



*The Association of Owners of Kukui Plaza*

# Ka Leo O Kukui

February, 2023

## ***Reminder:*** **Homeowner Insurance is Required**

Kukui Plaza Management would like to remind owners that the Association's Board of Directors requires owners to purchase and maintain personal homeowner insurance.

The Association's master insurance policy will only cover claims to the building or its units as originally built. This means that any personal property you have within your unit and any improvements you or a prior owner made to your unit is not covered by the Association's master policy. The cost for you to live elsewhere (or loss of rental income if you rent your unit) is not covered either.

The master policy will only pay for claims above the \$25,000 deductible. For example, if an owner was to submit a legitimate claim for \$27,000 on the Association's master policy, the owner would only receive a payment of \$2,000. Recovery of the deductible would have to be sought by other means, such as submitting a claim to your own insurance or seeking payment from the individual(s) responsible for the damage.

**Your Own Insurance Protection**  
Proper homeowner insurance that Kukui Plaza owners need covers four areas that the Association's policy will not cover:

- 1) The deductible for the Association's master policy. This will cover the Association's master policy deductible and will protect you if your unit suffers the damage or if you or your unit is the cause of damage,
- 2) Improvements to the unit made by you or the former owner,
- 3) Personal property in the unit,
- 4) Lost income to the landlord and replacement housing for owner-occupied units.

**Responsibility and the Bylaws**  
It has always been within the Association's Bylaws to hold unit owners responsible when causing damage to the common elements, limited common elements or other units. At the 2007 Annual Meeting, ownership chose to further support this policy by opting in to Hawaii Revised Statutes Chapter 514B. 514B-143(d) pro-

vides that an Association's Board of Directors is empowered to assess the master policy deductible amount against the owner or owners who caused the damage or from whose unit the damage or cause of loss originated. This is also applicable to claims under the \$25,000 deductible amount.

In addition to this, ownership passed an insurance resolution at the 2007 Annual Meeting which allows the Board of Directors to require that all owners purchase a supplemental insurance policy to complement the Association's master building policy in accordance with Hawaii Revised Statutes (HRS) 514B.

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### *On the Inside....*

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- **Entry Key Policy Reminder**

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**Ka Leo O Kukui**

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**Homeowner Insurance Required *continued***

One of the policies that is recommended is called a Homeowners "HO6" and is relatively inexpensive.

The "HO6" policy is designed for condominium unit owners who only need to insure their contents, improvements, and personal liability. It is also recommended that you include coverage for the master policy deductible, which is \$25,000.

**Request for Proof of Coverage**

The Board of Directors asks that all unit owners submit proof of coverage on an annual basis at the time of their policy renewal. The following minimum limits are recommended: a) Dwelling - \$25,000 plus improvements; b) Contents - \$10,000; c) Liability - \$300,000 and d) Loss Assessment - \$25,000. Please note that these are minimum limits. You should discuss the coverage you need with your own insurance agent. Please be aware that some policies will not allow the master policy deductible to be claimed under the "Loss Assessment" category but may allow it under the "Dwelling" category.

Having your own policy (which often costs as little as a couple hundred dollars a year) can potentially save you a lot of money should the unforeseen happen.

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**Have You Replaced Your Toilet Gasket Recently?**

As everyone is aware, it is inevitable that plumbing problems will occur no matter where you live; and, if not treated promptly, plumbing problems can turn out to be very costly. Over the years we have seen a number of water leaks stemming from basic plumbing problems, most of which are attributed to:

- Toilet seals
- Aged or defective shutoff valves
- Aged or defective fixtures

The governing documents for Kukui Plaza make owners responsible for the plumbing installations and other fixtures located inside their apartment units. Some parts of the project, such as plumbing fixtures, may cause serious damage to the property if not properly maintained. This is why the Board of Directors considered, and adopted, a revised High-Risk Component Resolution that designates the toilet seals (gaskets) within the individual apartment units as high-risk components. Section A, (2) of the resolution states:

"The toilet gaskets attached to the bathroom wall are a part of the toilets and designated high-risk components. These components are each owner's responsibility to maintain, repair, and replace, as necessary or as provided herein."

## High-Risk Component Resolution *continued*

Copies of the resolution are available from the Associations website: [www.kukuiplaza.com](http://www.kukuiplaza.com).

The toilet gaskets within the apartment units attach to the toilet and then butt up against a pipe at the finished wall to create a seal. They are necessary for the toilet to properly function without leaking. Unfortunately, they are also out of site which makes it difficult to determine if they are failing. With this in mind, the Board of Directors strongly recommends that unit owners consider hiring a licensed plumber to replace the toilet gasket(s) within their unit if they have not done so within the past five (5) years. The toilet gaskets can be purchased from the Association management office for \$7, and installation of the new gasket should take your plumber less than an hour to complete.

Owners should be aware that insurance companies will often deflect responsibility under the liability portion of the insurance policy for these types of leaks. Some companies are even finding unique ways to deflect responsibility under the loss assessment portion of the policy. Owners should take the time to discuss their policy coverages with their insurance agent to ensure that they are covered should the Association's deductible amount be assessed to them. With the Association's deductible amount now at \$25,000 for water loss claims, you do not want to end up in a situation where your insurance company denies your claim.

Ensuring that your toilet gasket is properly maintained by regular replacement will help to ensure that your unit is not responsible for leaking and causing damage to your unit and your neighbors units below you.

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## Entry Key Policy Reminder

Entrance to the residential towers and the parking garage requires the use of an electronic entry key card or fob. This system was installed as a security measure to control access to the complex. Entry keys are the property of the Association, not the individual owners, and must be returned to the Association upon request.

Entry keys are only issued to owners and/or their registered agents. Keys will be issued, at no cost, up to the maximum number allowed for the size of the apartment:

**RESIDENTIAL:**  
**ONE BEDROOM: 3 KEYS**  
**TWO BEDROOM: 5 KEYS**  
**THREE BEDROOM: 7 KEYS**

**COMMERCIAL:**  
**PER 500 SQ. FT. OF AREA: 3 KEYS**

**PARKING:**  
**PER PARKING STALL: 1 KEY**

## Quick Notes

### New Assistance Animal Relief Area at Kukui Plaza

A number of assistance animal owners at Kukui Plaza have expressed concerns that they do not have safe place at Kukui Plaza to take their animals to relieve themselves. A number of other residents have reported animal waste in the recreation areas at Kukui Plaza. In an effort to address these concerns, the Board of Directors has designated the area along South Kukui Street, between the walkway and the emergency generator building, as an assistance animal relief area.

Please note that assistance animal owners will remain responsible for picking up after their animals. After the animal has used the area, all solid waste is to be picked up, placed in a plastic bag, and disposed of in a designated waste receptacle. Failure to do so is a violation of Kukui Plaza rules and the City and County Ordinance. Violation may result in fines and other enforcement action.

### Keeping Cool

To help ensure that your air conditioner does not drip and bother others, please make sure that it is cleaned and serviced regularly so that it operates as efficiently as possible. Also, please remember that air conditioners are required to be installed so that they are mounted flush with the slab below the opening for the unit provided in each apartment. If your apartment is cited for a dripping air conditioner and the unit is not flush with the slab, you will be required to have the air conditioner re-mounted to comply with the House Rules.

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## **Entry Keys** *continued*

Additional keys over the maximum number per apartment may be issued at the discretion of the General Manager for a charge of \$25.00 each; this charge is not a deposit, and is not refundable. Only one key shall be issued per parking stall.

Entry keys must be returned to the Association by the Owner of the condominium unit upon the cessation of, or the transfer of, their interest in the property.

A loss charge of \$100.00 per entry key is charged for missing keys, and/or keys that are not returned to the Association. The loss charge and any unpaid balance must be paid by the owner or registered agent for missing keys prior to new or additional keys being issued.

Entry keys issued to an apartment or parking stall may only be used by the owner, agent, or registered tenants of that unit. Entry keys in the possession of any other person must be surrendered to the Association on demand.

An owner/agent key update form is completed at the time the keys are issued and reflects the serial numbers of the keys that are issued. Owners and registered agents are advised to keep a record of which keys they are issuing to tenants by documenting the number located on the back of the entry key or fob. If the number has rubbed off of the device, management can scan the key to retrieve the number from the access control system computer located in the management office.



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