

Who's Responsible For What?

RESPONSIBILITIES OF THE ASSOCIATION & THE OWNER

(The following verbiage is an excerpt from the Molokai Amended Declaration of Condominium; section III, paragraphs 1,2 & 3. Also included are additional rules and regulations that have been adopted by the Board of Directors of the Association.)

1. The Association, at its expense, shall be responsible for the maintenance, repair and replacement of;
 - (a) all portions of the Apartment which contribute to the support of the building, excluding, however, interior wall, ceiling and floor surfaces, and including, without intending to limit the same to outside walls of the Building, structural slabs, roof, interior boundary walls of Apartments and load-bearing columns;
 - (b) all conduits, ducts, plumbing, wiring and other facilities for the furnishing of utility services which may be contained in the Apartment but excluding there from, appliances, plumbing fixtures and the heating and air conditioning units;
 - (c) all incidental damage caused to an Apartment by such work as may be done or caused to be done by the Association in accordance herewith;
 - (d) the swimming pool and all drains, pipes, pumps, equipment and appurtenances which are a part of or which are necessary for and/or are used in the operation, maintenance and/or repair of said swimming pool.

2. By the Apartment Owner. The responsibility of the Apartment Owner shall be as follows;
 - (a) to maintain, repair and replace at his expense, the heating and air conditioning units and all portions of his Apartment, except the portions of each to be maintained, repaired and replaced by the Association and to use his best efforts to perform and to facilitate and expedite the performance of any necessary maintenance, repair or replacements;
 - (b) to perform his responsibilities in such manner so as not unreasonably to disturb the occupants of the other Apartments;
 - (c) not to paint or otherwise decorate or change the appearance of any portion of the Building not within the walls of his apartment, unless the written consent of the Association is obtained;
 - (d) to promptly report to the Association or its agent any defect or need for repairs, the responsibility for the remedying of which is with the Association;
 - (e) not to make any alterations in the portions of his Apartment or the Building which are to be maintained by the Association or remove any portion thereof or make any additions thereto or do anything that would or might jeopardize or impair the safety or soundness of the Building without first obtaining the written consent of the Board of Directors of the Association and all First Mortgagees of individual Apartments, nor shall any Apartment Owner impair any easement without first obtaining the written consent of the Association and of the Apartment Owner or Owners for whose benefit such easement exists; **This includes alterations to all decks and other common grounds. Common grounds are defined as all land and structures outside of the individual apartments.**
 - (f) bear the expense of "in-condo" repairs such as sliding doors and windows as well as front and screen doors. Also, all plumbing and electrical equipment (including the fuse box) and lines inside the condo. Further, fire extinguishers and smoke detectors are required in each unit and keys must be provided to management for emergency purposes;
 - (g) be responsible for all damage he or she may have caused to another condo for any reason;
 - (h) along with their guests and renters, abide by the Molokai Declaration of Condominium and By-Laws; (Owners are responsible for the conduct of all occupants of their units)
 - (i) abide by these responsibilities. Failure to do so will cause the Board to take appropriate action as needed, including, but not limited to use of Molokai Village amenities.

3. Nothing herein contained, however, shall be construed so as to impose a contractual liability upon the Association for maintenance, repair and replacement, and the Association's liability shall be limited to damage resulting from negligence.

Additional rules and regulations that have been adopted by the Board of Directors of the Association.

Owners are responsible for all maintenance inside the Apartment, including all appliances, hot water and air conditioning systems and the air conditioning compressors outside the Buildings, also, all plumbing and electrical systems.

Owners are responsible for Property Owners Association fees, real property taxes, personal property insurance, television antenna services (*location of satellite dish antennas must be approved by the Association Manager*) also, telephone and electric services.

Fire extinguishers and smoke detectors are required in each unit and keys for all units must be provided to the Association Manager for emergency purposes.

The owner is also responsible for any water damage caused to any Apartment due to air conditioners, water heaters, refrigeration system and inside water pipes.

No more than one cat and/or one dog not exceeding 30 pounds each are allowed. Animals must be on a leash at all times when they are outside the Apartment. . Tethering to any object other than the animals owner is prohibited on common areas. Picking up after your animal is a must!

Outdoor cooking must be at least 15 feet from any tree or building. No cooking on upper or lower decks/porches. This is a Fire Department directive.

No swim gear, towels, or any clothing shall be hung on the exterior of any Apartment. Laundry facilities are available for drying these items.

No boats, boat trailers, trailers of any description or recreational vehicles are allowed to be parked in Molokai Village. Storage is available in Diamondhead – call 255-1900. Golf cars are allowed however, parking and/or charging arrangements must be approved by the Association Manager.

Park vehicles and golf carts only on paved parking areas – NOT ON THE GRASS. Abandoned or inoperable vehicles will be towed at vehicle owner's expense.

Three trash containers are provided. Place all trash and garbage in the container. Break down cardboard boxes. Containers are emptied twice weekly. No garbage bags on porches or decks.

Pool and laundry rules are posted at their respective locations. Compliance is a must!

Owners are responsible for the behavior and following of the Rules and Regulations of any person that is occupying or is a guest in their apartment and for contractors working on their unit. This includes long and short-term renters. (OWNERS WITH LONG TERM OR SHORT-TERM RENTALS: PLEASE POST THESE RULES & REGULATIONS IN A CONSPICUOUS LOCATION)

No unlawful or nuisance activity will be allowed on Association Property, including but not limited to, loud vehicles, loud music and the use of loud, abusive or vulgar language.

VIOLATION OF ANY RULE OR REGULATION IS SUBJECT TO THE LOSS OF AMENITIES USE AND A MINIMUM FINE OF \$100