

Memo to: Members of Hawaiian Village Condominium Association  
Subject: NOTICE OF SPECIAL MEETING CONCERNING Proposed Window/ Door  
Maintenance/Replacement Policy  
From: The Board of Directors  
Date: 3/30/08

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In the Winter Newsletter sent to all owners, it was reported that an overwhelming majority of the owners in attendance at the 2007 Annual Meeting were in favor amending our by-laws so that the responsibility for the maintenance and replacement of exterior doors and windows would be the responsibility of the owner(s) of the individual unit served by such windows and doors, not the Association as a whole.

It should also be noted that from a historical perspective, unit owners at Hawaiian Village have generally paid for repair/replacement of their own exterior doors and windows.

After consulting with the Association's attorneys, the Board has developed an approach that does not require an amendment of the condominium documents. This avoids any issues over whether, and by what voting margin, the condominium documents can or should be amended to shift practical responsibility for the maintenance of these elements. This will also save the Association legal fees that would be incurred as a result of an amendment to the condominium documents.

Under this proposed approach, the Board would retain oversight responsibility for the repair and replacement of these limited common elements, but the initiative and implementation for these repairs/replacements would be unit owner-driven within the confines of a protocol established in advance by the Board, except in the case when a faulty or leaking door or window is threatening the common elements or other units, and the unit owner whose door or window is leaking fails to take prompt and effective corrective action.

This approach would be formalized by a board resolution to be presented, discussed and refined if necessary at the special meeting. While unit owner-approval of the resolution is not technically required, its effective implementation will require broad buy-in by the unit owners. Accordingly, the Board will request a vote of confidence for the proposed resolution by at least a majority of unit owners as then constituted at a Special Meeting. The Board may of course change the policy in the future if it sees the need to do so.

The exact wording of the resolution adopting a window and door replacement policy is still being developed, but we believe it will contain at least the following elements:

1. Board retains ultimate responsibility for repair and replacement of exterior windows and doors ("Windows and Doors")
2. Board delegates the initiative and implementation for repair/replacement of Windows and Doors to the owner(s) of the unit served by such Windows and Doors (the "Unit").
3. All repairs/replacements to Windows and Doors will be made by a contractor approved in advance by the Board/Architectural Committee.
4. Replacement window and door hardware will have been approved in advance by the Board/Architectural Committee as to Make and specific model.

5. The Board/ Architectural Committee intends to maintain a standing list of licensed and bonded contractors, and acceptable Window and Door hardware; and will attempt to pre-negotiate standard pricing with such contractors/vendors for particular Windows and Doors replacements.
6. The owner(s) of the Unit preparing to repair or replace Windows or Doors shall give the Board advance written notice of the scope of work, proposed window and door model to be used, the contractor who will do the work, and the approximate timeline for completion. Work may not begin until such approval is received.
7. The owner(s) of the Unit shall be responsible for all costs associated with such repairs or replacements of Windows and/or Doors.
8. If the Board notifies a Unit owner that their Windows and/or Doors require repair or replacement, the Unit owner shall promptly undertake the specified action, following the above protocol. If the Unit owner fails after such notice to seek Board approval and authorize the work promptly, the Board reserves the right to contract for the same at the sole expense of the owner of the Unit. This cost shall be collectible from such Unit owner in the same manner as condominium assessments.

Therefore in accordance with our Bylaws, the Board of Directors calls for a Special Meeting to be held on **Saturday April 26<sup>th</sup>, 2008 commencing at 9:00 a.m.**, to be held in the Royal Hawaiian 2<sup>nd</sup> floor Conference room.