

Government Agencies Ready to Assist You

The state Regulated Industries Complaints Office (RICO) has jurisdiction over complaints relating to licensed or unlicensed contractors. Call the Consumer Resource Center at (808) 587-3222 if you have a consumer complaint. From the neighbor islands, call the state toll-free telephone number listed below. (You will then be asked to dial the last five digits of the state phone number you want to call, then press the # sign.):

Kauai 274-3141

Hawaii 974-4000

Maui 984-2400

Molokai/Lanai (800)468-4644

Call (808) 586-2677 for complaint history information.

To check if a contractor is licensed, contact the state Professional and Vocational Licensing Division at (808) 586-3000.

This information is provided as a public service by the Pacific Resource Partnership in cooperation with the State of Hawaii Department of Commerce and Consumer Affairs and the County Building Department on your island. It is for informational purposes only, as a reference on certain matters pertaining to Owner-Builder exemption permits. It should not be construed as legal advice, and all information is subject to change

Check for State rule changes!!