

PRESIDENT'S MESSAGE

As the year comes to a close, I want to wish all our members a joyous holiday season and a Happy New Year!

PHOTO CONTEST

I am happy to announce that CAI Hawaii is hosting a photo contest for the cover of our 2015 membership directory. The winner of the photo contest will receive a \$100 gift certificate and have their photo featured on the cover of the 2015 membership directory. A committee will select the winner based on the photo that best represents Community Association Institute and Hawaii. Prizes will also be given for second and third place. The winning photo and photographer will be announced in the CAI newsletter. Runner up photos will also be featured in the newsletter. We encourage participation from all CAI members and community associations.



Keven Whalen

CONTEST RULES

Participant must be a CAI member or represent a community association currently registered with the Hawaii Real Estate Commission.

Photo should represent CAI and Hawaii.

Send up to 2 digital photos to caihawaii@hawaiiintel.net between January 1 and June 30, 2014.

Include your full name and contact information when submitting your photos.

ANNUAL MEETING AWARDS

I want to thank everyone who joined us at our annual meeting on November 8. It was a great evening with many awards and prizes. Mahalo

continued on page 2

FIVE REASONS TO CONSIDER IMPLEMENTING A SMOKE-FREE HOUSING POLICY

A BREATH OF FRESH AIR

By Lauren Boston

Time is up for lighting up. Trends toward healthier living have made non-smoking apartment communities a hot commodity, as recent surveys show the majority of renters would prefer to live in a smoke-free building.

While some companies are hesitant to (potentially) alienate smokers, many owners say the move to a smoke-free status has not only appeased most residents, but reduced resident health risks, minimized turnover costs and reduced fire risks at their respective communities—subsequently lowering insurance rates and maximizing low-income housing funding.

Others say they've implemented a smoke-free policy to stay ahead of the curve, as many industry experts predict government-mandated non-smoking standards for the multifamily housing industry in the next five to 10 years.

Here are reasons to consider going smoke-free now—and publicizing it, too.

RESIDENT SATISFACTION

Smoke-free apartment communities may be the latest trend in healthy living, but there are still very few housing options dedicated to non-smokers—80 percent of the U.S. adult population, according to a recent Gallup poll. A building full of fresh air will appeal to the masses and could give a community a leg up on the competition.

Kettler Management, a McLean, Va.-based apartment management company with 70 communities on the East Coast, currently operates three partially smoke-free communities (at least one building is smoke-free) and two 100 percent smoke-free communities. Karen Kossow, former Vice President of Sales & Marketing, says the decision to go smoke-free reflected feedback from current as well as prospective residents.

According to an online, pre-opening survey for the Alexan Riverdale, one of Kettler's partially smoke-free communities in New Jersey, 94 percent of prospective residents said they would prefer to live in a smoke-free building. At the Alexan Twenty-Four, a 100 percent smoke-free community in Arlington, Va., 89 percent of prospective residents said they would prefer to live in such an environment.

Many prospective residents not only prefer non-smoking communities, but specifically seek them when looking for a place to call home, Kossow says. In a recent survey of residents at The Millennium at Metropolitan Park, an Arlington community managed by Kettler, 69 percent of respondents said the community's 100 percent smoke-free policy factored "very much so" in their decision to lease. One resident said a smoke-free building was just as important as location and said she would even be willing to pay more for the clean air.

Resident feedback was similar at other non-smoking communities. Penrose Management Company operates 148 communities in the Mid-Atlantic, all of which became smoke-free in March 2009. The Philadelphia-based management company was one of the first to implement the policy in each of its markets—a huge selling point for prospective residents, says Denise Widmeier, Director of Training.

continued on page 6


 HAWAII CHAPTER
community
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The Hawaii Community Associations newsletter is published for associations leaders and other related professionals of CAI. Authors are encouraged to submit articles for publishing consideration.

This publication is designed to provide accurate and authoritative information regarding the subject matter covered. It is issued with the understanding that the publisher is not engaged in rendering legal, accounting or other professional services.

CAI Hawaii Community Associations newsletter provides an opportunity for information and/or comment. Articles do not necessarily reflect the viewpoint of the Chapter. The reader should not act on information contained herein without seeking more specific professional advice.

PRESIDENT'S MESSAGE

continued from page 1

to all those who donated prizes this year. I would like to recognize the award winners. Congratulations to:

Milton Motooka: Volunteer of the Year

Suzanne Alawa: Committee Chair of the Year

Philip Nerney: Public Advocate of the Year

Pauli Wong: Recipient of President's Award

Jodee Acoba-Suganuma: Recipient of Chapter Appreciation Award

Lindsay Green: Recipient of 10 Year Appreciation Plaque

ANNUAL PASS

Don't forget to sign up for the Annual Pass and preregister for all 2014 lunch seminars at a discounted price of \$35 per seminar. Registrations and payment for this one time offer must be received by January 23, 2014.

**BUILDINGS & FACILITIES
 MANAGEMENT EXPO READIES!**

The Seventh Annual Hawaii Buildings, Facilities & Property Management Expo is set for Wednesday March 12th and Thursday March 13th, 2014. Exhibits will be open daily from 9 am to 4 pm. There will also be 30 free seminars addressing a variety of industry issues presented throughout the two-day event. Admission is open to all those in the industry including community association board members and realtors. All those attending will receive six chances to win one of six trips for two to Las Vegas from Vacations Hawaii.

Sponsors of the 2014 Expo include Allana Buick & Bers, Associa Hawaii, Commercial Roofing & Waterproofing Hawaii, Energy Industries, GP Roadway Solutions, Hawaii First, Ohana Control Systems, Triple F and Tropical Plumbing.

An additional 183 companies have currently reserved 249 exhibit booth spaces for the Expo. They will be showcasing their products, services and equipment for the maintenance, operations, renovations and sustainability needs of Hawaii's commercial, residential, retail, industrial, governmental, institutional, military, educational and healthcare buildings and facilities. Exhibitors include:

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continued on page 3

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Grocery Stores	Retirement Homes
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Hotels & Resorts	Security Firms
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Military	Sports Facilities
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Office Buildings	Warehousing & Storage

**To reserve exhibit booth space or to register as an attendee,
go to www.douglashow.com or call 808-261-3400 (Oahu).**

EXPO

continued from page 2

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The Hawaii Buildings, Facilities & Property Management Expo is produced by Douglas Trade Shows, Hawaii's oldest and largest trade show production and management company. For further information about the Expo and to reserve exhibit booth space or register to attend please contact Ken Kanter, the Exposition Director, at 808-261-3400 (Oahu) or via email at kanter@lava.net.

You may also go online to www.douglastradeshows.com.



CAI Hawaii accepts articles for publication on topics that are directly relevant to CAI Hawaii's main purpose - improving the management and operation of homeowner associations in Hawaii. CAI Hawaii edits articles for clarity, not content, so the views expressed in published articles are those of their authors and not necessarily the views of CAI Hawaii.

Hawaiiana congratulates its 2013 IREM Award Winners!

Each year, the Institute of Real Estate Management (IREM®), selects award-winners for its prestigious Building of the Year and Residential Manager of the Year awards. For 13 years running, Hawaiiana Management Company has been honored to see Hawaiiana-managed properties and their managers' strong representation within the "winner's circle." Hawaiiana heartily congratulates its winners!



Shown (back row, left to right) are Bill Koechlin, ARM, Hawaii Loa Ridge; Mike Baker, ARM, 1551 Ala Wai; Hawaiiana Management Executive Ralph Ahles; Chris Herndon, ARM, Discovery Bay; Ruthie Schultz; Don Schultz, QEB III, LLC, Developer, Ka'iulani of Princeville; (front row, left to right) Cliff Jordan, ARM, Kapalua Golf Villas; Hawaiiana Management Executive Bill Dix; Tom Lonigro, ARM, Ka'iulani of Princeville; Lizi Lonigro

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Bill Koechlin, ARM,
General Manager
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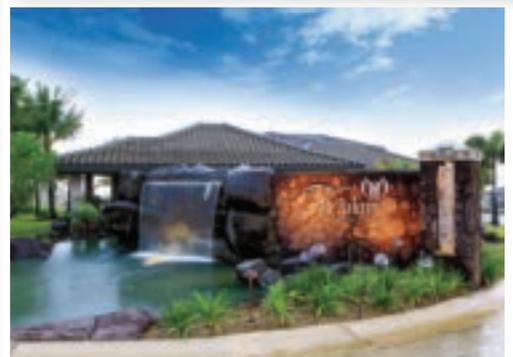
KA'IULANI OF PRINCEVILLE
Manager of the Year
Thomas Lonigro, ARM,
Residential Manager
Low Rise Under 100 Units

1551 ALA WAI
Manager of the Year
Michael Baker, ARM.
General Manager
High rise between
100 & 249 Units

DISCOVERY BAY
Building of the Year
Chris Herndon, ARM
General Manager
High Rise over 350 Units



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FRESH AIR

continued from page 1

“Naysayers predicted backlash and a mass exodus of angry residents when we announced our smoke-free status, and that just didn’t happen,” Widmeier says. “To the contrary, a year after our smoke-free policy was fully implemented, we determined that we lost only nine leases out of over 8,000 units. Smokers and non-smokers alike appreciate it.”

If resident satisfaction weren’t enough, there’s also the potential for free advertising, says Chip Tatum, Government Affairs Director for the Florida Apartment Association. Tatum says the media, state government and tobacco-prevention advocates, such as the American Lung Association, are all eager to cover the growing trend, and are likely to publicize companies that have embraced the idea of smoke-free housing.

Additionally, ILS Apartmentguide.com now offers a searchable “smoke-free” option for prospective residents who want to narrow their search results—yet another form of exposure for smoke-free communities.

“There’s a fear of alienating resident smokers, but most communities that have taken the leap consider smoke-free housing an edge over the competition and have determined that there is a market for this product,” Tatum says.

HEALTHY, HAPPY RENTERS

Smoke is more than a nuisance—it’s a danger to residents and a liability to owners.

According to the American Lung Association, 50,000 people die each year from second-hand smoke. Perhaps even more problematic in apartment communities is third-hand smoke, a new term recently coined by doctors to describe the carcinogenic particles

that waft through an air vent into a unit from a neighboring apartment or settle into common-space furniture and carpeting long after second-hand smoke has dissipated.

Such publicized health risks are causing many residents to complain about second- and third-hand smoke and, in some cases, move out.

Kossow says a resident at one high-rise apartment building in Reston, Va., smoked so heavily that the smoke bothered everyone on the floor. Many residents complained to management, but the community did not have a smoke-free policy in place and was unable to convince the smoker to move out. The management company spent \$1,200 in court costs to try and evict the resident under the “nuisance” clause of the lease, but the court claimed that there were no smoking nuisance laws in place in that jurisdiction. The smoker was not evicted and several residents moved out as a result.

continued on page 8

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FRESH AIR

continued from page 6

It's this very scenario that Oaks Properties LLC has tried to avoid. The family-owned company manages 12 communities in Minnesota and Texas, one of which is 100 percent smoke-free.

"It is great as a manager to not have to be the referee between smoking and non-smoking neighbors," says Tom Hips, Site Manager at Oaks Glen Lake, the company's smoke-free community in Minnetonka, Minn. "You have someone saying, 'So-and-so smokes on her balcony and it comes right in my window,' and there is no easy solution with these types of resident disputes. It can be a real head-ache for a manager who's trying to please both sides, and going 100 percent smoke-free has eliminated those problems."

The majority of non-smokers living in Hips' smoke-free community have been predictably pleased to avoid such health risks and disputes, but many apartment professionals say they were surprised to receive positive feedback from smokers, as well.

"I had a client in Las Vegas who made their building half smoking, half non-smoking, and even the smokers wanted to live in the non-smoking portion," says multifamily housing consultant Lisa Trosien.

Some smokers may be less enthusiastic, but proponents of smoke-free housing say it's important to provide the best quality of life for their residents, regardless of a few disgruntled residents. "We're promoting some sense of social responsibility to smokers," Widmeier says. "Apartments may be 'units' to those in the industry, but these are people's homes and we want non-smokers and smokers alike to be satisfied and safe."

TRIMMING TURNOVER COSTS

In today's tough economy, most companies are struggling to reduce routine turnover costs without tacking on an additional \$1,000 to \$3,000 for apartments with smoke damage.

Pennrose Management estimates the additional turnover costs for apartments with residents who were moderate smokers add up to an average of \$1,500. New carpeting and paint are only the beginning, as window treatments, smoke detectors, outlet and

light switch covers, and refrigerator door seals also must be replaced, says Director of Maintenance Dan Flamini.

"Most people overlook the damage cigarette smoke can have on the HVAC units," Flamini says. "Tar from the cigarette smoke builds up on the coil of the unit and the inside walls of the duct work, and impacts the blower motor. It prohibits the unit's capacity to work efficiently and increases pollutants, causing the smell of smoke to never re-

ally disappear. It can also cause higher utility bills for future residents because the unit has to work harder to heat or cool the home."

Nicotine also can permanently discolor appliances, says Tatum, who worked onsite for eight years. "Nicotine stains are extremely difficult to clean, and often result in complete replacement," he says. "If the walls are stained, you have to prime everything and often need several coats of paint

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to hide the discoloration. It adds up to thousands of dollars in additional costs, and it's rare that you recoup that money."

Hipps says he's tried to turn apartments at other properties that were so smoke-saturated that he could never completely get rid of the smell. "Multiple coats of primer and paint and new carpet didn't even work, and when the smell is never completely removed, the best you can hope for is another smok-

er to rent the apartment," he says. "It's nice not to have that potential additional turnover cost at Oaks Glen Lake."

PEACE OF MIND

According to the National Fire Protection Association, fires caused by smoking materials are the second most deadly type of home-structure fire. Furthermore, federal data show that smoking-related incidents were the leading cause of fire deaths (26 percent) in apartment buildings in 2005.

Pennrose Management implemented its smoke-free policy in part to reduce such a risk. "Some of our elderly residents at senior communities are on oxygen machines, and that only increases the risk of smoking-related fires," Widmeier says. "Fires can be devastating tragedies and being able to reduce our risk by maintaining smoke-free status is an extra step to protect the safety of our residents and our investments."

The reduced risk of fire has helped Pennrose Management earn additional points toward low-income housing tax credits for proposed development projects, a necessity when vying for the limited amount of low-income housing funding available each year, says Ivy Dench Carter, the company's Development Officer. "In some developments, tax credit equity represents 50 percent or more of the financing for an affordable housing development, so points are crucial," she says.

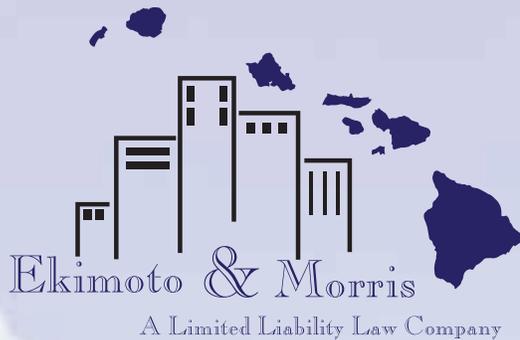
Insurance companies also are recognizing the benefits of a smoke-free status, with companies such as Capital Insurance Group offering a 10 percent discount on renters insurance for 100 percent smoke-free communities in California, Arizona, Nevada, Washington and Oregon.

Hipps says the owner of Oaks Glen Lake receives a 40 percent discount on insurance due to the fire safety measures the company has taken at that particular community.

AHEAD OF THE PACK

Few municipalities currently have smoke-free housing requirements, but many apartment professionals say an industry-wide government ban is inevitable, similar to that of the restaurant industry.

California recently introduced an apartment smoking ban in Union City, located in the San Francisco Bay Area, to take effect February 2012—the first legislation of its kind in the country. The apartment smoking ban will affect all buildings of two or more units, including market-rate, affordable and senior housing, and also requires apartment owners to inform prospective residents of the law. It does not apply to units that are individually owned.



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FRESH AIR

continued from page 9

The proposal came on the heels of a report last year by the American Lung Association, which ranked cities and counties based on their success in combating the negative effects of tobacco. Union City earned a "D" before introducing the new smoking ban.

Although Union City is the first in the country to require city-wide smoke-free housing, the U.S. Department of Housing and Urban Development (HUD) is considering a similar ban in affordable housing. Many industry experts believe the rest of the country will soon follow suit.

"If you're going to eventually be forced into it, why not implement a smoke-free policy now and be the first?" suggests Nicole Jones, Senior Sales & Marketing Manager for Kettler.

Several other California jurisdictions have introduced smoke-related mandates. In January 2009, California's Second District Court of Appeal became the first in the country to rule that a resident can sue the landlord

for failing to restrict smoking in outdoor common areas. Other jurisdictions have declared smoking a public nuisance, which could lead to liability issues if a landlord fails to abate the nuisance and a resident is injured as a result of the second-hand smoke. If the resident were to take action, a building's liability insurance may not cover the cost of damages.

That's a whole lot of money up in smoke.

GOING SMOKE-FREE

While the majority of renters say they'd prefer to live in a smoke-free environment, the transition still has its challenges. Following are tips to ensure a smooth conversion for all parties.

1. Hold your employees accountable. Staff must understand that they can't smoke in eyesight of residents, nor can they smell like smoke, Kossow says. Lead by example.
2. During construction, make sure contractors and workers aren't smoking. The same applies to

vendors. You don't want residents to see anyone associated with your company breaking the rules. Additionally, the smoke could permeate the walls, carpet and insulation during construction projects.

3. If you're implementing a partial non-smoking policy, designate smoking areas to help ease the transition to a smoke-free environment.
4. Be understanding and supportive. Pennrose Management provides smokers with coupons for aids to quit smoking, as well as information on smoking cessation.

For more information on smoke free housing please contact Jill Tamashiro MPH at the state health department's Tobacco Prevention and Education Program. She can be reached at (808) 586-1431, e-mail: jill.tamashiro@doh.hawaii.gov

About the author: Lauren Boston is NAA's Staff Writer. She can be reached at lauren@naahq.org or 703/797-0678.

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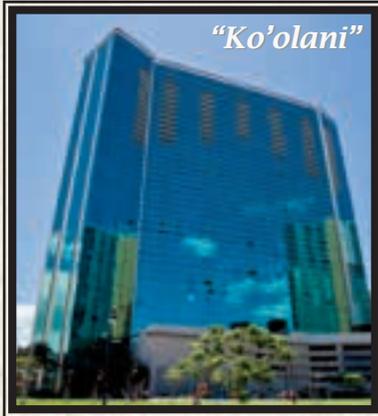




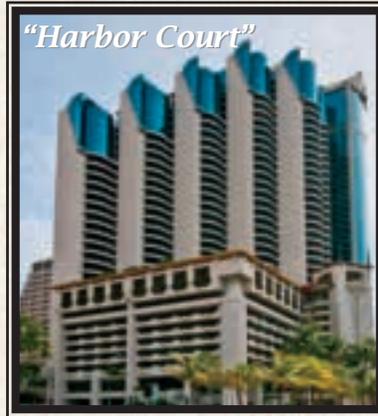
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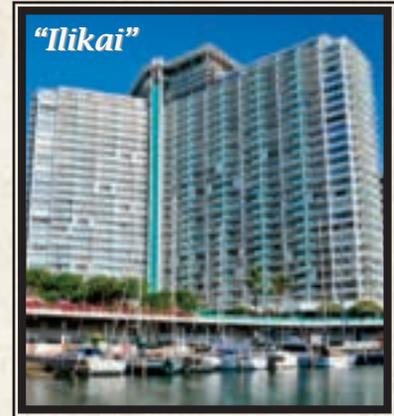
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BOARD OF DIRECTORS TEST

Joel Meskin, Esq. CRMS

1. The association's Board of Directors' authority is set forth in the articles of incorporation. True False
2. The association by-laws set forth how (a) directors & officers are elected; (b) notice requirements for meetings; (c) who is eligible to vote; (d) the terms for officers & directors. True False
3. Original by-laws cannot be amended to reflect the changing needs of the association. True False
4. The procedures for amending the by-laws require a unanimous vote of the association membership. True False
5. State laws require that board members read the by-laws prior to taking office. True False
6. By-laws take precedence over state law.. True False
7. The procedures set forth in the by-laws are only advisory and need not be followed. True False
8. Actions of a Board of Directors can be invalidated if the Board was not properly elected or formed. True False
9. A not-for-profit community association is not held to the same standard as a for-profit Board of Directors. True False
10. The Board of Directors cannot be sued if it chooses not to enforce the rules set forth in the CC&Rs. True False
11. The Board of Directors is only responsible for claims asserting monetary damages. True False
12. The CC&Rs set forth the Board's authority to govern. True False
13. The CC&Rs take precedence over state law. True False
14. The CC&Rs need to be updated periodically to comply with new changes in the law. True False
15. The CC&Rs set forth the rules and regulations for life in a community association. True False
16. The CC&Rs are not applicable to a member if he or she has not read them prior to moving into an association. True False
17. The Board of Directors is required to adhere to all rules promulgated by the hired property managers. True False
18. The Board of Directors and its association members are immune to liability if they took action pursuant to the advice of an attorney. True False
19. The Board of Directors cannot be sued if the property management company fires or harasses an as-

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sociation employee.
True False

20. The Board of Directors cannot be sued for making the wrong decision regarding what insurance to procure for the association, or the amount of limits as long as some

type of insurance is purchased.
True False

21. The Board of Directors cannot be sued for breach of contract by a third party vendor. True False

22. The Board of Directors, the asso-

ciation, or association's volunteers cannot be sued for libel for slander based on things put in an association newsletter or on an association web page. True False

23. The Board of Directors can be sued for a claim by an association member for interference with right of quiet enjoyment of the member's property. True False

24. A Board or its association cannot be sued for more than \$1MM for a Board's mistake. True False

25. If the Board of Directors has insufficient limits of liability, the association members cannot be held responsible for a judgment in excess of the purchased insurance limits, and no assessment can be issued for the uncovered amount.
True False

See answers to test on page 17.

About the author: *Joel W. Meskin, Esq., CRMS, has been Vice President - Community Association Insurance and Risk Management, McGowan & Company, Inc., since January, 2005. McGowan & Company, Inc., now known as McGowan Program Administrators is a leading provider of Community Association and Property Manager Insurance Products nationwide. Mr. Meskin is the former Senior Vice President, Ian H. Graham Insurance from 2001 and 2004 and is an attorney who spent 15 years specializing in insurance coverage and related litigation. Mr. Meskin is also an insurance broker who first obtained his license in 1981. He has obtained the designation of a Community Insurance & Risk Management Specialist ("CIRMS") by the Community Associations Institute and is a member of the CAI's Insurance Networking committee. Mr. Meskin is currently on the National Community Association Institute Business Partners Council holding the Insurance Professional position for the two year term 2013/14. Mr. Meskin has also obtained the Community Association Institute Educated Business Partner Distinction.*



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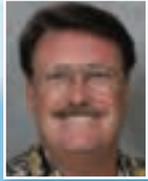
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According to the U.S. Surgeon General (2010) any level—even brief exposure—of secondhand smoke is dangerous and can be harmful.

There are over 7,000 identifiable chemicals in secondhand smoke. At least 69 of these chemicals cause cancer.

Secondhand smoke cannot be controlled by ventilation, air cleaning or the separation of smokers from nonsmokers. The only solution to this problem is to make buildings 100% smoke-free.

HARMFUL EFFECTS OF SECONDHAND SMOKE:

Secondhand smoke causes an estimated 46,000 premature deaths from heart disease and 3,400 lung cancer deaths in the United States among nonsmokers annually.

Exposure increases the risk of lung and other cancers, heart disease,

emphysema, asthma, and chronic obstructive pulmonary disease (C.O.P.D.).

Children exposed to secondhand smoke are at an increased risk of:

- Sudden infant death syndrome
- Ear infections
- More frequent & severe asthma attacks
- Colds, pneumonia, bronchitis

It causes or exacerbates respiratory tract infections, such as pneumonia and bronchitis, especially in infants, children, and older persons.

It is a major health threat to persons with asthma and can be fatal.

SMOKE-FREE BUILDINGS ARE WHAT RESIDENTS WANT

- Smoke-free buildings are what the overwhelming majority of residents prefer — 81% of Hawaii residents prefer smoke-free housing; (QMark 2013),
- The Coalition for a Tobacco-Free Hawaii has documented a

growing trend in the number of smoke-free condominiums and apartments,

- As of 2013, 74 (34%) affordable housing properties reported having policies prohibiting smoking in individual units.

SMOKE-FREE BUILDINGS ARE HEALTHIER BUILDINGS

- Secondhand smoke exposure is a leading cause of preventable death in Hawaii,
- There is no safe level of exposure to secondhand smoke—even small amounts cause immediate damage to the body,
- A no-smoking policy is the only way to keep smoke from drifting throughout the building.

SMOKE-FREE BUILDINGS SAVE MONEY

- Smoked in units cost more to turn due to additional cleaning costs and having to replace carpets before their expected lifespan,

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- Even after spending extra time and money to prepare a unit, lingering odor can still make the unit more difficult to rent,
- Over time, the decision to allow smoking can reduce the value of a property.

SMOKE-FREE BUILDINGS ARE SAFER BUILDINGS

- Smoking is a leading cause of preventable fires in apartment complexes in Hawaii,
- Fires caused by smoking in apartment units result in more deaths and property damage than any other cause,
- A no-smoking policy helps to protect all residents, guests, and staff from preventable fires.

SMOKE-FREE BUILDINGS ARE LEGAL

- Property owners and managers who allow smoking are facing legal challenges from residents seeking protection from smoke,
- A no-smoking policy is not a no-

smoker policy; all residents can enjoy smoke-free housing. It's about the toxic smoke, not the smoker,

- There are no U.S. state or federal

laws that recognize smokers as a protected category, so there are no grounds for discrimination, and no "right to smoke."

ANSWERS TO BOARD OF DIRECTORS TEST

1) False	12) False	23) True
2) True	13) False	24) False
3) False	14) True	25) False
4) False	15) True	
5) False	16) False	
6) False	17) False	
7) False	18) False	
8) True	19) False	
9) False	20) False	
10) False	21) False	
11) False	22) False	

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Honolulu Star-Advertiser; April 7, 2013:

MORE CONDOS OPT TO SNUFF OUT SMOKING

THE BANS ALSO INVITE CONTROVERSY AS CRITICS ALLEGE THEY INFRINGE ON PEOPLE'S CIVIL LIBERTIES

By Andrew Gomes

SMOKE-FREE condominiums are a small but growing trend in Hawaii, with a handful of condo owner associations amending their rules in recent years to prohibit smoking.

Now a developer is set to build what is being described as the first new condo tower built in the state to be 100 percent smoke-free.

Lighting up at the 801 South St. project in Kakaako will be prohibited — even in your own home.

“If you’re going to smoke, you have to go off the property,” said Ryan Harada, a principal with Downtown Capital LLC, which is developing the 46-story project scheduled to break ground in June.

Harada said the restriction put off some would-be buyers, but more people regarded it as a benefit.

The project with 635 units is considered sold out, based on initial sales of about 235 units followed by a lottery last month that drew 697 entries to buy the other 400 units.

Harada said a smoking ban was suggested by the project’s real estate brokerage firm, Marcus & Associates.

Jason Nishikawa, a broker with Marcus & Associates representing 801 South St., said the no-smoking policy was viewed as a benefit in line with a

recent trend among existing condos that have instituted smoking restrictions for common areas, lanais and living spaces.

“We look at it as something that is coming,” he said. “It’s happening out there.”

Enforcement of no-smoking rules at condo projects typically involves fines that can be converted to liens on an owner’s unit if they go unpaid.

At 801 South St., a first offense will result in a warning. Fines of \$50, \$100 and \$150 would be imposed for subsequent offenses.

Nishikawa said he doesn’t expect problems with disgruntled condo owners and noncompliance because the project was advertised as 100 percent smoke-free. “We view it as a positive,” he said.



Jessica Yamauchi, executive director of the Coalition for a Tobacco-Free Hawaii, said 801 South St. is the first new condo project she is aware of in Hawaii to sell smoke-free units.

“This is very exciting news and we applaud the developer and hope that more will follow in their footsteps,” she said in an email.

Local developer Stanford Carr said the smoking restriction at 801 South St. led him to embrace a similar plan for the 204-unit rental tower he is building in Kakaako called Halekauwila Place. “I think this is a good idea,” he said in an email.

Existing condo towers with complete smoking bans established in the last year or so include Nuuanu Parkside in Nuuanu, Summer Palace near the Hawai‘i Convention Center and Keola La‘i in Kakaako.

More limited bans include one adopted a few years ago at the Ilikai, where smoking on lanais was prohibited.

At the 30-story Wilder at Piikoi, a rule was adopted about a year ago to ban smoking in any units sold after the rule change. But if smoking triggers a complaint, then the ban can be applied to grandfathered units.

Karl Bast, Wilder at Piikoi’s resident manager, said he hasn’t received many complaints, but he knows of one resident who sold his unit and moved because of the rule.

“Smoke seeps through almost anything,” said Bast, who quit smoking about seven years ago. “The building

wasn’t designed (to be airtight.)”

Tobacco-Free Hawaii has had a significant influence in the trend, leading a campaign about four years ago to educate and encourage condo associations and apartment-building owners to go smoke-free.

The advocacy group, which maintains the website hawaiiismoke-freehomes.org, advises that owners of smoke-free buildings can benefit from lower insurance costs because of reduced fire risk, reduced cleaning expenses and fewer problems between neighbors living in close proximity.

Tobacco-Free Hawaii also states that about 85 percent of adults in Hawaii don’t smoke, which suggests that smoking bans won’t infringe on the habits of most people.

But banning smoking in someone else’s home can be a divisive policy that smoking-rights groups often tout as an un-American civil liberty violation.

For rentals, such a prohibition can be made by a single landlord who amends house rules or a lease.

The change for condos is more difficult — typically requiring two-thirds approval of unit owners to modify condo association bylaws.

An effort was made to reduce the approval requirement to a simple majority this year at the Legislature through Senate Bill 945. But the House Consumer Protection and Commerce committee has not given the measure a hearing after it

passed Senate committees.

Bert Blodgett, an ex-smoker living in Lahaina, called the bill a dangerous change to established condo law. “I enjoy my smoke-free environment in my own home, but I do not want the Legislature to mandate a change through a simple majority of owners voting to adopt a no-smoking policy in dwelling units,” he said in written testimony on the bill.

Michael Zehner, co-chair of the Hawaii Smokers Alliance, derided the bill as “purely an attempt at social engineering the lifestyles of others, spearheaded by a tiny ring of professional lobbyists called Tobacco Free Hawaii.”

The two-thirds majority requirement is being fought over because it is a relatively high bar.

Chris James, a part-time Hawaii resident who owns a condo at Atkinson Plaza, proposed a smoking ban in the building two years ago after he was hospitalized with a lung infection and secondhand smoke began bothering him. But an initial vote fell short at about 60 percent.

James then made an effort to track down absentee owners on the mainland and even in Japan and the Philippines to encourage more people to vote, and that helped the ban pass last year.

“Secondhand smoke is dangerous to your health ... but for me it’s pretty miserable,” said James, who is 80. “I want to keep myself in the best possible health.”

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LARGE SCALE MANAGER WORKSHOP HELD IN HONOLULU

By Lillian McCarthy

Hawaiiana Management Executive Jo Ann Slvils was initially approached in 2009 and asked if Hawaii would be interested in hosting a Large Scale Manager's Workshop.

With the enthusiastic support of the host communities, Ewa by Gentry Community Association, Villages of Kapolei, Mililani Town Association and Waikele Community Association, the Large Scale Manager's Workshop cumulated in a very successful event at the Waikiki Beach Marriott Resort and Spa on September 26 - September 28, 2013.

Thanks to the leadership of Ewa By Gentry Community Association Executive Director Jim Dodson, the workshop was a huge success with over 110 full registrants and 48 guests in attendance. Registrants and guest came from all areas of the country including managers from the mainland USA, Dubai, the United Arab Emirates and Australia.

A variety of interesting sessions included topics on technology, governance, regulatory, municipal services, 501(c) 3, insurance and a local topic the "aina." Speakers came from both

the mainland and the local community.

The individuals who deserve a "shout out" for actively participating and coordinating this workshop from the host communities are Susan York, President of Ewa By Gentry Community Association, Jim Dodson, Executive Director of Ewa By Gentry Community Association, Dela LaFluer, Assistant to the General Manager of Ewa By Gentry Community Association, General Manager Warren Wege-send of Villages or Kapolei, Will Kane,

President of Mililani Town Association, General Manager David O'Neal of Mililani Town Community Association and Malcolm Ching, General Manager of Waikele Community Association. As the host Liaison Jo Ann Slvils also deserves a "shout out."

A variety of sponsors also contributed in making this workshop successful. For a list of the sponsor you may visit the website at www.largescaleworkshop.com.



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2014 CALENDAR OF EVENTS*

January 23

Avoiding Annual Meeting Disasters

February 6

Avoiding Annual Meeting Disasters-Maui

February 7

Avoiding Annual Meeting Disasters-Kona

March 13

Disaster Preparedness

May 17

ABCs-The Essentials of Community Association Volunteer Leadership

June 19

Solving the "D" Problems-Druggies, Dingbats and Damsels*

August 21

Budget Busters

October 16

ABCs of Insurance

November 5

Effective One-Hour Board Meeting-Maui

November 6

Effective One-Hour Board Meeting-Oahu

November 7

Effective One-Hour Board Meeting-Kona

These seminars are partly funded by funds from the Condominium Educational Fund, Real Estate Commission, Professional and Vocational Licensing Division, Department of Commerce and Consumer Affairs, State of Hawaii for condominium, apartment owners whose associations are registered with the Real Estate Commission.

Register online at www.caihawaii.org – click on Calendar of Events or email caihawaii@hawaiiantel.net to request registration forms.

July 17

Legislative Update-Presented by CAI's Legislative Action Committee

November 14

Annual Membership Meeting-Japanese Cultural Center

PROFESSIONAL MANAGEMENT DEVELOPMENT COURSES

February 5-February 7

M205-Risk Management

May 29-May 30

M203-Community Leadership

July 31-August 1

PCAM CASE STUDY

November 13-November 15

M100-The Essentials of Community Association Management

To register or for more information: Call CAI Direct: (888) CAI-4321; or visit www.caisecure.net/pmdp/mv