**ASSISTANCE ANIMAL POLICY FOR KOA LAGOON**

 The Koa Lagoon Bylaws have a prohibition of animals on the premises at any time. However, State and Federal laws require the exception of assistance animals under certain conditions. <https://www.animallaw.info/statute/hi-assistance-animal-assistance-animalguide-dog-laws#s34725>

 People with **documented disabilities are welcome at Koa Lagoon** and will be allowed an assistance animal if it is necessary for the equal enjoyment of our facilities. The Koa Lagoon asks that disabled individuals provide us with the necessary documentation, following the guidelines below, so that we may welcome you and your service animal.

An exception to the prohibition of animals at Koa Lagoon may be granted by the Board under the following conditions:

1. The applicant must be disabled. That is, the applicant has a physical or mental impairment that substantially limits one or more major life activities.
2. There is a record of having such an impairment.
3. The assistance animal is not a pet; it is needed to assist with the disability.
4. There is a relationship or connection between the disability and the assistance or function the animal provides.
5. The applicant can provide documentation from a licensed physical or mental health care professional or clinical social worker that the animal provides support which alleviates at least one of the identified symptoms of the existing disability.

The procedure for applying for an assistance animal is as follows:

1. The applicant will contact the Property Manager of Koa Lagoon or the Rental Agent, either in writing or orally, to receive a(an) (a) Assistance Animal Accommodation at Koa Lagoon, (b) Verification Form for Assistance Animal at Koa Lagoon, (c) copy of Assistance Animal Policy of Koa Lagoon.
2. Property Manager may be contacted at 800 S. Kihei Rd., Kihei, HI 96753, or via email at edward.agcaoili@gmail.com All forms can be forwarded by the Property Manager to the Applicant, and the entire process can be done electronically.
3. The Request an Assistance Animal Accommodation should be submitted to the Board President a minimum of **30 days prior to the expected arrival** at Koa Lagoon.
4. Documentation of vaccinations and licensing for an animal purchased in Hawaii should be mailed along with this Application. This is not required of animals traveling from the mainland if they have arrived in Hawaii less than 180 days from the date of application.
5. The **Assistance Animal Verification Form** for Koa Lagoon should be given to his/her licensed physical or mental health care professional or clinical social worker, along with a stamped envelope addressed to the Board President, c/0 the Property Manager at the address above. The health care professional is to mail the completed form directly to the Board President. If the applicant has current documentation of a disability and verification of this animal as needed to lessen the effects of this disability, a

copy of this document may be submitted in lieu of the Verification Form for Assistance Animal at Koa Lagoon.

After receiving both the Assistance Animal Accommodation request, documentation of vaccination and licensing of the Animal, *if it has been purchased in Hawaii* and the Verification Form for Assistance Animal at Koa Lagoon, the Board President will evaluate the documents on the basis of information provided and after consultation with the other Board members. The Board will mail a response to the applicant within 14 days after the forms are received.

The applicant must agree to follow these rules and regulations:

1. The animal must accompany the owner at all times and at no time shall be left unattended.
2. The animal will not be allowed to bark or otherwise disturb other occupants in any way.
3. The animal will be under control by use of a leash or harness at all times while in common areas.
4. The animal will not be allowed to urinate or defecate on grounds maintained by Koa Lagoon staff. Such litter must be cleaned up, placed in a plastic bag, and placed in the dumpster.
5. The animal will not pose a threat to others.
6. The animal will be in compliance with Hawaii statutes and Maui County Code, regarding vaccinations, licensing, and leashing. An appropriate license tag must be attached to the collar of the animal.
7. The Association assumes no liability for incidents relating to the assistance animal’s behavior. The owner of the assistance animal agrees to hold harmless and to defend the Association and Association’s agents against all liability for any claims of any kind caused by the assistance animal.
8. The owner of the assistance animal shall be liable for any damage or injury caused by the animal.
9. The Koa Lagoon Property Manager has the authority to enforce the above rules.
10. If the Koa Lagoon Property Manager has concerns about the service animal, he may consult with the Board President. The Board may require immediate removal of the animal from the property and seek fines against the Owner/Tenant in accordance with Koa Lagoon’s Bylaws.

The Koa Lagoon Property Manager has the authority to enforce these rules, after consultation with the Board President. The Board may require immediate removal of the animal from the property. The Board is authorized to pursue any other legal remedy available to the Association to enforce these Rules.

Date: January 2018

BOARD OF DIRECTORS, ASSOCIATION OF APARTMENT OWNERS OF KOA LAGOON

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