



The Kapalua Golf Villas

**Kapalua Golf Villas AOA
Home Improvement Guide**

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HOMEOWNER REMODEL GUIDELINES

The Kapalua Golf Villas (KGV) AOA Board of Directors is committed to compliance with all Federal, State and County laws and regulations, as well as the AOA Governing Documents. For the protection of the AOA and its Apartment Owners (“Owners”), these laws, ordinances and rules are enforced without exception.

It should be understood by any Owner intending to remodel or redecorate their apartment that they alone take responsibility and assume liability for the quality of work, any adverse impact to other apartments of the common elements and the behavior of their contractor, workers and any other persons coming onto KGV property in connection with the remodeling project. Additionally, Owners must comply with the governing documents of the KGV AOA and the instructions set forth in this KGV Home Improvement Guide as well as with other documents included with this packet, and must respect the rights of fellow owners and guests.

Nothing in this document is intended to relieve an Owner of the obligation to seek and obtain permission from the Manager and/or appropriate committees and/or Board to modify an apartment interior or exterior, lanai, limited common element, or common element pursuant to the Association Declaration, By-Laws, and/or House Rules (“Governing Documents”), this KGV Home Improvement Guide, and any other documents included with this packet.

No approval by the AOA Board of Directors or Agent of the AOA of any proposed construction, alteration, modification, or addition shall replace a building permit or similar approval required by any governmental entity. Nor shall such approval be deemed to make the Board liable or responsible for any damage or injury resulting or arising from the construction.

All costs associated with current modifications are the sole responsibility of the Owner. Any subsequent corrective action, and the costs associated therewith, that may be required as a result of any modification, current or prior, is the sole responsibility of the current Owner, regardless of whether the current Owner made the modification requiring corrective action.

IMPORTANT: Owners must secure written authorization from the KGV AOA prior to the commencement of any redecorating or remodeling project.

The goals

The goals of the review process for Owner improvements include:

1. Informing Owners of the process and resources needed for their project on Maui and within Kapalua and the KGVs.
2. Maintaining the integrity of the existing common elements (e.g., structural, electrical, plumbing and waste).
3. Avoiding damage to the property of others.
4. Ensuring compliance with Federal and State laws and ordinances, the governing documents of the KGV AOA and KRA, as well as the instructions set forth in this KGV Home Improvement Guide and all other documents included in this packet.

Included with this packet are “Contractor Rules” that the Owner is required to present to any contractor, subcontractor or others retained by the Owner in connection with the project. Owner and Owner’s general contractor must sign the Acknowledgement of Rules for Contractor confirming receipt of the Rules, agreeing to distribute the Rules to all other contractors or subcontractors and agreeing to abide by them.

Remodeling

Remodeling projects that include any of the following items will be required to undertake and complete the review process which is comprised of completing the Modification Request Form and checklist provided by the KGV office and obtaining written approval, *prior to the commencement of construction*:

1. Modification to the common elements.*
2. Modification to the interior walls and/or the attachments of such walls to the building's structural frame.
3. Modification of any plumbing, waste or electrical components and/or the connection of such components to the common element systems, this includes air conditioner installation or replacement. **Please note that jetted tubs are prohibited at the Golf Villas.**
4. Any modification that will place additional demand and /or requirements on the common elements including, without limitation, electrical, plumbing or waste systems or structural components.
5. The installation of any tile or other hard surface flooring.
6. Installation of cabinetry or counter tops, if such installation will involve moving plumbing, electrical or waste systems or affect integration into common element systems, must undertake and complete the review process described in this guide prior to the commencement of construction.

Hard Surface Flooring

When determining the scope of your villa modification, please refer to the following in the *Amendment to the Declaration of Property Regime of the Golf Villas and By-Laws of Association of the Golf Villas* recorded on August 31, 2006:

“An apartment owner shall not install or allow to be installed any type of hard surface flooring (including but not limited to natural or engineered wood, bamboo, Pergo or similar laminates, vinyl, linoleum, marble, granite or other stone, and ceramic tile) in any portion of such owner's apartment which is directly above any other apartment, except in bathroom and kitchens, provided that any apartment owner who has installed such flooring prior to August 1, 2005 shall be permitted to retain such flooring but may not replace the same except with carpet or other soft surface flooring.”

When modification plans include proposed hard surface flooring in allowable areas, the Modification Request must also include the installation of the 5 mil thick minimum noise suppressing product, Regupol. Please see Standard Modification #104 “Hard Surface Flooring Installation” for more information in this regard.

List of all documents required for the modification request review process:

1. Modification Request Form along with a check for the \$300 processing fee.
2. Professionally rendered plans and/or drawings for any structural, electrical or plumbing modifications.
3. Detailed written scope of work to be performed to include detail of all items of demolition and new construction.
4. List of contractors and subcontractors.
5. Copies of Licenses and insurance certificates for contractors and subcontractors naming the AOA Golf Villas as additionally insured for a minimum of \$1,000,000.00.
6. All appropriate permits.

7. Work schedule with estimated start and completion dates.
8. Signed copy of Contractor Guideline Acknowledgement.

Submission of Plans to the KGV AOA for Initial Project Approval

The Owner shall submit professionally rendered architectural and structural plans as applicable, with specifications and drawings in form and detail adequate to depict the proposed scope of the work. Any submission which includes a structural change must be accompanied by a report from a structural engineer stating that the proposed changes will not have a negative impact on any part of the building in which the unit is located. No work can commence unless and until such a report is received or until the structural engineer submits detailed plans, satisfactory to the AOA and its structural engineer, that specifies the changes that are needed to eliminate any negative impact to the structural integrity of the building.

Plans may be submitted by the Owner or contractor well in advance of commencement of construction. If the contractor submits the plans, all forms must still include Owner signature which acknowledges responsibility for the project. A good rule of thumb is to have your paperwork to the KGV AOA at least 3-6 months in advance of the planned start date. This should allow ample time for the review process, to make adjustments if necessary, and to obtain applicable permits (if necessary) through the governmental agencies.

Plans, specifications and drawings must conform to the rules of the KGV and to all building code established by Maui County. Drawings can be drawn and submitted by your architect or contractor depending on the scope of the work. The scope of work dictates the type of plans, specifications or drawings required. If you are only removing existing carpet, tile, wallpaper, or other finished surfaces, then you are considered to be redecorating and only sketches may be necessary.

Drawings must indicate electrical layout, specification for fixtures, plumbing layout and drainage, flooring materials, soffit locations and specifications.

Upon receipt of adequate detailed written scope of work and plans, specifications and drawings, the KGV AOA will review the plans and respond to the Owner within 30-days. The response will be one of the following:

1. Project is approved as submitted.
2. Project is approved conditioned on certain items (e.g., submission of permits from County).
3. Further consultation with the architect or structural engineer is required.

Project Approval Process

All Modification Request Forms and accompanying documents are to be submitted to the AOA with a check for the processing of \$300. These documents are first reviewed by AOA management to determine the extent of the project. If structural or architectural changes are required and professionally rendered plans and structural engineers report (if required) have been submitted, they are sent for review by the AOA's architectural firm and/or structural engineer. The costs for these services will be as billed by the professionals and are billable to the owner and will vary based on the extent of involvement required by either firm. If architectural and/or structural changes are to be made, these firms will also participate in checkpoint inspections appropriate to the project, and the owner will be notified at the time of project approval when these checkpoints will be necessary. Fees for the services of these firms:

- Architectural Firm - Wiss, Janney, Elstner Associates, Inc. - \$350 for initial plan review. The fee for checkpoint inspections will vary based on the level of expertise required.

Additional Fees charged based on scope of work:

Professional Staff		Professional Staff Support	
Principal	\$250	Senior Specialist	\$130
Associate Principal	\$205	Specialist	\$110
Senior Associate	\$180	Senior Technician	\$100
Associate III	\$160	Technician II	\$90
Associate II	\$140	Technician I	\$70
Associate I	\$120		

- Structural Engineer in Firm - JC Engineering \$150 per hour.

Licensed Contractors

All KGV work must be performed by a licensed contractor. The only exception would be pursuant to HRS.444, when work to be performed does not exceed \$1000.00. However, ALL plumbing and electrical work must be performed by licensed and insured tradespersons.

Insurance

All contractors, subcontractors and vendors must provide evidence of liability, worker's compensation, and automobile (when applicable) insurance coverage naming the KGV AOA as additional insured. The cancellation statement in the lower right corner of the certificate of insurance must omit the statement "but failure to do so shall impose no obligation or liability of any kind upon the insurer, its agents or representatives." The policy must be adequate in terms and in amount to protect the KGV AOA. The minimum limit of the policy is \$1,000,000. The insurance document must be on file in the KGV office prior to the onset of construction or renovation, and reflect expiration dates which must not expire prior to project completion at the Golf Villas.

Permits

It is the responsibility of the homeowner to work with their contractor to get the proper permits for their project. Once plans are approved by the AOA, owners and/or their contractors submit the appropriate documentation to Maui County for permitting. Once permits are issued, copies are required to be submitted to the AOA office and posted at the job site until the project's completion.

AOAO management will not allow work to commence on any villa that does not have the appropriate permits on-file in the AOA office. Work completed without proper permits can result in substantial fines relative to the size of the project should county authorities discover that permits were not filed prior to project completion, and the homeowner is the one who is personally liable for any and all additional fees. Additionally, invasive inspections may be necessary after-the-fact to determine the extent of permitting required, and those costs are also shouldered by the homeowner.

Damages

The Owner is responsible for any damage caused by the contractor or workers to any association property, common elements or other villas. The cost to repair such damage will be charged directly to the Owner.

Repairs or Alterations to Common Elements: No changes may be made to the exterior of the buildings without written permission from the Board of Directors. Changes include adding of air conditioning lines that run along the carport roofs or up the walls, light fixtures, etc. Owners

and their contractors are prohibited from replacing siding, moldings, stucco or any finishing repairs to the outside of the building following villa remodeling projects unless authorized in writing by AOA management. The AOA will provide the owner with a quote for completion of that work by an authorized AOA employee or contractor.

During the remodel phase, if it is discovered that common elements are affected that may incur cost to the Association, the AOA management office must be notified immediately. The Association will not pay invoices submitted by the Owner unless the work associated with the invoice was specifically approved prior to the time any work was performed or expense was incurred. If this approval is not given prior to commencement of work, the expense associated with the invoice will be the Owners' sole responsibility.

Construction Inspections

During construction your villa will be inspected at a minimum by AOA management personnel. Depending on the scope of the work, our architect or structural engineering firms may conduct inspections as well, which are billable to the owner. Inspection intervals vary based on scope of work. All Owners must demonstrate prior to the finish of their remodeling project that they have complied with the requirements outlined in the Maui Building Code and by AOA rules and regulations. All changes or deviations to the drawings or plans, if any, must be approved by the KGV AOA and be indicated on the "as built" drawings, initialed by the contractor, architect and/or structural engineer where applicable and Owners confirming that these changes have taken place. "As built" drawings must be provided to the KGV AOA at the completion of the project.

Schedule of Fines

The Board of Directors has established the following schedule of fines:

- 1st Offense: Verbal and written warning of violation.
- 2nd Offense: \$500 fine with written notice.
- 3rd Offense: \$1000 fine with written notice.
- 4th Offense: \$1500 fine and a lien placed against the apartment, plus lien costs, attorney fees, etc., with 8% compounded interest accruing after 30 days from lien date.

CONTRACTOR'S RULES

The following Contractor Rules are a supplement to the "Homeowner Improvement Rules of The Golf Villas AOA." Contact The Golf Villa office if you have any questions or special needs.

Note: Any worker who has agreed to perform a service to the homeowner must comply with these and all related AOA Golf Villas rules.

Contract - Written Permission

Written permission or signed contract of the owner must be on file in The Golf Villa's Office prior to the commencement of any redecorating or remodeling.

Licenses

All contractors and subs must have a valid contractor's license issued by the state of Hawaii. There are laws and ordinances in effect in Hawaii to protect the public and provide remedies for consumers when using contractors. It is recommended that you become familiar with these laws before signing a contract with any vendor.

Copies of all licenses must be on file in the Golf Villa Office prior to the onset of redecorating or remodeling. A list of licensed contractors and subcontractors who will be working in the villa must also be on file.

Insurance

The AOA as well as the state of Hawaii require that all contractors, subcontractors and vendors must carry liability, worker's compensation and automobile (when applicable) insurance. Additionally, the association requires that all liability insurance documents include "The Golf Villas AOA" as additional insured in the amount of \$1,000,000.00. This must be on file in the Golf Villa Office prior to the onset of construction/renovation.

Permits

It is the responsibility of the homeowner to work with their contractor to get the proper permits for their project. Copies of the permits should be on-file in the Golf Villas AOA office so that they can be provided as needed throughout the project during inspections. Work completed without proper permits can result in substantial fines relative to the size of the project should county authorities discover that permits were not filed prior to project completion, and the homeowner is the one who is personally liable for any and all additional fees. Additionally, invasive inspections may be necessary after-the-fact to determine the extent of permitting required, and those costs are also shouldered by the homeowner.

Work Schedule

A work schedule for the planned redecorating/remodeling must be on file in the Golf Villa Office prior to the commencement of construction. This schedule must include:

1. Anticipated date of commencement and completion of the project
2. Anticipated dates of heavy noise
3. Anticipated dates/need for water or electrical shutdown

Any deviations or changes to the schedule require 48 hour notification and approval from the Golf Villas Office.

Permitted Working Days and Hours

Noise Level	Permitted Days	Permitted Hours	Notification
Low - Painting, Wallpapering, Grouting	Mon-Sat	8:00am - 5:00pm	48 hours
Minimal to Moderate	Mon-Fri	8:00am - 4:00pm	48 hours
Heavy - Jackhammer, Drilling	Tues, Wed, Thur	9:00am - 4:00pm	72 hours

No exceptions to the above *Permitted Working Days and Hours* schedule are allowed unless written permission is obtained from the Golf Villas office.

Construction Review

During construction your villa will be inspected by a representative of The Golf Villas AOAO. Depending on the scope of the work, the inspection intervals may vary.

All owners must demonstrate prior to the finish of their remodeling project that they have complied with the requirements outlined in the Maui Building Code and by The Golf Villas AOAO. All changes or deviations to the drawings or plans, if any, must be approved by The Golf Villas AOAO and be indicated on the "as built" drawings, with contractor and owners initials confirming that these changes have taken place. "As Built" drawings must be provided to The Golf Villas AOAO at the completion of the project.

Storage on Lanai

The lanai may not be used for any type of storage including furniture, material, debris or tools.

Work in Basements

All basements are locked and access can be obtained by a request to the Golf Villas administrative office. When work is performed in building basements to access water heaters and water pipes, etc. it is the responsibility of the owner and contractor to insure walls and ceilings are repaired and sealed when work on pipes is complete. You may not leave any discarded materials in basements including sliding doors, screens and old water heaters.

Overnight Use of the Villa

Under no circumstances may a contractor, subcontractor or their employees occupy a villa overnight in which work is being done without written approval from owner.

Dress Code & Behavior of Workmen

All workers must wear clean sleeved shirts with the contractor name, appropriate visible name tag or business logo. All workers must wear covered shoes and be professionally presentable at all times when in common area. No alcohol or illegal drugs may be consumed at any time on property. Any inappropriate or unprofessional behavior by workers will result in their immediate removal from the property. Workers are not allowed to loiter on the common areas.

Hazardous Chemicals or Materials

Contractors shall advise The Golf Villas office in writing of any proposed use of hazardous chemicals or materials on the property. Such chemicals or materials may not be stored or left on the property and must be used in strict compliance with applicable Federal, state or local laws related to hazardous materials. Contractor shall provide to The Golf Villa's office copies of MSDS sheets for all hazardous chemicals and materials proposed to be used.

Cleanup

All Trash and construction debris must be removed from the property by the contractor at the end of each day. Under no circumstances will any of the existing trash bins or dumpsters provided by The Golf Villas be used for construction debris. The cleaning of tools and equipment in the common areas is not permitted. The villa and common area drains are not to be used for the disposal of any construction materials. The carwash area is not to be used on vehicles that are not registered to the deeded owner of a Golf Villas villa.

Damages

The owner is responsible for any and all damage caused by the contractor or workers to any Association property, common elements or other villas. The cost to repair such damage will be charged directly to the owner.



OWNER / CONTRACTOR ACKNOWLEDGEMENT

I acknowledge that I have received a copy of the Kapalua Golf Villas Homeowner Improvement Packet and Contractor’s Rules. I have read and understand the rules and all other documents included in the packet, and certify that all the information provided to the Golf Villas AOA is true and factual. I understand and agree to abide by the rules and regulations stated herein, as well as to State of Hawaii, and Maui County Statutes and Ordinances as they relate to this project.

_____	_____
Owner	Contractor
_____	_____
Date	Date

Villa #	

(To be signed and turned in to the Kapalua Golf Villas office with other required documents before commencement of project.)



MODIFICATION REQUEST PROCESS

- 1) Homeowner submits a preliminary Modification Request to Golf Villas Office with a check for the processing fee of \$300.
- 2) Kapalua Golf Villas management reviews for compliance to either standard modification request or special modification request and indicates one of the following:
 - a) Approval as is
 - b) Conditional Approval
 - c) Rejection
- 3) Direct owner and/or contractor to County of Maui Building Department for Permit Procurement where applicable.
- 4) If owner and/or contractor is seeking "soft demo" prior to and while awaiting issuance of building permit, submit the following:

Owner & Contractor acknowledges and warrant that the work to be performed will comply with the following and will be subject to periodic inspection by KGV management:

16.26.106.2 of the Maui County Building Code - Work Exempt for Permit. A building permit shall NOT be required for the following:

Painting, papering, installation of floor covering and similar finish work, including cabinet work and installation of shelves. The inverse is also true for the removal of these items.

Signed-Owner: _____ Date: _____

Print Name: _____

Signed-Contractor: _____ Date: _____

Print Name: _____

Accepted-KGV Management: _____ Date: _____

Print Name: _____

- 5) Direct owner and/or contractor to seek KRA approval (if required due to exterior modification).
- 6) Owner and/or contractor submit completed package to Golf Villas office, including detailed written scope of work, necessary licenses, architectural plans, structural engineer's report (if required), insurance, approvals and permits for, verifications, final approval and authorization of commencement of work by Golf Villas management.
- 7) AOA Architect and/or Structural Engineer may be called upon for further review of plans, which services are billable to owner.
- 8) Owner and/or contractor submit permit copies and allow periodic inspection by Golf Villas management and/or other professionals in behalf of the AOA at prescribed intervals, as deemed appropriate (e.g. installation of Regupol or structural changes).
- 9) As permits are only valid for 180 days from start of construction, Golf Villas office must receive final inspection and notice of occupancy or notice of approved extension by Maui County Building Department must be filed with the Golf Villas office.

STATE LICENSING INFORMATION REMODELING AND MODIFICATIONS

In compliance with Hawaii State laws and statutes, as well as Maui County Code, the Kapalua Golf Villas AOA requires:

- A class 1 (general engineering contractor – A) or class 2 (general building contractor – B) current and in force licensed contractor to lead and actively supervise (i.e. setup checkpoints and final walk-through work inspections) all work to be performed (HRS 444-7 - http://www.capitol.hawaii.gov/hrscurrent/Vol10_Ch0436-0474/HRS0444/HRS_0444-0007.htm).
- That the lead and supervising contractor use a class 3 (specialty contractor – C) contractor with a current and in force license for all plumbing and electrical work (HRS 444-7)

Hawaii Revised Statute Regarding Contractors License Requirements

§444-9 Licenses required. No person within the purview of this chapter shall act, or assume to act, or advertise, as general engineering contractor, general building contractor, or specialty contractor without a license previously obtained under and in compliance with this chapter and the rules and regulations of the contractors license board. [L 1957, c 305, §1(s 8); Supp, §166A-8; HRS §444-9]

§444-9.3 Aiding or abetting. Aiding or abetting an unlicensed person to evade this chapter or knowingly combining or conspiring with an unlicensed person, or allowing one's license to be used by an unlicensed person, or acting as agent or partner or associate, or otherwise, of an unlicensed person, with the intent to evade this chapter, shall be a misdemeanor.

§444-23.5 Forfeiture of property for unlicensed activity. (a) If an investigator finds that a person has acted in the capacity of, or engaged in the business of a contractor within this State without having a current license as required by this chapter to so act or engage, and the person is or was a defendant or respondent in a separate citation or lawsuit filed with or by the department, the investigator may issue a notice of forfeiture of property used by the person in the unlicensed activity, and the property that is the subject of the notice of forfeiture shall be turned over to the department for disposition in accordance with this chapter.

(b) Each notice of forfeiture shall be in writing and shall describe the tools, implements, documents, materials, or any other property used by any person in unlicensed activity that violates section 444-9.

MAUI COUNTY BUILDING CODE RELATING TO BUILDING PERMITS

Section 106.1 Permits Required

Except as specified in Section 106.2, no building or structure regulated by this code shall be erected, constructed, **enlarged, altered, repaired**, moved, **improved**, converted or demolished **unless a separate permit for each building or structure has first been obtained from the building official.**

Section 106.2 Work Exempt from Permit.

A building permit shall NOT be required for the following:

17. Repairs which involve only the replacement of component parts or existing work **with similar materials for purpose of maintenance, do not cost, in the aggregate over \$2,000 in any 12 month period** for Group R, Division 3, and Group U Occupancies, \$5,000 in all other occupancies, **and does NOT affect any electrical, plumbing or mechanical installations. Repairs exempt from permit requirement shall NOT include any addition, change or modification in the type of construction, in the means of egress or of any permanent fixtures or equipment.,**

16.26.106 Section 106 amended.

106 Permits.

106.1 Permits Required. Except as specified in Section 106.2, no building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the building official.

106.2 Work Exempt from Permit. A building permit shall not be required for the following:

1. One-story detached accessory buildings used as tool storage shed, playhouses, and similar uses, provided the floor area does not exceed 120 square feet (11.15 m²; sup);).
2. Fences, including walls, not over 6 feet (1829 mm) high when measured from the lowest grade to the top of the fence or wall.
3. Oil derricks.
4. Movable cases, counters, and partitions not over five feet 9 inches (1753 mm) high.
5. Retaining walls which do not have more than three feet of retainage between the finish grade on each side of the wall and not greater than 6 feet in total height measured from the lowest grade to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
6. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18927 L) and the ratio of height to diameter or width does not exceed 2:1.
7. Platforms, walks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below.
8. Painting, papering, installation of floor covering and similar finish work, including cabinet work and installation of shelves.
9. Temporary motion picture, television and theater stage sets and scenery and temporary exhibits.

10. Window awnings supported by an exterior wall of Group R, Division 3, and Group U Occupancies when projecting not more than 54 inches (1372 mm).
11. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons (18927 L).
12. Work performed for any federal or state governmental agency when exemption is specifically requested in writing by that governmental agency.
13. Site work on property, including but not limited to, sidewalks, curbs, parking lots, planter boxes.
14. Street light standards, utility poles, not including wireless telecommunication towers, television antennas, or satellite dishes.
15. Reroofing with the same or similar material for Group R, Division 3, and Group U Occupancies.
16. Agricultural buildings less than 200 square feet in floor area.
17. Repairs which involve only the replacement of component parts or existing work with similar materials for the purpose of maintenance, do not cost, in the aggregate over \$2,000 in any 12-month period for Group R, Division 3, and Group U Occupancies, \$5,000 in all other occupancies, and does not affect any electrical, plumbing or mechanical installations. Repairs exempt from permit requirements shall not include any addition, change or modification in the type of construction, in the means of egress or of any permanent fixtures or equipment.
18. Television and radio antennas accessory to a Group R, Division 3 Occupancy.
19. Temporary construction tool sheds, fences, and jobsite offices on same property where construction is occurring under a valid building permit.
20. Construction equipment used for work authorized by a valid permit or for work exempted from permit requirements.
21. Playground equipment, including but not limited to, swings, merry-go-rounds, slides, jungle gyms, goals, chain-link fences, baseball backstops, dugouts.
22. Temporary tents or other coverings used for private family parties or camping. Temporary tents or other coverings for other uses, provided that the temporary tents and other coverings be removed daily and erected only between the hours of six a.m. to six p.m.
23. Temporary tents or other coverings for uses other than private family parties or camping; provided that the temporary tents and other coverings shall be:
 - (A) Removed daily and erected only between the hours of six a.m. to six p.m.; or
 - (B) Erected on property owned by or under the control of the County and administered by the Department of Parks and Recreation and removed within seventy-two hours of the time of the installation of the tents or other coverings.
24. Work located in a right-of-way maintained by any federal, state, or county governmental agency.
25. Work by an electric or telecommunication utility operating under a franchise or charter granted by the State of Hawaii; provided that the work which is not regulated by the Public Utilities Commission of the State of Hawaii shall be subject to the provisions of this Code. If the utility claims an exemption under this provision, the utility shall have the burden of demonstrating to the satisfaction of the Building Official that the work is regulated by the Public Utilities Commission.
26. Electrical, plumbing and mechanical equipment.

27. Motor vehicles with a valid certificate of registration.

Unless otherwise exempted by the appropriate plumbing or electrical codes, separate plumbing and electrical permits will be required for the above-mentioned exempted work.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

STATE AND LOCAL ORDINANCES & STATUTES ELECTRICAL & PLUMBING LICENSING & PERMITS

Electrical:

Per the County of Maui's official website - <http://www.co.maui.hi.us>: "A County Electrical permit is required for any new electrical construction work on Privately Owned Properties or Structures, and certain Public Facilities for installations such as, but not limited to, New Lighting, Receptacle Outlets, Electrical Service Equipment for Utility Connections, Electrical connections to Appliances, Air Conditioning Equipment, Water Heaters, including Solar Water Heaters, Generators, including Wind Generators, Solar Photovoltaic Power Systems, Fire Alarm Systems, Burglar Alarm Systems, Landscape Lighting Systems, Electrical wiring for Swimming Pool Equipment, such as Pumps and Pool Lights, and other systems or equipment involving electrical connections.

Maui County Code of Ordinances

16.18A.090(2)(b) Subsection 90-2(b) amended.

(b) The provisions of this Code shall not apply to the following:

9) Replacement or repair of devices and apparatus of air-conditioning and refrigeration systems, except electrical work on branch-circuit, short-circuit and ground-fault protection, overload protection or the equipment disconnecting means which are not part of the equipment manufacturer's installation.

16.18A.107 Permit and Miscellaneous Fees.

107-1. Permit fees. (a) Schedule. A fee as set forth in the annual budget ordinance shall be paid to the County prior to the issuance of any electrical permit.

(b) Work without a permit. When work for which a permit is required by this code is started or proceeded with before obtaining a permit, the fees specified in the annual budget ordinance shall be doubled or increased by an additional amount of \$200, whichever is greater, but the payment of such fees shall not relieve any persons from fully complying with the requirements of this code in the execution of the work or from any other penalties prescribed in accordance with the rules for administrative procedures and civil fines for violations of titles 12, 14, 16, 18, 19, and 20 of this code.

16.18A.1000 Penalty.

Any person violating any of the provisions of this code shall, upon conviction, be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year, or by both. The continuance of any such violation after conviction shall be deemed a new offence for each day of such continuance.

Any person in violation of this code, as determined by the administrative authority, may appeal such violation to the board of code appeals.

(Ord. 2871 § 3 (part), 2000)

Plumbing:

16.20A.128 Permit required.

A. It is unlawful for any person, firm or corporation to install, remove, alter, repair or replace or cause to be installed, removed, altered, repaired or replaced, any plumbing, gas or drainage piping work on any fixture or water heating or treatment equipment in a building or premises without first obtaining a permit to do that work from the administrative authority.

B. A separate permit shall be obtained for each building or structure.

C. No permittee shall allow any person or individual to do any work under a permit secured by the permittee except persons in the permittee's employ or the permittee himself.

(Ord. 2330 § 3 (part), 1994)

16.20A.140 Work not requiring a permit.

No permit shall be required for any of the following types of repair work: the stopping of leaks in drain pipes, waste pipes, or vent pipes; provided, however, that should any trap, drain pipe, waste pipe or vent pipe be or become defective, and it becomes necessary to remove and replace the same material in any part or parts, the same shall be considered as new work and a permit shall be obtained and inspection made as hereinbefore provided. No permit shall be required for the cleaning of stoppages or the repairing of leaks in pipes, valves, or fixtures, when the repairs do not involve or require the replacement of valves, pipes, or fixtures.

(Ord. 2330 § 3 (part), 1994)

SPRINKLER REQUIREMENTS

As of May 2013

Below is an email from Paul Haake, Captain Fire Prevention Bureau, Thad Henry, our general contractor for the Golf Villas remediation project, explaining when sprinkler systems are to be installed in connection with villa remodeling projects at the Kapalua Golf Villas. This email explains the Department of Fire and Public Safety's current requirement for installation of sprinkler systems in villas where interior square footage is increased. Owners wanting to add square footage of any size to their villas must first provide engineered, stamped drawings to the AOA Board for approval and submit an application for a permit with the County of Maui. UPON APPROVAL from Maui County, work can commence with the explicit knowledge that AOA management will be conducting on site inspections to ensure compliance with the approved stamped drawings received back from the County of Maui, and to verify they are being strictly followed.

From: Paul.Haake@co.maui.hi.us
To: GolforWork@aol.com
Sent: 5/24/2013 10:14:41 A.M. Hawaiian Standard Time
Subj: Re: Thad Henry question!!

Hi Thad,

Every time a permit comes into our office for review, one of the first things that is checked is fire apparatus access. The fire code requires that access be provided to all exterior walls; this requirement is allowed to be measured to within 150' of approved fire apparatus access roads (20' wide all weather-surface). If this access is not provided, the option is to provide the required access or provide fire sprinkler protection. Buildings in existence that do not meet this requirement (existing non-conforming) are ok as long as no square footage is added or new floors are created; basically, the building remains the same as it was built.

The current fire code requires that all Group R-1 classified occupancies, such as the Golf Villas, 3 or more stories in height or containing 16 or more dwelling units be protected with a fire sprinkler system. Existing occupancies classified as such and built before the requirement was adopted (again, existing non-conforming) are ok as long as no square footage is added or no new floors are created; basically, the building remains the same as it was built. If a permit comes in requesting changes from what was originally approved and built, fire sprinkler protection is required. In buildings such as the Golf Villas (residential units that are separately owned), our office requires fire sprinkler protection in the subject unit only.

That's it in a nutshell. Hope this helps. Let me know.

Thanks,

Paul

Paul Haake
Captain, Fire Prevention Bureau
Dept. of Fire & Public Safety
Maui County

313 Manea Place Wailuku, HI 96793
244-9161 ext. 23
244-1363 fax

HAWAII REVISED STATUTES - OWNER/BUILDER PERMITS

§444-9.1 Issuance of building permits; owner-builder registration. (a) Each county or other local subdivision of the State which requires the issuance of a permit as a condition precedent to the construction, alteration, improvement, demolition, or repair of any building or structure shall also require that each applicant for such a permit file as a condition to the issuance of a permit a statement that the applicant and all specialty contractors are licensed under this chapter, giving the license numbers and stating that the licenses are in full force and effect, or, if the applicant is exempt from this chapter, the basis for the claimed exemption; provided that if the applicant claims an exemption under section 444-2(7), the applicant shall also be required to certify that the building or structure is for the applicant's personal use and not for use or occupancy by the general public. Each county or local subdivision of the State shall maintain an owner-builder registration list which shall contain the following information: (1) the name of any owner or lessee who claims an exemption from this chapter as provided in section 444-2(7); (2) the address of the property where exempt building or improvement activity is to occur; (3) a description of the type of building or improvement activity to occur; (4) the approximate dates of construction activity; and (5) whether any electrical or plumbing work is to be performed and if so, the name and license number of the person or entity who will do the work. The absence of such registration is prima facie evidence that the exemption in section 444-2(7) does not apply.

(b) The county shall verify the license against a list of licensed contractors provided by the state contractors licensing board, which list shall be updated at least quarterly. The county shall also verify that the applicant is in fact the contractor so licensed or the contractor's duly authorized agent.

(c) To qualify for the exemption under section 444-2(7), the county shall provide the applicant with a disclosure statement in substantially the following form:

"Disclosure Statement State law requires construction to be done by licensed contractors. You have applied for a permit under an exemption to that law. The exemption provided in section 444-2(7), Hawaii Revised Statutes, allows you, as the owner or lessee of your property, to act as your own general contractor even though you do not have a license. You must supervise the construction yourself. You must also hire licensed subcontractors. The building must be for your own use and occupancy. It may not be built for sale or lease. If you sell or lease a building you have built yourself within one year after the construction is complete, the law will presume that you built it for sale or lease, which is a violation of the exemption, and you may be prosecuted for this. It is your responsibility to make sure that subcontractors hired by you have licenses required by state law and by county licensing ordinances. Electrical or plumbing work must be performed by contractors licensed under chapters 448E and 444, Hawaii Revised Statutes. Any person working on your building who is not licensed must be your employee, which means that you must deduct F.I.C.A. and withholding taxes and provide workers' compensation for that employee, all as prescribed by law. Your construction must comply with all applicable laws, ordinances, building codes, and zoning regulations. If you violate section 444-2(7) you may be fined \$5,000 or forty per cent of the appraised value of the building as determined by the county tax

appraiser, whichever is greater, for the first offense; and \$10,000 or fifty per cent of the appraised value of the building as determined by the county tax appraiser, whichever is greater for any subsequent offense."

The county shall not issue a building permit to the owner-applicant until the applicant signs a statement that the applicant has read and understands the disclosure form.

(d) A county building inspector or other building official shall report to the regulated industries complaints office the name and address of any person, who, in the opinion of the building inspector or official, has violated this chapter by accepting or contracting to accomplish work which would classify the person as a contractor under this chapter.

OWNER/BUILDER GUIDELINES

Per state regulations the AOA Kapalua Golf Villas requires that all remodel work in excess of \$1,000.00 must be performed by a licensed contractor. However, the state has made provisions for an owner to act as their own contractor.

"Chapter 444, Hawaii Revised Statutes (HRS) defines owner-builders as owners or lessees of property who build or improve structures on property... The structure cannot be sold or leased or offered for sale or lease until one (1) year after completion of the construction."

Any structural remodel work must be permitted and performed by a licensed contractor. However, the AOA will allow an owner to perform the remodel for their own villa for **"cosmetic" interior remodels only**. "Cosmetic" changes include replacement of cabinets, appliances and flooring all within the original "as built" plan of the villa. All requirements below must be met before approval as "owner/builder" is given.

1. Submit a modification request with the details of the remodel with owner listed as contractor.
2. Read Homeowner Remodel and Contractor Rules and submit signed acknowledgement page.
3. Provide Commercial General Liability Insurance in the amount of \$1,000,000.00 and name the AOA Golf Villas as additionally insured.
4. All plumbing and electrical work must be performed by licensed and insured trades people.
5. Provide license and commercial general liability insurance (same requirements as above) from plumber and electrician.
6. No construction waste can be disposed of in KGV dumpsters.
7. Carport and lanai may not be used for storage at any time.

Additionally, it should be understood by any owner intending to remodel or redecorate their villa that they alone take responsibility and assume liability for the quality of work, any adverse impact to other apartments or the common elements and the behavior of their contractors, workers and any other persons coming onto the Project in connection with the remodeling. Additionally, owners must comply with the governing documents of The Golf Villas AOA and respect the rights of other owners and guests.

CONSUMERS, CONTRACTORS & CONTRACTS

Published by: Hawaii Contractors License Board

This brochure is a brief summary of some of the things that you, as a homeowner, can do to avoid costly mistakes and misunderstandings in dealing with a contractor. If you are seriously considering a home remodeling project, then you will probably hire a contractor to do the work. As licensed contractors have met experience and examination requirements, and are required to maintain worker's compensation insurance and liability insurance, it is wise to insist that the contractor you hire be licensed. However, because you may be undertaking a substantial investment, you should do your homework, and enter into any contract in a "buyer beware" manner.

For inquiries regarding license status, contact:

Phone: 808-587-3222, (press 1)

For filing complaints against licensed or unlicensed contractors, contact:

Regulated Industries Complaints Office
Consumer Resource Center
235 S. Beretania Street, 9th Floor
Honolulu, Hawaii 96813
Oahu: 808-587-3222 (press 2)
Maui: 808-243-5808

THE LAW

The law and rules regulating the licensing and conduct of contractors in the State of Hawaii are contained in Chapter 444 of the Hawaii Revised Statutes and Chapter 77 of the Hawaii Administrative Rules.

The purpose of the law is to protect the public and to provide remedies for consumers when a licensed contractor has violated the law. With limited exceptions, all contractors are required to be licensed. Unlicensed contracting activity is illegal in Hawaii and is prosecuted by the Regulated Industries Complaints Office (RICO) of the Department of Commerce and Consumer Affairs. Under Section 444, Hawaii Revised Statutes, a citation containing an order of abatement may be issued to the unlicensed contractor on the job site. Complaints against licensed contractors also are prosecuted by the Regulated Industries Complaint Office. These complaints may result in sanctions imposed by the Contractors License Board which is placed under the Department of Commerce and Consumer Affairs for administrative purposes.

HIRING A CONTRACTOR

Get multiple bids. Before hiring any contractor, get multiple written bids or estimates for your project. Provide the contractors with accurate plans or drawings to enable them to determine the scope of the work and the costs involved. If the prices differ by a wide margin, you may consider obtaining additional bids.

Beware of any bid which is substantially lower than the others - it may indicate that the contractor has made a mistake or has not included all the work quoted by the other contractors.

Ask for references. Ask potential contractors for references in writing. Call the contractor's previous customers and ask if they were satisfied with the contractor's work. Go out and look at the contractor's work yourself.

Hire a licensed contractor. While even licensure cannot guarantee satisfaction, a licensed contractor has met experience and examination requirements and must fulfill certain conditions in order to maintain the license. The licensed contractor must have workers' compensation insurance and liability insurance. Furthermore, a licensed contractor is regulated by the Contractors License Board, and a licensed contractor who violates the licensing laws may be disciplined by the Board. Finally, a homeowner may recover from the Contractors Recovery fund only when the contractor hired by the homeowner is licensed.

The Contractor's License Board licenses contractors in several different classifications:

1. "A" – general engineering contractor;
2. "B" – general building contractor; and
3. "C" Specialty contractors, such as roofing contractors, plumbing contractors, electrical contractors, swimming pool contractors, etc.

The type of contractor that you will hire will depend on the kind of work that you want done. If the work you want done involves more than two types of work, then you may hire a licensed general building contractor who will coordinate the appropriate licensed specialty contractors. Before signing a contract with a contractor, make sure that the contractor is licensed in the correct classification. Ask to see the contractor's license. Upon request, a licensed contractor must show you a contractor's license card. The license card will state the classification in which the contractor is licensed, followed by a number. If you have any questions as to the validity or status of a license, call 80-587-3222, (press 1). If you would like to check on the contractor's complaint history, again call 808-587-3222, (press 1).

Check out contractors with your local building department, trade association or union. Information about the work history of contractors can sometimes be obtained from construction associations. Try such groups as the General Contractors Association, the Building Industry Association or specialty groups such as the Pacific Electrical Contractors Association, the Mason Contractors Association of Hawaii, the Painting and Decorating Contractors Association, the Plumbing and Mechanical Contractors, the Gypsum Drywall Contractors Association, the Pacific Bureau of Latherers and Plasterers Association, and the Hawaii Flooring Association, to name a few.

Disclosure prior to signing a contract – Under section §444-25.5, Hawaii Revised Statutes, and §16-77-79, Hawaii Administrative Rules, when a contractor is performing home construction or renovation work, the contractor must provide the homeowner all of the following before they sign a contract and before applying for a building permit:

1. All information regarding the contract and its performance which might mislead the homeowner if not disclosed, including the lien rights of labor, suppliers and subcontractors;
2. A copy of the disclosure form on the file with the Board;
3. The approximate percentage of the work to be subcontracted;
4. Whether or not the contractor is bonded; and if the contractor is not bonded, the extent of the contractor's financial security available to assure the homeowner that the contractor will perform under the contract; and 5. The contractor's license number and classification.

Always insist on a written contract. It protects everyone concerned and prevents confusion if anything should go wrong. Be sure that the contract is dated and signed and specifies exactly what is being provided for your money. Do not assume or expect to be provided with anything not specified in the contract. Make sure that the contract has adequate plans and specifications

or other adequate description of the scope of the work to be performed. Pursuant to §444-25.5, Hawaii Revised Statutes, and §16-77-80 Hawaii Administrative Rules, all contractors performing new home construction, home improvement and renovation work are required to include the following in their contracts:

1. The contractor's license number and classification;
2. The exact dollar amount due from the homeowner under the contract;
3. The date work will begin and the number of days for completion;
4. The work to be performed and the materials to be used;
5. The approximate percentage of work to be subcontracted; and
6. A clear statement of the risk of loss of any payments made to a sales representative.

In addition, you may request that the contract include the following provisions which are common to all contracts:

1. The name and address of any salesperson who solicited or negotiated the contract, in addition to the name and address of the contractor;
2. A payment schedule that parallels the amount of work completed, and provides that 5 to 10 percent be withheld until all work is completed;
3. A description of what constitutes substantial completion of work;
4. The terms of any warranty offered;
5. A provision requiring the contractor to obtain lien releases from all subcontractors and material suppliers.

It may also be desirable for the contract to provide for arbitration or other reasonable, fair and economical methods of settling disputes between the contractor and the homeowner. Finally, take time to review the contract and make sure that you understand the contract before you sign it. Don't let a contractor or salesperson rush you into anything. If you are confused about the provisions of the contract or have questions about lien rights or other matters, consider hiring an attorney to explain them to you.

Consider a performance and completion bond. On bigger jobs, request a performance and completion bond. While there will be an additional charge for the bond, it provides assurance that your project will be completed. A reputable contractor will be bondable for a small additional fee.

AFTER YOU HAVE HIRED A CONTRACTOR

Before work begins, make sure that you have a complete and accurate set of contract documents. These should include:

1. A complete set of plans showing exactly what you are going to build. It is suggested that you engage in the services of a licensed architect or engineer to prepare these or at least look them over to assure their accuracy and completeness. If you engage such services, be sure to document the arrangements on an owner-architect agreement form.
2. A complete set of specifications relating to the plans drawn. These also should be prepared or reviewed by an architect or engineer.
3. A detailed contract with a set of general conditions and specifications that has general acceptance. You may wish to have your attorney prepare these or review them prior to your signature. No work should be allowed until all documents are completed to your architect's or attorney's and your satisfaction. Ask your contractor about inconveniences which may occur and plan for them. If a building permit is required for the job, be sure it is posted at the job site.

Keep a file of all papers relating to your project. It should include:

1. The contract and all change orders;
2. Plans and specifications;
3. Bills and invoices;
4. Cancelled checks;
5. Lien releases from subcontractors and material suppliers;
6. Letters, notes and correspondence with your contractor;
7. A record of each subcontractor who works on your project, what part of the work the subcontractor did, and how long the subcontractor was on the job; and
8. A record of the material suppliers who make deliveries, including the company name, the date of delivery, and a general description of what was delivered.

When you receive lien releases from subcontractors or material suppliers check them against your records. Your paperwork will help you to determine who has and has not been paid.

Make sure all change orders are in writing. Plan carefully and keep changes to an absolute minimum. Change orders are very expensive for both the homeowner and the contractor. If you do not need to make changes, all change orders and any changes to the original specifications should be in writing.

Make frequent inspections of the work. Review the work as it is being completed. Do a final “walk through.”

IF YOU HAVE PROBLEMS

If problems or disagreements occur, try to negotiate with the contractor first. If you have any complaints about the work, keep notes and notify the contractor directly. You may wish to document your concerns by writing a letter to the contractor. Any agreements you reach should be in writing. Remember to keep copies for your own files. If you are not able to resolve your problems with the contractor and you feel there may have been a violation of the contractor licensing law, file a complaint with the Regulated Industries Complaints Office. There is an office here on Maui, and the phone number is provided on Page 1 of this guide.

LIENS

Disclosure of Lien Rights – As part of the disclosure prior to the signing of a contract, the contractor must inform the homeowner of the lien rights of labor, suppliers and subcontractors. Any person not paid for labor or materials furnished for a home improvement project may obtain a lien against the homeowner’s property. A subcontractor or material supplier who has not been paid by the prime contractor may obtain a lien even if the homeowner has paid the prime contractor in full.

Avoiding Liens – To protect yourself from having liens placed on your property, you may require lien releases from all parties in exchange for payment. Request partial lien releases for partial payments and a final complete lien release for final payment. In addition, check with your prime contractor to see if the contractor will publish a notice of completion in the newspaper when the work is completed. If the contractor will not do so, do it yourself. To obtain a lien, a person claiming a lien must file an application with the court no later than 45 days after a notice of completion is published and section 507-43, Hawaii Revised Statutes is complied with. If no notice of completion is published, a person claiming a lien has up to one year after the completion of the project to file the application for a lien.

Also, discuss with the contractor the possibility of withholding a portion of the contractor's payment until after the 45 day period for filing a lien has expired. The amount withheld should be a figure sufficient to cover all claims which might be filed and should be one upon which both you and the contractor can agree. Finally, if a lien is filed against your property, consult an attorney.

CONTRACTORS RECOVERY FUND

The Contractors Recovery Fund is a service for homeowners that is wholly funded by Hawaii's licensed contractors and administered by the Contractors License Board. The fund provides protection to homeowners who find that a licensed contractor has not performed as promised, has defaulted on the contract, or has violated some other provision of the law regulating contractors. A homeowner may recover up to \$12,500 per contract from the Contractors Recovery Fund on any judgment obtained against a licensed contractor.

The procedure for obtaining relief from the Contractors Recovery Fund is as follows.

1. The homeowner must file a court action against the contractor.
2. The homeowner must notify the Contractor's License Board of the court action at the time it is filed.
3. If the homeowner obtains a judgment against the licensed contractor and the licensed contractor lacks the assets to pay off the judgment, a claim against the Contractors Recovery Fund must be made.

You should consult with an attorney to ensure that all the procedural steps required to file a valid claim are satisfied. The Contractor License Board has the right to intervene and defend the Contractors Recovery Fund in any way that it deems necessary.

OWNER/BUILDER

The Owner/Builder Exemption – This exemption allows a property owner to act as a contractor when building or improving structures on the owner's property for the owner's own use or the use of the owner's immediate family. However, it does not apply to electrical and plumbing work. As a further limitation, the owner/builder exemption may not apply when the structure that is built or improved is offered for sale or lease within one year of completion, nor if the exemption is used more than once every two years.

Qualifying as an Owner/Builder – If, as a homeowner, you wish to do work under the owner/builder exemption, you must register for the exemption at the Building Permit office in your County Building office. Failure to register for an exemption is evidence that you are not entitled to the exemption.

Acting as an Owner/Builder – A qualified owner/builder may act as his own general contractor and work directly with licensed subcontractors. If you do this, make sure that you have a clear understanding with subcontractors as to who will obtain the necessary building permits. In addition, you should have a complete contract with each subcontractor. You may also consider obtaining a completion of labor and materials bond from the subcontractors you hire.

While as an owner/builder, you are exempt from the contractor licensing requirements, you must still comply with State labor and other laws. Unless you have complied with the employer type requirements such as workers' compensation insurance, liability insurance, medical insurance, and employment taxes, you should avoid hiring labor directly. Other laws which you must observe include those dealing with the legal minimum wage and overtime hours.

RICO's TOP 10 TIPS

FOR CONSUMERS CONSIDERING REMODELING PROJECTS

1. **Hire a licensed contractor.** Check licensure and prior complaints history by calling 587-3222 or on the Internet at www.businesscheck.hawaii.gov. Confirm the contractor is licensed, bonded and has the necessary insurance coverage to operate.
2. **Know how much you can spend.** Fix your budget in advance and keep some in reserve to pay for changes or unanticipated cost.
3. **Shop around.** Get at least 3 bids or estimates. Make sure the bids are all based on the same work and the same materials. If bid amounts vary significantly, ask why.
4. **Ask for references.** Call trade organizations or ask friends or relatives for referrals. Ask to see other projects the contractor has completed and to meet other clients.
5. **Insist on a written contract.** Among other things, a written contract should include the contractor's license number, price, start and stop date, the work to be performed and the materials to be used. Get any promises, guarantees or warranties in writing!
6. **Make sure your project is in compliance with city and county codes.** If a building permit is required, ask the contractor who will be responsible for the permitting process. Know the risks and responsibilities of an "owner-builder" project.
7. **Monitor the job and keep good records.** Keep a file with the contract, cancelled checks, correspondence. Make sure any change orders are in writing.
8. **Pay as you go.** Set a payment schedule that follows the amount of work completed and avoid paying all of the money up front.
9. **Know who your subcontractors are and avoid liens.** Request partial lien releases for partial payments and a final lien release for final payments. Make sure a notice of completion is published in a newspaper.
10. **Do a thorough "walk-through" and take care of any "punch list" items immediately.**

RICO offers these additional tips:

- ▶ Be wary of any offers that require immediate action on your part.
- ▶ Pay by check or credit card, not cash.
- ▶ Remember, if it sounds too good to be true, it probably is.

Additional information is available at <http://www.licensedcontractor.hawaii.gov>.

SAMPLE OWNER'S REMODELING/MODIFICATION CHECKLIST

This Sample Checklist can be used as a tool to assist you in completing your remodeling and modification projects. Simply check off each item as they're completed.

- Meet with Kapalua Golf Villas (KGV) management about the project scope.
- Submit a preliminary Modification Request to the KGV Office.
- If preliminary approval is granted by KGV, seek KRA approval if advised to do so by KGV management.
- Get multiple written estimates from licensed contractors or tradesmen for the job.
- Verify the licenses of all contractors and subcontractors with Department of Commerce & Consumer Affairs (DCCA): 808-587-3222.
- Check prior complaints history for all contractors and subcontractors you are considering with DCCA.
- Ask contractors for references and check them.
- Request a list of subcontractors to be used and be sure all are appropriately licensed and insured.
- Draw up a written contract.
- Read the entire contract and understand all the terms and conditions.
- Purchase performance, material and completion bonds through the contractor.
- Make sure the contractor obtains the appropriate building permits.
- See and understand any plans and blueprints before approving them.
- Setup checkpoint meetings with the contractor and KGV management to monitor progress and quality of the work.
- *Complete a final inspection with KGV management and contractor within 180 days of start of construction to avoid permit expiration.
- Keep copies of all documents, correspondence and receipts.

*Have the contractor apply for a permit extension with Maui County Building Department if your project will exceed 180 days from start to final approval.



Modification Request Form (Cont'd)

I agree to conform to all conditions of this modifications request as well as policies, rules and regulations as stated in the following documents:

AOAO Kapalua Golf Villas House Rules
AOAO Kapalua Golf Villas Home Owner Improvement Rules
AOAO Kapalua Golf Villas Contractor Rules

I understand and agree to allow AOAO Kapalua Golf Villas management to inspect the villa at various critical stages of the remodel process and that s/he has the authority to stop work if it is out of compliance with the approved Modification Request. **I also acknowledge that Regupol sound abatement system *must* be installed per manufacturer's specifications under all approved hard surface flooring except for P level installations.**

Submitted By: _____ Date: _____

Print Name: _____

Owner Signature: _____ Date: _____

Print Name: _____

Contractor's Signature: _____ Date: _____

Print Name: _____

Approved By: _____ Date: _____

Print Name: _____

\$300 check for processing fee enclosed. *Note that other fees may apply if architect or structural engineer sign-off become necessary.*

KRA Approval Required (packet attached)

All modifications and remodels must comply with the Maui County Building Code and the Kapalua Golf Villas Architectural Standards. When the time and materials of the project exceeds \$1000.00 All work must be performed by licensed contractors and sub-contractors, (HRS.444). All plumbing and electrical work must be performed by licensed tradesmen.

Recommendation: Preliminary discussion with AOAO management prior to placing a deposit with your contractor.