



To: Apartment Owners

From: Board of Directors  
Association of Apartment Owners  
of Makaha Valley Towers

Date: September 25, 2019

Subject: “Renovation Procedures Frequently Asked Questions”

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We are pleased to provide you with the enclosed fact sheet entitled, “Renovation Procedures Frequently Asked Questions.” This document contains answers to frequently asked questions about renovations of apartments at our project and replaces the document called “Renovation Procedures At A Glance.” Please carefully read the FAQ before you begin planning for a renovation. We would like to highlight the following points on the fact sheet:

- When performing work on the project, the Association requires all owners to submit either the “Design Review Application for Approval of Modifications” form, or the “Application to Perform Repairs to Apartments” form. The forms are available on the Association’s website or at the Association’s office.
- Under the Revised Ordinances of Honolulu, you are required to obtain a building permit for any work inside your apartment, unless the work falls within one of the exceptions in Section 18-3.1(b). See attachment to the FAQ. It is ultimately the owner’s responsibility to determine whether a building permit is required and, if so, to obtain a permit.
- Applications that involve work that may have an adverse effect on the project require review and approval by the Association’s architectural consultant. If architectural review is required, you must pay the

architect's fee, which will generally range from \$250.00 to \$500.00 (plus general excise taxes and county surcharges). The actual amount depends on the work you propose to have performed and the amount of time the architect must spend on the review of your application.

- The FAQ has been updated regarding procedures and requirements for hard flooring, including the requirement that owners sign a modification agreement that will be recorded in the Office of the Assistant Registrar of the Land Court, State of Hawaii.
- For more information on hard flooring, please see the Resolution Regarding Hard Flooring adopted on August 23, 2019, attached.
- We have posted on the Association's website additional information on renovations, including the January 16, 2019, memorandum we sent to all owners, as well as additional information sheets from the State of Hawaii, the Contractor's Certificate form mentioned in the FAQ, and a sample recordable modification agreement.

If you have any questions, please do not hesitate to contact General Manager Joanna Miranda at (808)695-9568.

# RENOVATION PROCEDURES FREQUENTLY ASKED QUESTIONS

July 2021

*Makaha Valley Towers*

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## 1. When is Board approval required?

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- You must submit a Design Review “Application for Approval of Modifications” or “Application to Perform Repairs to Apartments” (“Application”) to the General Manager’s office before performing any work in a unit, including alterations, additions or repairs.
- Applications that do not include all required information will be disapproved.
- Applications for Board approval must include copies of all required plans and permits.
- Depending on the scope of work, Applications may be approved by the General Manager, President or the Board of Directors.

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## 2. When is architect review required?

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The Association's architect will review all Applications for work that may have an adverse effect on the project.

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## 3. When are licensed contractors required?

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- Generally, all plumbing and electrical work must be done by licensed contractors if it involves any new wiring or plumbing, even if a building permit is not needed.
- Work costing more than \$1,500 or requiring a building permit must be performed by licensed contractors.
- Artificially dividing work into segments to evade this requirement is not allowed.
- A licensed plumber is required before the Association will shut down water service.

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## 4. When is a building permit required?

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Subject to the exceptions, you must first obtain a building permit for any of the following work:

- install, remove, alter, repair or replace **any plumbing or any fixture**
- **any electrical work**

This means, among other things, the following work may require a building permit: replacement of kitchen and bathroom cabinets and bathtub replacements. A building permit will be **required** for shower conversions, alterations to walls, and new walls and electrical and plumbing work. See attachment.

**Note:** The Association may disapprove an Application based upon your failure to obtain a building permit. However, in any event, it is your responsibility to obtain a building permit when required.

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## 5. When are stamped plans required?

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The City requires that all plans and drawings submitted must be stamped by a licensed architect or registered professional engineer if the cost of the work is more than \$35,000.

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## 6. How may I qualify as an owner-builder?

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You may not act as your own general contractor unless you are a licensed contractor. The owner-builder exemption from the Contractor Licensing Law only applies to constructing or improving stand-alone buildings or structures and not to modifications or alterations of apartments within multi-family structures.

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## 7. Are there any exceptions to the building permit requirement?

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- Electrical **repair** work that does not aggregate over \$500 in valuation in any 12-month period.
- Plumbing **repair** work that does not aggregate over \$1,000 in valuation in any 12-month period and which involves or requires only the replacement of valves, pipes or fixtures
- **Repairs** which involve only the replacement of component parts of existing work with similar materials for the purpose of maintenance, and which do not aggregate over \$1,000 in valuation in any 12-month period, and do not affect any electrical, plumbing, or mechanical installations.
- Painting, installation of floor covering and cabinet work without limit as to valuation. (In many instances cabinet work will require a building permit because the new cabinets will require plumbing or electrical work.)

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## 8. Why is a Contractor's Certificate required?

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The Association may require you to submit a Contractor's Certificate before work begins. The Certificate will confirm, in part, that permits were obtained or are not required for the work, that the work will conform with the approved Application you submitted, and that your contractor will not perform any unauthorized work.

**9. May I install hard flooring in my unit?**

With the advice of an acoustical engineer, the Board adopted the following requirements for hard floors. See the Resolution Re: Hard Flooring adopted August 23, 2019 ("Resolution"), for more details.

- a. All hard flooring installations in apartments require, at minimum, the written approval of the Board of Directors;
- b. Subject to the approval of the Board and the Association's architect, and any requirements imposed by the Board:
  - Hard flooring may be installed in apartments, except for bedrooms where hard flooring is prohibited;
  - Hard flooring shall not be installed in studio apartments, with the exception of the dressing area, bath area and areas shown on Exhibit "A" to the Resolution.
  - The proposed hard flooring and underlayment must meet the standards set forth in the Resolution: the floor/ceiling assembly must have (1) an IIC of at least 55 or an AIIIC of at least 50, or (2) a "Delta IIC 22" or higher. (These requirements do not apply to kitchens and bathrooms.)
  - **Important:** To comply with the Resolution, include product data for the proposed flooring system showing a Delta IIC 22 or higher, or use one of the approved products referenced in the Approved Flooring Material handout. Otherwise, you may be required to pay a fee for an acoustical engineer to review your Application.

**10. What is a Delta IIC?**

Some underlayment products provide a "Delta IIC." This metric is derived in the lab by testing two identical floor/ceiling assemblies, normally a concrete slab alone, one with and one without the underlayment and floor covering. This allows direct comparison of underlayment products with the same floor covering material (luxury tile, engineered wood, etc.). Without a Delta IIC value or ASTM E90 test report for the proposed underlayment and flooring product demonstrating compliance with the IIC 55 requirement, the architect will not be able to determine whether the flooring system will meet the Association's requirements.

**11. Are there examples of flooring and underlayment products that are approved for use?**

Yes. The Association has a list of approved underlayment products and pairings of hard floor and underlayment products. Please see the Approved Flooring Material handout for more information.

- Generally, a minimum 5 mm rubber underlayment with engineered wood, or luxury vinyl tile or plank, would be expected to achieve the target IIC of 55. However, underlayment selections other than those in the Approved Flooring Material handout will require review by an acoustical engineer.

**Additional Resource:** For more information on hard flooring, including reasons why the Board has implemented the conditions and requirements for hard flooring systems, please see the Resolution Regarding Hard Flooring adopted August 23, 2019, by the Board of Directors. (In the event this FAQ conflicts with the Resolution, the Resolution shall control.)

**12. Why is the Association requiring modification agreements?**

For hard flooring installations and other modifications that could adversely affect the project, owners must sign modification agreements that are recorded in the Office of the Assistant Registrar of the Land Court, State of Hawai'i. Future owners of apartments will have to comply with the terms and conditions of approval. The cost of preparing and recording a modification agreement is typically \$500 plus taxes for domestically owned property.

**13. May I install vinyl framed or other types of doors, windows or sliding glass doors?**

Owners may not replace existing windows, entry doors or sliding glass doors with windows, entry doors or sliding glass doors of sizes, materials, finishes and/or designs different from those originally installed. Vinyl framed entry doors, windows or sliding glass doors are specifically prohibited. Before changing windows, entry doors or sliding glass doors, owners must submit an Application to the General Manager's office and obtain Board written approval.

**14. Does the Association charge fees for review of Applications?**

Owners may have to pay an architectural review fee of \$250 to \$500 plus taxes for review of each Application and, depending upon the circumstances, additional fees for review by an acoustical engineer. (The fees are subject to increases in 2021/2022.)

## Association of Apartment Owners of Makaha Valley Towers

### Attachment to Renovation Procedures Frequently Asked Questions

The following is an excerpt from Chapter 18, Article 3, of the Revised Ordinances of Honolulu. These provisions apply generally to all work performed on Oahu, including work performed in apartments. The “Renovation Procedures Frequently Asked Questions” fact sheet is based in part upon these provisions.

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#### Article 3. Permits

##### Sec. 18-3.1 Required.

- (a) No person shall perform any of the following or cause any of the following to be performed without first obtaining a building permit therefor as prescribed in this section:
- (1) Erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building or structure;
  - (2) Any electrical work;
  - (3) Install, remove, alter, repair or replace any plumbing, fire sprinkler, gas or drainage piping work or any fixture, gas appliance, or water heating or treating equipment; or
  - (4) Construct, reconstruct or improve any sidewalk, curb or driveway in any public street right-of-way.
- (b) Exceptions. A permit shall not be required for the types of work listed below. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of the technical codes or any other laws or ordinances of this jurisdiction . . . .
- (6) Retaining walls, fences and planter boxes which are not more than 30 inches in height, walkways, riprap walls, and outside paving within private property . . . .
  - (9) Installation of wallpaper or wall covering which is exempted under the provisions of Chapter 16.
  - (10) Repairs which involve only the replacement of component parts of existing work with similar materials for the purpose of maintenance, and which do not aggregate over \$1,000.00 in valuation in any 12-month period, and do not affect any electrical, plumbing, or mechanical installations.
  - (11) Painting, installation of floor covering and cabinet work without limit as to valuation; provided, however, that the values thereof shall be included as part of the value of any new construction for which a permit is required by this code, for the purpose of determining the amount of the fee to be paid for such permit . . . .
  - (17) Movable cases, counters, and partitions not over five feet nine inches high.
  - (18) The following electrical work:
    - (A) Electrical work and installation to which the provisions of the electrical code are expressly declared to be not applicable;
    - (B) Installation of any portable motor or other portable appliance energized by means of a cord or cable having an attachment plug, if such cord or cable is permitted by the electrical code . . . .
    - (F) Radio and television receiving antenna systems other than master or community systems;
    - (G) Sound recording systems for a single-family or two-family dwelling;
    - (H) Interior telephone work subject to regulation by the public utilities commission of the State of Hawaii and wiring of interconnecting cable of data processing equipment; and
    - (I) Repair work performed by a licensed electrical contractor which does not aggregate over \$500.00 in valuation in any 12-month period and does not involve service entrance equipment . . . .
  - (20) The following plumbing work:
    - (A) Repair work in plumbing systems when the work does not involve or require the replacement or rearrangement of valves, pipes or fixtures; and
    - (B) Repair work performed by a licensed plumbing contractor which does not aggregate over \$1,000.00 in valuation in any 12-month period and which involves or requires only the replacement of valves, pipes or fixtures.

**Association of Apartment Owners of  
Makaha Valley Towers  
Resolution Regarding Hard Flooring**

**Whereas**, apartments at the Makaha Valley Towers condominium project were constructed with carpet, except in kitchens and bathrooms (“**Exempt Areas**”).

**Whereas**, the Board of Directors of the Association of Apartment Owners of Makaha Valley Towers has received complaints from owners that owners of units directly above them have installed hard flooring in non-Exempt Areas, and as a result, noises from objects striking hard floors are being transmitted into their units and interfering with their use of their units.

**Whereas**, the Board of Directors retained acoustical consultant D.L. Adams Associates to meet with the Board of Directors, provide a demonstration using the floor tapping machine, conduct field testing at the project, and to provide recommendations and guidance on the issue of hard flooring.

**Whereas**, D.L. Adams Associates gave a presentation on the acoustical effects of hard flooring at the Board of Directors meeting on April 11, 2019.

**Whereas**, D.L. Adams Associates conducted field testing on May 10, 2019 in the living room of Unit 1315 (source room) and the living room of Unit 1215 (receiver room). A tapping machine was used in Unit 1315 and a microphone was used in Unit 1215 to measure the Apparent Impact Insulation Class (“**AIIC**”) according to ASTM E1007-16.

**Whereas**, the results of the field testing are summarized in D.L. Adams Associates’ report of May 23, 2019. The report states that an AIIC of 31 and an Impact Sound Rating (ISR) of 37 was calculated.

**Whereas**, the results of the field testing are consistent with the assumptions in D.L. Adams Associates’ April 11, 2019, presentation, for example, that the concrete slab has an AIIC in the low 30s, and validates the recommendations provided to the Board on April 11, 2019.

**Whereas**, D.L. Adams Associates has informed the Board that:

1. The Impact Insulation Class (“**IIC**”) of the original floor-ceiling assembly with a carpeted floor is probably 70+, which meets the United States Department of Housing and Urban Development’s “luxury” level housing guideline standard (for structure-borne noise). HUD Standard TS-24 (1974) Chapter 10 recommends:  
  
Grade 1 (Luxury Level multi-family, or all multi-family housing in quiet neighborhoods) (defined as night time noise levels 40 dBA or lower) as IIC 58 and;  
  
Grade 2 (Middle Level multi-family housing) (40-50 dBA night time noise levels) as IIC 54 and;  
  
Grade 3 (Entry Level multi-family housing) (50-55dBA or higher night time noise) as IIC 50.
2. Without a ceiling in the unit below, hard surface flooring with typical residential underlayment products would be expected to have an IIC of 50 to 56 at Makaha

Valley Towers.

3. Floor finish has a dramatic effect on the impact isolation of the floor and can significantly affect the lower unit with respect to noise intrusion.
4. The difference between an IIC of 70+ (carpeted floor) and an IIC of 50 to 56 (hard surface flooring) is at least 14 or more IIC points. This means foot fall on a hard floor surface is substantially louder than on carpeted floor (as heard from the unit below).
5. Typical mid-range condominiums with hard surface flooring are expected to have an IIC rating of approximately 55, which corresponds to an AIIC rating of approximately 50.
6. There is no underlayment product available that would allow hard flooring to match the performance of carpeting in apartments (without extensive reconstruction of the flooring and ceiling system in the downstairs unit.)
7. However, certain types of hard flooring with underlayment can achieve an IIC rating of 55 and an AIIC rating of 50.
8. Hard flooring should not be permitted in bedrooms of apartments to minimize the transmission of noises to the bedrooms directly below.

**Whereas**, the Board of Directors has received comments from numerous owners who wish to install hard flooring in non-Exempt Areas of their apartments.

**Now Therefore, Be It Resolved** that the Board of Directors will permit hard flooring in apartments subject to the following terms and conditions:

1. All hard flooring installations in apartments require the written approval of the Board of Directors and the Association's architect;
2. Subject to the approval of the Board and the Association's architect, hard flooring may be installed in Exempt Areas of apartments, that is, kitchens, and bathrooms;
3. Subject to the approval of the Board and the Association's architect, and the requirements of this Resolution, in all apartments excluding studios, hard flooring may be installed in non-Exempt Areas of apartments, with the exception of bedrooms where hard flooring is prohibited;
4. Hard flooring shall not be installed in bedrooms;
5. Hard flooring shall not be installed in studio apartments, with the exception of the dressing area, bath area and areas shown on Exhibit "A" to this Resolution;
6. With the exception of hard flooring in Exempt Areas of apartments or as otherwise noted, the proposed hard flooring and underlayment must meet the following requirements:
  - a. The floor/ceiling assembly with the hard flooring and underlayment must have an IIC rating of at least 55 or an AIIC

rating of at least 50.

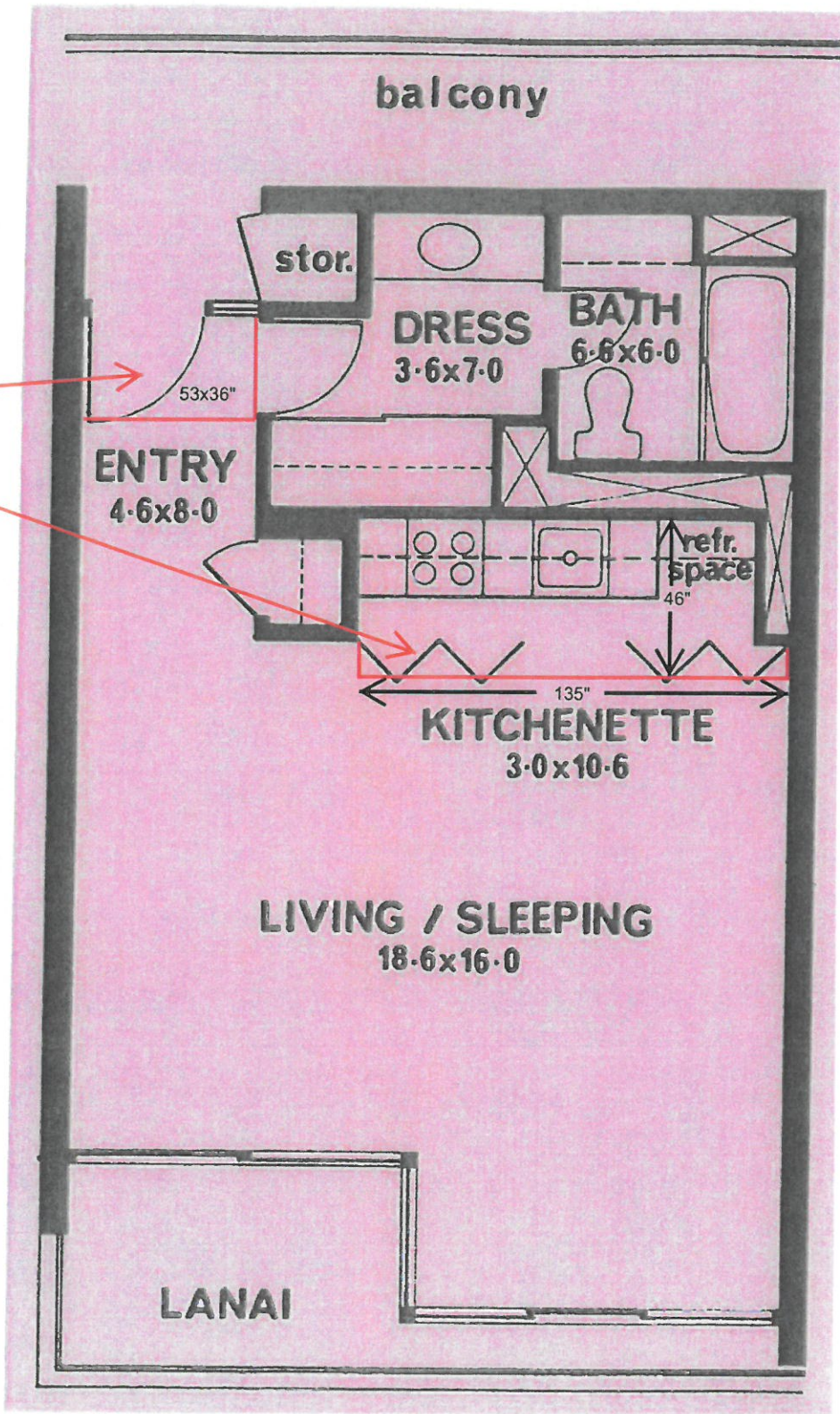
- b. Hard flooring will not be approved if the floor/ceiling assembly has an IIC rating below 55 or an AIIC rating below 50.
  - c. The hard flooring material and underlayment must have a "Delta IIC" (which allows for a direct comparison of the efficiency of flooring and underlayment products with the concrete slab alone), and the flooring system must have a **Delta IIC 22** or higher. Flooring material and underlayment without a Delta IIC, or a Delta IIC of lower than 22, will not be approved.
7. If approved by the Board, the owners proposing hard flooring shall sign a recordable encumbrance agreement as approved by the Board, and shall reimburse the Association for the cost of preparing and recording the encumbrance agreement.

This Resolution was adopted by the Board of Directors this 23 day of August, 2019.

Susanne Chapman.  
\_\_\_\_\_, Secretary



Hard flooring with a Delta IIC of at least 22 may be used in the areas shown here (hard floor in entry not to exceed 53" x 36" and kitchenette not to exceed 46" x 135")



# STUDIO APARTMENT

589 Gross Square Feet  
Apartment: 515 Square Feet  
Lanai: 74 Square Feet