

1 HATSUHO OKA TOWERS

2 HOUSE RULES

3 INTRODUCTION

4 This booklet sets out some background material and the  
5 House Rules that are intended to make daily living at *Hatsuho*  
6 *Oka Towers* more enjoyable for all its residents. The initial  
7 House Rules are relatively brief so that the association of  
8 apartment owners of *Hatsuho Oka Towers* (the "Association")  
9 through its board of directors, upon its formation, may add to  
10 and amend these rules as it deems appropriate for the safety,  
11 cleanliness, comfort and convenience of all the residents.

12 These initial rules supplement but do not change the  
13 obligations of owners and tenants contained in the Declaration  
14 of Horizontal Property Regime (the "Declaration") and the bylaws  
15 of the Association.

16 ARTICLE I

17 AUTHORITY FOR RULES

18 *Condominium law*

19 §1.01. The Horizontal Property Act (the "Act") con-  
20 sists of §§1270 through 1324 of the Guam Civil Code. This is  
21 the basic law applicable to the *Hatsuho Oka Towers* condomi-  
22 nium, or, more accurately, horizontal property regime. Signifi-  
23 cant in the Act is the requirement that all residents must obey  
24 the provisions of the Declaration, the bylaws, the House Rules  
25 and other lawful determinations of the Association. See §1276  
26 of the Act.

1 *Bylaws of the Association*

2 §1.02. The bylaws establish the Association, provide  
3 the usual guidance on voting, officers, meetings and powers of  
4 the board of directors, and may only be amended by the vote of  
5 not less than 75% of the owners. Section 8.05 of the bylaws  
6 provides that the board of directors may adopt House Rules which  
7 are binding on all residents.

8 *House Rules*

9 §1.03. These initial House Rules were drafted by the  
10 developer of the project, acting on behalf of the board of  
11 directors, and are set out in Article III, *infra*.

12 ARTICLE II

13 *PERTINENT BYLAW PROVISIONS*

14 *Use of Hatsuho Oka Towers*

15 §2.01. In §8.04 of the bylaws, certain limitations on  
16 the use of apartments are set out which apply to all owners,  
17 residents and tenants. Section 8.04 reads as follows:

18 "§8.04. The following limitations shall apply to the  
19 use of the Project:

20 8.04.01. *Purposes for which the building*  
21 *and each of the apartments may be used.* The apartments are  
22 intended primarily for residential purposes. However, certain  
23 commercial business uses (such as hotel operation) shall be  
24 permitted *subject* to such limitations as may be contained  
25 herein and in the House Rules, which may be adopted from time to  
26 time governing the use of the apartments.

1           The commercial spaces may be used for commercial  
2 purposes, or such other uses as may be permitted by law  
3 *subject* to such limitations as may be contained herein or in  
4 the House Rules, which may be adopted from time to time  
5 governing the use of the project.

6           8.04.02. *Common elements used for designed*  
7 *purposes.* All common elements of the Project shall be used  
8 only for their respective purposes as designed.

9           8.04.03. *No blocking common elements.* No  
10 apartment owner or occupant shall place, store or maintain in  
11 the halls, stairways, walkways, corridors, grounds or other com-  
12 mon elements of similar nature any furniture, packages or ob-  
13 jects of any kind or otherwise obstruct transit through such  
14 common elements.

15           8.04.04. *Apartments kept clean.* Every  
16 apartment owner and occupant shall at all times keep his apart-  
17 ment in a strictly clean and sanitary condition and observe and  
18 perform all laws, ordinances, rules and regulations now or here-  
19 after made by any governmental authority or the Association for  
20 the time being applicable to the use of the Project.

21           8.04.05. *No waste or nuisance.* No apart-  
22 ment owner or occupant shall make or suffer any stripping or  
23 waste or unlawful, improper or offensive use of his apartment or  
24 the Project nor alter or remove any furniture, furnishings or  
25 equipment of the common elements.

26           8.04.06. *No changes without approval.* No

1 apartment owner or occupant shall erect or place in the Project  
2 any building or structure including fences and walls, nor make  
3 any additions or alterations to any common elements of the Pro-  
4 ject, *except* in accordance with plans and specifications  
5 including detailed plot plan, prepared by a licensed architect  
6 if so required by the Board and also approved by a majority of  
7 apartment owners (or such larger percentage required by law or  
8 the Declaration) including all owners of apartments thereby  
9 directly affected.

10 8.04.07. *No decoration to entrance without*  
11 *approval.* No apartment owner shall decorate or landscape any  
12 entrance of his apartment or any other portion of the Project  
13 *except* in accordance with standards therefor established by  
14 the Board or specific plans approved in writing by the Board.

15 8.04.08. *No loud noises.* All occupants  
16 shall exercise extreme care about making noises and in the use  
17 of musical instruments, radios, televisions and amplifiers that  
18 may disturb other occupants.

19 8.04.09. *No garments hung from windows.*  
20 No garments, rugs or other objects shall be hung from the  
21 windows or facades of the Project.

22 8.04.10. *No rugs dusted.* No rugs or other  
23 objects shall be dusted or shaken from the windows of the Pro-  
24 ject or cleaned by beating or sweeping on any hallway or exter-  
25 ior part of the Project.

26 8.04.11. *No trash except in containers.*

1 No refuse, garbage or trash of any kind shall be thrown, placed  
2 or kept on any common elements of the Project outside of the  
3 disposal facilities provided for such purpose.

4 8.04.12. *No animals.* No livestock, poul-  
5 try, rabbits or other animals whatsoever shall be allowed or  
6 kept in any part of the Project, *except* that small dogs, cats  
7 and other household pets in reasonable number and size may be  
8 kept by the apartment owners and occupants in their respective  
9 apartments but shall not be kept, bred or used therein for any  
10 commercial purpose nor allowed on any common elements *except*  
11 in transit when carried or on leash; *provided*, that any such  
12 pet causing a nuisance or unreasonable disturbance to any other  
13 occupant of the Project shall be permanently removed therefrom  
14 promptly upon notice given by the Board or managing agent. The  
15 question as to whether a particular dog is small or another pet  
16 is of reasonable size or number shall be decided by the managing  
17 agent, in its sole discretion.

18 8.04.13. *No wiring.* No apartment owner or  
19 occupant shall without the written approval of the Board install  
20 any wiring for electrical or telephone installations, television  
21 antenna, machines or air conditioning units, or other equipment  
22 or appurtenances whatsoever on the exterior of the Project or  
23 protruding through the walls, windows or roof thereof.

24 8.04.14. *No antennas.* No apartment owner  
25 or occupant shall erect, place or maintain any television or  
26 other antennas on the Project visible from any point outside of

1 the Project.

2 8.04.15. *No overload.* Nothing shall be  
3 allowed, done or kept in any apartments or common elements of  
4 the Project which would overload or impair the floors, walls or  
5 roofs thereof, or cause any increase in the ordinary premium  
6 rates or the cancellation or invalidation of any insurance  
7 thereon maintained by or for the Association."

8 ARTICLE III

9 *HOUSE RULES*

10 *Obstructions*

11 §3.01. The sidewalks, entrances, passages, courts,  
12 public halls, elevators, vestibules, corridors, and stairways of  
13 the building shall not be obstructed or used for any other pur-  
14 pose than ingress to and egress from the apartment units in the  
15 building.

16 *Hanging displays*

17 §3.02. No article shall be placed in any of the halls  
18 or on any of the staircase or tower landings, nor shall any fire  
19 exit be obstructed in any manner. Nothing shall be hung or  
20 shaken from the doors, windows, or terraces or placed upon the  
21 window sills of the building.

22 *Use of common areas by children*

23 §3.03. Children shall not play in the halls, corri-  
24 dors, vestibules, stairways, or in any of the exterior land-  
25 scaped areas.

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*Decorating common areas*

§3.04. No public hall or corridor of the building shall be decorated or furnished by any occupant in any manner.

*State of maintenance*

§3.05. Each unit owner shall keep his apartment unit and any balconies to which he has sole access in good state of preservation and cleanliness, and shall not sweep or throw or permit to be swept or thrown therefrom, or from the windows, doors, or balcony thereof, any dirt or other substance.

*Window coverings*

§3.06. No shades, venetian blinds, awnings, or window guards shall be used in or about any apartment unit except such as shall have been approved in writing by the board of directors or the managing agent, which approval may be granted or refused in the sole discretion of the board of directors of the managing agent.

*Signs and exterior attachments*

§3.07. No awning or radio or television aerial shall be attached to or hung from the exterior of the building or balcony, except such as shall have been approved in writing by the board of directors or the managing agent, which approval may be granted or refused in the sole discretion of the board of directors or the managing agent; nor shall anything be projected from any window of the building without similar approval.

*Electric equipment*

§3.08. All radio, television, or other electrical

1 equipment of any kind or nature installed or used in each apart-  
2 ment unit shall fully comply with all the rules, regulations,  
3 and requirements or recommendations of the local fire authori-  
4 ties and the insurance underwriters, and the unit owner shall be  
5 liable for any damage or injury caused by any radio, television,  
6 or other electrical equipment in such unit owner's apartment  
7 unit.

8 *Lightweight vehicles*

9 §3.09. No velocipedes, bicycles, scooters, motor-  
10 cycles, or similar vehicles and no baby carriages shall be  
11 allowed to stand in the public halls, passageways, or other pub-  
12 lic areas of the building.

13 *Noise*

14 §3.10. No occupant shall make or permit any disturb-  
15 ing noises in the building, or do or permit anything to be done  
16 therein which will interfere with the rights, comforts, or con-  
17 veniences of other occupants. No occupant shall play upon or  
18 suffer to be played upon any musical instrument, or operate or  
19 permit to be operated a phonograph or radio or television set or  
20 other loudspeaker in such occupant's apartment between the hours  
21 of 12:00 midnight and the following 7:00 A.M., if the same  
22 shall disturb or annoy other occupants of the building, and in  
23 no event shall practice or suffer to be practiced either vocal  
24 or instrumental music for more than two (2) hours in any day or  
25 between the hours of 6:00 o'clock P.M. and the following 9:00  
26 o'clock A.M.



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*Water outlets*

§3.11. Water closets and other water apparatus in the building shall not be used for any purpose other than those for which they were designed, nor shall any sweepings, rubbish, rags, or any other article be thrown into the same. Any damage resulting from misuse of any water closets or other apparatus in the apartment unit shall be repaired and paid for by the owner of such apartment unit.

*Use of condominium employees*

§3.12. No occupant of the building shall send any employee of the board of directors or of the managing agent out of the building on any private business.

*Pest inspection*

§3.13. The agents of the board of directors or the managing agent, and any contractor or workman authorized by the board of directors or the managing agent may enter any room or apartment unit in the building at any reasonable hour of the day for the purpose of inspecting such apartment unit for the presence of vermin, insects, or other pests and for the purpose of taking such measures as may be necessary to control or exterminate such vermin, insects, or other pests.

*Cooking on balconies*

§3.14. No cooking over an open flame with charcoal grills or *hibachis* shall be permitted in any apartment unit. Cooking with an electric or gas barbeque is permitted on the balconies only. Corridor doors shall be kept closed at all

1 times except when in actual use of ingress and egress to and  
2 from public corridors.

3 *Passkeys*

4 §3.15. The board of directors or the managing agent  
5 may retain a passkey to each apartment unit. The owner shall  
6 not alter any lock or install a new lock on any door leading to  
7 his apartment unit without the written consent of the board of  
8 directors or the managing agent. If such consent is given, the  
9 board of directors or the managing agent shall be provided with  
10 a key.

11 *Parking*

12 §3.16. No vehicle belonging to an occupant or to a  
13 member of the family or guest, tenant, or employee of an occu-  
14 pant shall be parked in such a manner as to impede or prevent  
15 ready access to any entrance to or exit from the building by  
16 another vehicle.

17 *Complaints*

18 §3.17. Complaints regarding the service of the build-  
19 ing shall be made in writing to the board of directors or to the  
20 managing agent.

21 *Use of roof*

22 §3.18. Unit owners, their families, guests, servants,  
23 employees, agents, visitors, or licensees shall not at any time  
24 or for any reason whatsoever enter upon or attempt to enter upon  
25 the roof of the building.

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*Decorating balconies*

§3.19. No balcony shall be enclosed, decorated, landscaped, or covered by any awning or other device without the consent in writing of the board of directors of the managing agent.

*Amendments*

§3.20. Any consent or approval given under these House Rules may be added to, amended, or replaced at any time by resolution of the board of directors.

*Unsightly displays*

§3.21. No garbage cans, ice, milk bottles, mats, surfboards, or other articles shall be placed in the halls or on the staircase landings, nor shall anything be hung from the windows or balconies, or placed upon the window sills. Nor shall any linens, cloths, clothing, curtains, rugs, or mops be shaken or hung from or on any of the windows, doors or balconies.

*Inflammables*

§3.22. No unit owner or any of his agents, servants, employees, licensees, or visitors shall at any time bring into or keep in his apartment unit any flammable, combustible, or explosive fluid, material, chemical, or substance, except for normal household use.

*Entrusting keys*

§3.23. If any key or keys are entrusted by a unit owner or by any member of his family or by his agent, servant, employee, licensee, or visitor to an employee of the board of

1 directors or of the managing agent, whether for such unit  
2 owner's apartment unit or an automobile, trunk, or other item of  
3 personal property, the entrusting of the key shall be at the  
4 sole risk of such unit owner, and neither the board of directors  
5 nor the managing agent shall be liable for injury, loss, or  
6 damage of any nature whatsoever, directly or indirectly result-  
7 ing therefrom or connected therewith.

8 *Tenant to have House Rules*

9 §3.24. Any unit owner (or his agent) who rents  
10 directly, or permits the unit to be occupied, must convey a copy  
11 of the House Rules to that occupant. A provision in the rental  
12 agreement that the tenant will abide by the House Rules is  
13 required. The unit owner (or his agent) shall inform the manag-  
14 ing agent of the names of the occupants and register them with  
15 him.

16 *No waterbeds*

17 §3.25. No waterbeds will be permitted within an  
18 apartment unit because of the damage that could result from a  
19 leak therefrom.

20 *Care with strangers*

21 §3.26. Occupants shall use extreme care in admitting  
22 strangers into the building.

23 *Vehicle rules*

24 §3.27. The following are rules applicable to the use  
25 of motor vehicles in the Project:

26 3.27.01. *Vehicle registration.* An occu-

1 pant shall register his vehicles with the managing agent giving  
2 his name, telephone number, make(s) of vehicle, and license num-  
3 bers prior to taking occupancy of his apartment unit.

4 3.27.02. *Vehicles washing.* Occupants may  
5 wash automobiles or motorcycles only in the areas specifically  
6 designated for such use.

7 3.27.03. *Stall maintenace.* Occupants  
8 shall keep clean their parking stalls, and remove any grease  
9 build-up. No personal items, such as lumber, furniture or  
10 crates, shall be stored in the parking stalls.

11 3.27.04. *Movement of vehicles.* Drivers  
12 shall observe traffic signs. No vehicles weighing more than  
13 6,000 pounds are allowed to enter the parking areas.

14 3.27.05. *Parking assignment.* Parking  
15 stalls have been assigned or sold to specific apartments for  
16 their exclusive use. Vehicles parked in unauthorized spaces  
17 shall be towed away at their owner's expense. Vehicles belong-  
18 ing to guests shall be parked only in the stalls marked as guest  
19 parking. Use of visitor parking stalls by occupants having  
20 regularly assigned stalls is permitted only with the consent of  
21 the managing agent. No overnight parking is allowed in the  
22 guest parking spaces, *except* by special arrangement and regis-  
23 tration with the managing agent.

24 3.27.06. *Nuisance.* The making of major  
25 repairs to automobiles, motorcycles in the Project is prohi-  
26 bited. No racing of motors is permitted, and all automobiles

1 and motorcycles must be equipped with adequate mufflers. All  
2 vehicles parked in the parking areas must be in operating condi-  
3 tion with current vehicle licenses and safety stickers required  
4 by law. Nonmotorized vehicles (e.g., bikes and skateboards)  
5 shall not be stored in the parking areas.

6 *Balcony rules*

7 §3.28. The following are rules applicable to the bal-  
8 conies:

9 3.28.01. *No draperies.* No draperies or  
10 curtains are permitted on the balconies. Awnings which are  
11 approved by the board of directors and which may comply with  
12 prescribed requirements are authorized.

13 3.28.02. *No nuisance.* The sweeping, mop-  
14 ping and cleaning of balconies shall be done in such a manner so  
15 as not to create a nuisance to persons residing in lower or  
16 adjacent apartments or to persons on the premises. No hosing  
17 shall be done on balconies nor any excessive water used at any  
18 time, as the drains are not designed to allow for the discharge  
19 of large amounts of water.

20 3.28.03. *No protrusions.* No items shall  
21 be hung or placed on the balcony walls which would protrude  
22 beyond the exterior walls or detract from the general appearance  
23 of the building. No colored lights may be used on the balconies  
24 *except* at Christmas.

25 3.28.04. *Nothing dropped.* No object of  
26 any size may be thrown or dropped from the balconies.

1                   3.28.05.   No decoration.   Owners and resi-  
2 dents shall not paint or otherwise decorate their balconies  
3 without approval of the board of directors.

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