



Homeowner's HO-6 Condo Insurance Requirements

The Association of Apartment Owners of Windward Passage by a majority vote taken at the 2008 Annual Meeting, authorized the Windward Passage Board of Directors to require all apartment owners to maintain a HO-6 condominium owner's policy in force at all times.

Minimum coverage is:

- Dwelling-\$25,000;
- Contents- \$10,000;
- Liability- \$300,000; and
- Loss assessment- \$25,000.

NOTE: The Association has a deductible amount of \$25,000. Some insurance companies call deductible coverage "Dwelling" while others call it "Loss Assessment". Please speak with your agent and specify that the building requires \$25,000 deductible coverage so you can adjust your coverage properly.

If an owner fails to obtain this insurance, the AOA or Board of Directors will force place the coverage and back charge the owner for the premium charge.

If you have any further questions, contact Windward Passage insurance agent Sue Savio at 526-9271.





AOAO Windward Passage

**RESOLUTION ADOPTING
UNIT OWNER INSURANCE REQUIREMENTS POLICY**

WHEREAS, Section 514B-143(g), Hawaii Revised Statutes, authorizes the Board of Directors, with the vote or written consent of a majority of owners, to require unit owners to obtain reasonable types and levels of insurance; and

WHEREAS, said Section also allows the directors, if the unit owner does not purchase or produce evidence of the insurance required by the Board, to in good faith, purchase the insurance coverage and charge the reasonable premium cost back to the unit owner; and

WHEREAS, the Association of Apartment Owners of Windward Passage by a vote taken at the 2008 annual meeting, did consent by majority vote to allow the Board of Directors to require the purchase of said insurance coverage by unit owners; and

WHEREAS, the Board of Directors desires to adopt a standard policy covering the purchase of insurance by unit owners; now, therefore

IT IS HEREBY RESOLVED, that the following **UNIT OWNER INSURANCE REQUIREMENTS POLICY** is hereby adopted:



Unit Owner Insurance Requirements Policy
(Revised 8/1/2018)

1. Unit Owners shall purchase a Homeowners Insurance Policy, commonly referred to as an HO6 policy, which provides MINIMUM coverages of \$10,000.00 contents, \$25,000.00 dwelling, \$300,000.00 liability, and \$25,000.00 loss assessment. The foregoing are minimum coverages required. Each owner is encouraged to secure whatever coverage that they determine to be appropriate for their individual units. **NOTE: The Association has a deductible amount of \$25,000. Some insurance companies call deductible coverage "Dwelling" while others call it "Loss Assessment". Please speak with your agent and specify that the building requires \$25,000 deductible coverage so you can adjust your coverage properly.**
 2. The liability of the unit owner shall include, but not be limited to, the deductible of the owner whose unit was damaged, the deductible of any AOA insurance coverage that may be available for the damage claimed through the Association's master policy, as well as, the decorating, painting, wall and floor coverings, trim, appliances, equipment, and other furnishings.
 3. Owners shall submit to the resident manager or managing agent, within 90 days following passage of this Resolution, a CERTIFICATE OF INSURANCE (not the actual policies) obtained from their insurer as proof of purchase of the required insurance coverage. Unit owners shall submit a current CERTIFICATE OF INSURANCE to the resident manager annually, on or before the anniversary date of renewal, each year thereafter.
 4. If any unit owner fails to provide said CERTIFICATE OF INSURANCE to the resident manager or managing agent on or before the expiration of the 90-day period following passage of this Resolution, the Board of Directors shall deem that as an indication of failure to purchase the required insurance, and may, in good faith, purchase the insurance coverage for the unit and charge the reasonable premium cost back to the owner.
 5. In no event is the Association or Board of Directors liable to any person either with regard to the failure of a unit owner to purchase insurance, or a decision by the Board not to purchase the insurance for the owner, or with regard to the timing of its purchase of the insurance or the amounts or types of coverages obtained.
 6. It is recommended that owners discuss additional limits as may be prudent to purchase with their insurance agent for personal items and upgrades to their units as these items may not be covered by the minimum HO6 requirements, and are not covered by the Association's insurance.
- ADOPTED by the Board of Directors of Windward Passage on the 26th day of June, 2008.

Board of Directors of Windward Passage

By _____

President

AOAO Windward Passage

RESOLUTION ADOPTING AN INSURANCE DEDUCTIBLE POLICY

Adopted by the Board of Directors on June 26, 2008

(Revised 8/1/2018)

WHEREAS, Section 514B-143, Hawaii Revised Statutes requires all condominium associations to purchase and maintain property insurance on the common elements and, to the extent reasonably available, shall include the units, the limited common elements, except as otherwise determined by the Board, but excluding improvements and betterments to the units installed by the unit owners; and

WHEREAS, said Section also requires all condominium associations to purchase and maintain commercial general liability insurance against claims and liabilities arising in connection with ownership, existence, use or management of the property; and

WHEREAS, under subparagraph (d) of Section 514B-143, HRS, the law now authorizes boards of directors, in the case of a claim for damage to a unit or the common elements, to (1) pay the deductible amount as a common expense; (2) after notice and an opportunity for a hearing, assess the deductible amount against the owners who caused the damage or from whose units the damage or cause of loss originated; or (3) require the unit owners of the units affected to pay the deductible amount; and

WHEREAS, the deductible under the Association's insurance policy(s) is now \$25,000.00 but subject to change; and

WHEREAS, the Board wishes to adopt a standard policy governing the responsibility for payment of the deductible under the Association's insurance policy(s), now, therefore

BE IT RESOLVED, that the following INSURANCE DEDUCTIBLE POLICY is hereby adopted:

Insurance Deductible Policy

1. In the event a claim is made under the Association's insurance policy(s) for damage to a unit or the common elements caused solely by a defect in a common element, the Association shall be responsible for paying the deductible amount as a common expense. In the event the value of such a claim is less than the deductible amount, the Association shall be responsible for paying the claim as a common expense.

Example: A unit sustains water damage from a burst common element pipe in the walls.

Notwithstanding the above, in the event the Association's insurance policy(s) do not cover improvements and betterments to the units installed by unit owners, the Association shall not be responsible for paying the deductible amount (or the value of a claim if it is less than the deductible amount) in the event a claim is made for damage to unit improvements and betterments. For purposes of this paragraph, "improvements and betterments" as defined in Section 514B-143(b) means "all decorating fixtures, and furnishing installed or added to and located within the boundaries of the unit, including electrical fixtures, appliances, air conditioning and heating equipment, water heaters, or built-in cabinets installed by unit owners."

If improvements and betterments are covered by the Association's insurance policy(s), the Association shall pay the deductible amount (or the value of a claim if it is less than the deductible amount) in the event a claim is made for damage to unit improvements and betterments. However, any increased cost may be assessed by the Association against the units affected.

2. In the event a claim is made by a unit owner under the Association's insurance policy(s) for damage to the owner's unit, other units, or the common elements, which damage is caused by the unit owner or other occupants or guests of the owner's unit, or from whose unit the damage or cause of loss originated, the said unit owner shall be responsible for paying the deductible amount. In the event the value of such a claim is less than the deductible amount, the said unit owner shall be responsible for paying the claim as a personal expense. Alternatively, said unit owner should check his/her individual homeowner's policy for coverage for the claim, if any.

Examples: A unit's toilet leaks or washing machine hose burst causing water damage to adjacent units or to the common elements. A unit owner or occupant negligently or deliberately allows the bathroom to overflow causing water damage to adjacent units or to the common elements.

3. In the event the Board of Directors intends on assessing the deductible amount to a unit owner who caused the damage or from whose unit the damage or cause of loss originated (#2 above), written notice shall be given to the unit owner and an opportunity to be heard. Hearings shall usually be held at the next scheduled Board meeting following the written notice.
4. Depending upon the circumstances, the Board reserves the right to require the unit owners of the units affected to pay the deductible amount. In that event, the notice and hearing requirements set forth in #3 above shall apply.

5. All unit owners are encouraged to review their individual homeowner's insurance policies (HO-6) to insure that their policies include loss assessment coverage with sufficient limits of coverage to cover the deductible amount.

Board of Directors of Windward Passage

By 
President

Windward Passage

A RESIDENTIAL CONDOMINIUM



DATE: August 1, 2018
TO: Windward Passage Apartment Owners
FROM: Board of Directors, Windward Passage AOA
SUBJECT: AOA Windward Passage Insurance Claims Policy

Windward Passage (WP) documents require each owner to purchase an HO-6 (Homeowners) or its equivalent policy for each apartment they own. WP documents also require the Board of Directors to purchase a master liability insurance policy for the building's common elements. Renters of a WP apartment may also obtain renters insurance to protect their personal assets. When an insured incident occurs, any or all of the above policies will be used to cover some or all of the liability as prescribed in WP documents and the law.

It is the sole responsibility of each WP owner to obtain and keep enforced an HO-6 insurance policy for each apartment they own. It is also the sole responsibility of each owner to provide proof of HO-6 insurance for each apartment that they own to the WP office upon each renewal. The AOA and/or the Board of Directors are not liable with regard to the failure of any owner to purchase insurance for their units. Each HO-6 policy must include a loss assessment equal to the WP policy deductible, currently at \$25,000 and minimum liability coverage, currently at \$300,000.

Purpose

This policy clarifies operational policies, establishes action to be taken in the event of property damage in the Windward Passage building and describes insurance considerations by apartment (**unit**) owners for claim(s).

Water Claims

1. If at all possible, stop the cause of the claim. Shut off the water.
2. Call the Resident Manager immediately and advise of the situation. He/She will check for damage to units below and the inside of your unit.
3. Call a plumber to repair the pipe or appliance that caused the leak. To assist residents, the Resident Manager has a list of licensed plumbers/contractors, many of whom have previously worked in the Windward Passage building. These vendors have agreed to



4. provide a report of actions taken and necessary details to determine the cause of the problem.
5. Call the appropriate people to clean up, i.e. extractors to dry out carpet, etc.
6. Call your homeowner insurance carrier and report the claim.
7. Resident Manager will send an incident report to the Management Executive.

Insurance Considerations

Because the damage to personal property is **not** covered under the Association insurance, owners should include all personal items under their own personal property insurance policies with appropriate and affordable deductibles.

1. **Water Damage Claims** – Windward Passage’s insurance policy will usually cover damage to apartment wall(s) and floor(s) (except for special replacements more costly than the original installation, i.e. “upgrades) **but not furniture or other personal property.**

If a water damage claim(s) is “not covered” by the Windward Passage insurance policy, the Association has no responsibility for paying the claim.

2. **Common Elements** – All areas and structures of the building which are not part of a unit are considered “common” and are covered by the Association insurance policies. “Vertical” drainpipes are common elements, which the Association is responsible to repair and maintain; “Feeder” drainpipes, water closets, showers/tubs, kitchen sinks, water supply pipes, hoses and connections within the apartment “are not” common elements.
Maintenance of these items and conduits are the responsibility of the unit owner(s).
3. Where a damage claim is attributable to the malfunction of personally owned fixtures of appliances, or from abuse or negligence by the resident, the apartment owner will be responsible for payment of the insurance deductible or actual costs, if less.

Fire Claim

1. Call 911. Give specific details including your unit number.
2. Sound the fire alarm.
3. Close your door and leave the unit. Do not lock your door.
4. Immediately report to the Resident Manager.

Liability Claim

1. If necessary, call 911 to provide medical attention.
2. Report the incident to the Resident Manager.
3. Get the names and phone numbers of the injured person(s).
4. Get the names and phone number of any witnesses.
5. Call your homeowner insurance carrier and report the claim.
6. Resident Manager will send an incident report to the Management Executive.

**AOAO WINDWARD PASSAGE
WATER, FIRE, LIABILITY CLAIMS
IMMEDIATE TO DO LIST**

Water Claims

1. If at all possible, stop the cause of the claim. Shut off the water.
2. Call the Resident Manager immediately and advise of the situation. He/She will check for damage to units below and on the side of your unit.
3. Call in the plumber to repair the pipe or appliance that leaked. To assist residents/owners, the Resident Manager has a list of licensed plumbers/contractors, many of whom have previously worked in **Windward Passage** building. These vendors have agreed to provide a report of actions taken and necessary details to determine the causes of the problem.
4. Call in the appropriate people to clean up i.e. extractors to dry out carpet, etc.
5. Call your homeowner insurance carrier and report the claim.
6. Resident Manager will send an incident report to the Account Executive.

Fire Claim

1. Call 911. Give specific details especially your unit number.
2. Sound the fire alarm.
3. Close your door and leave the unit – do not lock your door.
4. Immediately report to the Resident Manager.

Liability Claim

1. If necessary call 911 to provide medical attention.
2. Report the incident to the Resident Manager.
3. Get the names and phone numbers of the injured person(s).
4. Get the names and phone numbers of any witnesses.
5. Call your homeowner insurance carrier and report the claim.

IN CASE OF EMERGENCY

In the event of a personal emergency or fire in an apartment, please follow the instructions below:

1. Immediately dial 911 and report the need for assistance.
2. Call the Resident Manager or the Security Guard to report emergency at 988-7077.
3. Phone number at the Resident Manager's office is 261-2443.

In Case of Fire

- Minor Fires — Try to extinguish.
- Major Fires — Pull the switch on the building fire alarm located on each floor to activate the system.

Precautionary Measures

- Purchase a household fire extinguisher and store in handy location.
- Familiarize yourself with the location of the hallway fire alarms.

UNIT # _____

WINDWARD PASSAGE PLUMBING LEAK – WATER DAMAGE REPORT

The Association is only responsible for plumbing repairs and damages caused by common line plumbing. If a leak is found in plumbing line that only services one unit that unit owner may be responsible for damages (if any), up to the deductible of \$25,000 (subject to change) to any units or common elements.

Management Executive is the only one authorized to open claim with the AOA's insurance agent for damages exceeding the deductible. An insurance claim may be filed if the damages exceed \$25,000.

To prevent further damage to unit(s) and common area, management may have to retain the services of a water extraction company and licensed plumber and this may be charged back to the owner of the unit where leak originated from.

If you have received this form your unit may have sustained water damages due to a water leak incident at the Windward Passage.

Date Discovered/Reported: _____

Please contact your insurance agent to inform him/her of the incident. Depending upon the extent of your damages, you may want to file a claim with your own HO6 insurance policy, especially if you have upgrades and personal property damage in your unit.

If you are renting your unit out, please inform your tenant to notify his insurance agent if he has renter's insurance and has sustained personal property damage.

PLEASE NOTE: Unit Insurance - Resolution Requiring Owners to Obtain Insurance. Effective December 12, 2008, all owners are required to obtain insurance for their units at Windward Passage. The minimum requirement for liability is \$300,000 and loss assessment or association's deductible is \$25,000 (the current deductible that is subject to change). Each owner should consult with his/her insurance agent about optional coverage for dwelling in the amount of \$10,000 and contents coverage to meet your individual needs.

Please refer to AOA Windward Passage, Insurance Claims Policy mailed to owners on August 1, 2018.

Windward Passage, Resident Manager, 322 Aoloa Street, Kailua, Hawaii 96734 or fax to: (808) 262-1858

----- Please Complete & Return or Mail to Resident Manager-----

If a claim is filed with the Association's Insurance Carrier, an adjuster will contact you directly or through the Resident Manager.

Owner/Resident Name: _____ Unit # _____

Cell Phone: _____

Alternate Number for contact: _____ Name of Person _____

Rental Agent (if any): _____ Phone # _____

If we do not receive a completed form back from you within 7 days we will assume that you have not sustained any damages in your unit.