

Windward Passage News

2018 Number 1

Potholes - Our last newsletter joyously touted the imminent resurfacing of Aoloa Street and the driving pleasure that would result. Unfortunately, our reporter forgot where he lives. In true island fashion the work has been postponed until the summer months (July?) and the price was increased due to a change order requested by the KGCA Board. So business as usual in the 50th State. The WP Board is unhappy with the way this was handled, but has only a single vote on the KGCA Board. On the bright side, it is probably a good thing that the work was not done during the extremely wet days of early February as originally scheduled.

Recreation Deck - Now that the barbecue renovations have been finished there are two remaining tasks for the recreation deck. The first job is to fix those areas of the pool that continue to suffer loose tiles. As this requires work on the tile substrate and application of dry setting epoxy, the pool will be partially drained for several days. Once the tiles have been addressed the second job, resurfacing and painting the entire deck, will commence. Weather permitting, Ali expects that all of the work will take approximately two weeks.

Smoking Ban - The ban on smoking throughout WP - including inside individual units - has been approved by the requisite $\frac{2}{3}$ of WP Owners. The by-laws amendment is being filed and residents should soon be receiving (1)

copies of the amendment to our bylaws, (2) changes to House Rules to accommodate the bylaws amendment, and (3) information for residents who wish to be “grandfathered” as permitted smokers. Smoking will be forbidden in the units of any new owners or renters.

Text Alerts - The Board has signed a contract with *aXess Point*, a Honolulu based company (axesspoint.net) for implementation of the Condo App. The Board primarily wanted the ability to instantly send messages to mobile devices and computers during emergencies, but the app will also be useful for many day-to-day operations. Look for an announcement of introductory meetings soon.

Dog Run - The dog run and reef park turf suffered a reversal during the recent mini-monsoons in February. The rain compounded the effect of increasing traffic and grass that was accidentally cut shorter than recommended for the variety we have planted. Our crew is working to bring everything back to life while the Board looks for options to minimize future disruptions of your puppy’s pleasure.

Electric Autos - There has been interest among several owners in setting up a charging station for electric vehicles. The Board realizes that this is an issue that will need to be addressed at some point in the future, but with the technology advancing rapidly at the moment it is assuming a wait and watch position.

Insurance Info - Incidents of water damage in your unit can be distressing - and a little confusing when it comes to insurance. Here is a short Primer.

There are two different policies that may come into play; the AOA Master Policy and the individual owner's required HO6 Policy.

The Master Policy covers damage to your unit with two important caveats; (1) it does not cover personal property in the apartment, upgrades to the apartment, and things other than the common elements or walls, floors and ceiling, and (2) there is a \$5,000 deductible on the policy.

Your HO6 Policy is intended to cover the first \$5,000 (Master deductible) in damages plus the cost of replacement or repair of your personal property or improvements to your unit. Most HO6 policies have their own deductible that owners who are not at fault may recover through the AOA.

How does this work in reality? Lets assume that you are blameless - the water causing the damage came from another unit or a common element. You have suffered \$6,500 worth of damage to things covered in the Master Policy and another \$4,000 in damage to your custom bathroom fixtures for a total of \$10,500. The deductible on your HO6 policy is \$1,000.

The Master policy will cover \$1,500; the amount above the Master deductible for covered items. Your HO6 will pay you \$8,000, the cost of the fixtures plus \$4,000 of the \$5,000 not covered by the Master policy.

You will need to request recovery of your \$1,000 deductible from the Board. In the case where the water came from another unit, under Hawaii statutes, the Board may assess the at-fault owner up to the amount of your deductible. The at-

fault owner may then include that amount in his/her HO6 claim. The AOA may have to swallow the cost of your deductible when it is at fault.

Questions? Call our agent, Sue Savio, at 808 526 9271 or

sue@insuringhawaii.com

Litigation - Rumors have been circulating concerning a lawsuit involving the AOA and Board of WP. In order to clarify matters, the AOA attorney has approved release of the following statement:

"Over the past one year plus, a non-owner resident of Windward Passage has harassed and abused AOA Board members, their spouses, Staff and other Owners and Residents on numerous occasions; many of which have been documented. Despite multiple citations and fines for violations of Windward Passage House Rules and Bylaws and repeated requests to stop, the behavior has continued. As a result, in July, 2017, the Board of Directors commenced an eviction action in First Circuit Court against the resident. While the Board cannot directly address or comment on matters that are in litigation, it appears that the person in question is telling many people that she 'has won the lawsuit' and that Owners are going to be assessed to pay for her costs. THIS IS NOT TRUE. The only thing that has happened is that a Judge has ruled that the case will go to trial. That trial will be set for later this year"

For added transparency, a copy of the WP initial Civil Complaint is available for Owner viewing in the WP Office.

Additional information is online at:

www.hoohiki.courts.hawaii.gov

The Case ID is:

ID1CC171001088