

ASSOCIATION OF APARTMENT OWNERS OF KAI MAKANI

CAMERA POLICY

I. Purpose and Scope

The Board of Directors (the "Board") of the Association of Apartment Owners of Kai Makani (the "Association") is committed to promoting the safety and security of the Kai Makani community while respecting the privacy rights of owners, tenants, guests, and other visitors. This Camera Policy of the Association (the "Policy") is intended to balance privacy interests with the security interests of the community.

This Policy regulates the installation and use of any camera or video system or device (each, a "Device", and collectively, "Devices") by any Owner or Occupant in the Kai Makani condominium project (the "Project"). For purposes of this Policy, "Owner" means any person or entity owning, or persons or entities owning jointly or in common, an apartment and the common interest appertaining thereto. "Occupant" means any person who uses, licenses, leases or rents a unit at the Project for overnight accommodation.

This Policy does not apply to the installation or use of any Device by any Owner or Occupant in the interior of that Owner or Occupant's apartment. In addition, this Policy does not apply to the installation or use of any Device by law enforcement personnel, the Board, the Association, or any of their respective authorized representatives.

This Policy supplements the Declaration of Condominium Property Regime of Kai Makani (as amended from time to time, the "Declaration"), the By-Laws of the Association of Apartment Owners of Kai Makani (as amended from time to time, the "Bylaws") and the Rules and Regulations of the Association of Apartment Owners of Kai Makani (as amended from time to time, the "Rules", and together with the Declaration and Bylaws, the "Governing Documents"). In the event of a conflict between this Policy and the Governing Documents, the Governing Documents shall control.

II. Policies and Procedures

1. Permissions; Restrictions on Devices.

a. Devices are permitted in an Owner's apartment, door or doorway, and back lanai. Other than in those locations, no Owner or Occupant shall install, place, store, or mount any Device in or on the exterior of any building of the Project, protruding through the building walls, windows or roofs thereof, or in or on the common elements.

b. Each Device shall first be registered with the Association's Site Manager prior to installation. Existing Devices currently installed must be registered with the Site Manager within thirty (30) calendar days of adoption of this Policy or are subject to removal and/or fines.

2. Prohibited Devices. The installation or use of any nonfunctioning “dummy” or “placebo” Device is prohibited.

3. Prohibited Uses.

a. No Device may be installed or used in a manner that enables audio recording of persons without their consent.

b. No Device shall be installed or used in a manner that projects towards or records another owner’s unit or lanai space. Devices are permitted to project towards the common elements.


4. Maintenance. The Owner is solely responsible for ensuring the proper functioning of any Device and any costs incurred in connection with the installation, maintenance or use of any Device.

5. Liability; Indemnification. The Owner shall be responsible for any and all damage arising from or related to the installation or use of the Device. The Owner shall indemnify the Association and its representatives against, and hold such persons harmless from, any liabilities, damages, losses, obligations, claims of any kind, interest or expenses (including reasonable attorneys’ fees and expenses) arising from, connected with or relating to the installation or use of any Device.

6. Compliance. Owner is solely responsible for ensuring the installation and use of any Device complies with this Policy, the Governing Documents, and applicable Hawaii and U.S. federal law. Violations of this Policy shall require removal of the Device and/or assessment of fines.

7. Notice; No Reliance. Each Owner is hereby notified that each other Owner may from time to time use one or more Devices as contemplated by this Policy. Without limiting the foregoing, each Owner and Occupant is solely responsible for the safety and security of such person and such person’s property, and no person shall be entitled to rely on the installation, use, active monitoring or proper functioning of any Device for any purpose.

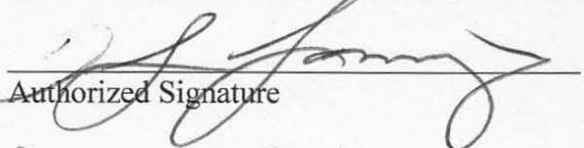
IN WITNESS WHEREOF, the undersigned has executed this Policy the 17th day of JANUARY in the year 20 23.


Steve Ibach
Its: President

CERTIFICATE

I, hereby certify that the foregoing is a true copy of the resolution duly adopted at a meeting of the Board of Directors duly held on JANUARY 17, 2023 and duly entered in the book of minutes of the Association, and that this Policy is in full force and effect as of this date.

ASSOCIATION OF APARTMENT OWNERS OF KAI MAKANI


Authorized Signature

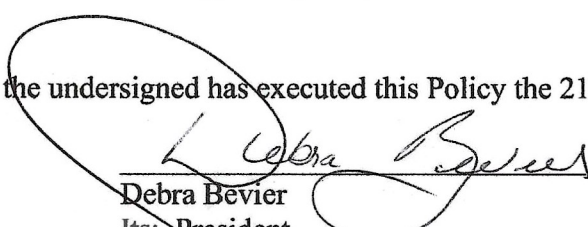
DAVID LOVEJOY
Printed Name

By Its: Secretary

ASSOCIATION OF APARTMENT OWNERS OF KAI MAKANI
CAMERA POLICY ADDENDUM REGARDING AOA CAMERAS

1. Association Permissions and Restrictions on Access to Video Records.
 - a. Access to video surveillance records of the Association utilizing Association Devices shall be secured and restricted to Maui County Police Department, the Board of Directors and/or designated persons by the Board of Directors.
 - b. Except as provided herein, Association video surveillance records shall not be shared or produced to any other person, including owners and tenants, unless there is an order of a court or governmental agency.
 - c. Video surveillance footage may be viewed by directors of the Association only upon majority vote of the directors, and only in response to an incident or violation that has occurred, including but not limited to, property damage or criminal activity.
 - d. If access to video surveillance is required for the purpose of a law enforcement investigation due to criminal activity or potential criminal activity, video surveillance will be reviewed by the Board, and pertinent footage related to the investigation will be provided to the police.
2. Security/Storage.
 - a. Active video records shall be stored in secured enclosures with limited access.
 - b. No video shall be published on the internet or streamed to mobile devices.
 - c. Archived video records of the Association shall be stored only for investigative or legal purposes and may be stored with the Association's attorney and/or managing agent.
 - d. Generally, video surveillance records of the Association will automatically be erased or overwritten by the recording device when the capacity of the device has been exhausted, which is 14 days. Specific records relating to evidence or investigations, which must be retained, will be copied onto portable media, such as CDROM/DVD, and stored for as long as required, based on the investigation type.

IN WITNESS WHEREOF, the undersigned has executed this Policy the 21st day of October in the year 2025.

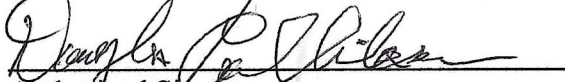

Debra Bevier
Its: President

ASSOCIATION OF APARTMENT OWNERS OF KAI MAKANI
CAMERA POLICY ADDENDUM REGARDING AOAO CAMERAS

CERTIFICATE

I, hereby certify that the foregoing is a true copy of the policy addendum regarding AOAO cameras duly adopted at a meeting of the Board of Directors held on October 21, 2025 and duly entered in the book of minutes of the Association, and that this Policy is in full force and effect as of this date.

ASSOCIATION OF APARTMENT OWNERS OF KAI MAKANI


Authorized Signature

Doug Callihan
Printed Name

By Its: Vice President