

The Collection Dog Weight Survey Inclusions

RFA Dog Weight Limit Survey	Pg 2
Applicable Rules – The Collection’s Declaration, Bylaws and Association Rules are Silent on Pet Weight.	n/a
The Collection’s Insurance Carrier, Insurance Associates’ Feedback on Weight Limit, Aggressive Breeds, Liability etc.	Pg 6
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REQUEST FOR ACTION

Subject	Dog Weight Limit Survey				
Preparer	Francis Calleon	AOUO Title			
Date	November 30, 2017	For Board	X	Action	Info

EXECUTIVE SUMMARY

Purpose:

To request Board approval to submit an online survey to the owners of The Collection to institute a dog weight limit policy of 40 lbs. This survey will also provide the option to leave the current no weight limit policy.

Rationale

Current Bylaw Articles 5.7 through 5.7.6, Declaration Article 7.10 and Association Rules, Section 6, do not provide for a weight limit. It is recommended by several owners and committee members that we institute a 40 lbs. weight limit for each dog. It is further recommended that a survey be emailed to all owners with the option of enacting a 40 lbs. weight limit or leaving the no weight limit policy (see attached email survey).

Instituting a weight limit policy would bring us in line with the vast majority of existing and newer Kakaako luxury condos that have a weight limit policy (see attached chart.)

Furthermore, by instituting a weight limit, we would not have to address the often controversial issue on aggressive or dangerous breeds, because a weight limit would preclude those breeds from entering our building.

Owners that currently own larger dogs will be grandfathered in until that dog is no longer with the owner.

With approximately 400 Tower units, there are many owners with small children and small dogs that frequent the narrow hallways, enclosed elevators and common elements. There appears to be a safety concern with the intermingling of large dogs in this type of setting.

RECOMMENDATION

Email the attached Dog Weight Limit Survey regarding a weight limit of no greater than 40 lbs. per dog or leaving the no weight limit policy in place.

Exhibits <small>(If applicable)</small>	Index	Title
	A	

	B										
FOR BOARD USE ONLY											
CERTIFICATE OF BOARD ACTION											
	Approved		Declined		Noted		Returned		Deferred		Withdrawn
Stipulations											
Coordinating Instructions											
Distribution Instructions											
Recording Secretary					Action Date		RFA No.	37-2017			

Dear Homeowner:

The Board of Directors is surveying the Owners at The Collection to better understand owner sentiment towards the current Association Rule Section 6 which does not limit the weight of pets at The Collection.

The attached chart shows the weight limit in maximum pounds per dog included in the Rules at condominium projects similar to The Collection.

Dogs (service dogs excepted) over forty (40) pounds that belong to owners who currently live at The Collection would be grandfathered in until that dog is no longer with the owner.

"Do you favor an amendment to the current Association Rules to include a maximum weight of dogs (service dogs excepted) residing at The Collection to forty (40) pounds?"

Please type either "yes" or "no" as your reply to this email and click on SEND. Please do not add any further information to your reply. Please respond to this survey by February 28, 2018.

Condominium	Maximum Pounds per Dog	Notes
801 South St.	20	
1350 Ala Moana	NA	Only Service animals
A'eo	60	Not yet completed
Allure Waikiki	25	
Anaha	60	
Capitol Place	60	
Gateway Towers	60	Not yet built
Hawaiki	40	
Hokua	35	Board lowered weight from 60 – 35 lbs within 1 st year
Imperial Plaza	50	
Keauhou Place	50	
Keola La'i	35	
Ko'olani	25	
Moana Pacific	35	
Nauru Towers	NA	Service dogs or for comfort
One Ala Moana	60	
One Waterfront Tower	35	Must be carried
Pacifica Honolulu	35	
Park Lane	60	
Royal Capitol Plaza	NA	Cats only or Service dog with medical papers
Symphony Honolulu	40	
The Collection	NO LIMIT	
Waiea	60	
Waihonua	40	

From: Sue Savio
To: ["Al Guzman"](#)
Subject: RE: The Collection - Aggressive Dogs
Date: Friday, May 25, 2018 3:04:18 PM
Attachments: [image002.png](#)
[Dangerous dogs.pdf](#)
[Hokua Pet Rules.pdf](#)
[Dogs \(6.41 KB\).msg](#)

Attached is a list of dangerous dogs from a few years back. It is from the Humane Society. The insurance companies do not have such a list. The allowance of these types of breeds at The Collection does not impact the AOUO costs as long as there are no claims against the AOUO. I am also attaching Hokua pet rules, an amendment they did to their bylaws, and some other items that helped them get their pet problems under control.

As to legally not allowing certain breeds... I do not think so as I do not know of a condo that has done it. I would think if it could be done it would have been done by now. But this is a legal question you need to ask your attorney as my answer is just my thoughts.

Have a good weekend and I hope something I attached will help you and your Governance Committee.

Aloha,
Sue



Surita Savio

President
Insurance Associates
800 Bethel Street, Suite 200
Honolulu, Hawaii 96813

tel 808.526.9271

fax 808.792.5371

toll-free 888.867.7671

email sue@insuringhawaii.com

InsuringHawaii.com

From: Al Guzman [mailto:gm@thecollectionhonolulu.com]
Sent: Friday, May 25, 2018 12:32 PM

To: Sue Savio <Sue@insuringhawaii.com>
Subject: RE: The Collection - Aggressive Dogs

Aloha Sue,

Our Governance Committee is reviewing the Dog Weight / Dog Species issue.

Does the Insurance Industry have a list of what they (the insurance industry) considers dangerous or aggressive species of dogs?

Does the allowance of such breeds have any impact on The Collection's insurance premiums or subsequent claims?

Based on your experience, can an Association legally restrict certain breeds of dogs (aside from service animals) from living at the project?

Have a good long weekend, Sue

Al Guzman, General Manager
The Collection
600 Ala Moana Blvd.
Honolulu, HI. 96813
Phone: 808-548-4555



From: Sue Savio <Sue@insuringhawaii.com>
Sent: Monday, December 4, 2017 7:04 AM
To: Al Guzman <gm@thecollectionhonolulu.com>
Subject: RE: The Collection - Aggressive Dogs

Most welcome and Merry Christmas.

Aloha,

Sue



Surita Savio
President
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InsuringHawaii.com

From: Al Guzman [<mailto:gm@thecollectionhonolulu.com>]

Sent: Monday, December 4, 2017 7:02 AM

To: Sue Savio <Sue@insuringhawaii.com>

Subject: RE: The Collection - Aggressive Dogs

Perfect. Thank you, Sue

Al Guzman, General Manager
The Collection
600 Ala Moana Blvd.
Honolulu, HI. 96813
Phone: 808-548-4555



From: Sue Savio [<mailto:Sue@insuringhawaii.com>]

Sent: Monday, December 4, 2017 7:01 AM

To: Al Guzman <gm@thecollectionhonolulu.com>

Subject: RE: The Collection - Aggressive Dogs

The AOA's policies are broad and we cover all types of dogs. So yes, if an owner decided to sue the AOA for a dog bit, we do have coverage for the AOA-not the individual unit owner.

Aloha,

Sue



Surita Savio

President

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From: Al Guzman [<mailto:gm@thecollectionhonolulu.com>]
Sent: Monday, December 4, 2017 6:59 AM
To: Sue Savio <Sue@insuringhawaii.com>
Subject: RE: The Collection - Aggressive Dogs

Aloha Sue and Happy Holidays,

Breeds of dogs are currently being discussed among the residents and board members.

Are there certain breeds of dogs not covered under The Collection's General Liability and Umbrella? If we had a resident who owned a dog from an aggressive breed and the dog bit someone, I know you related (below) the homeowner's HO6 would pay for damages. If the victim wanted to sue the association, does our policy cover this?

Mahalo,

Al Guzman, General Manager
The Collection
600 Ala Moana Blvd.
Honolulu, HI. 96813
Phone: 808-548-4555



From: Sue Savio [<mailto:Sue@insuringhawaii.com>]
Sent: Friday, August 25, 2017 7:20 AM
To: Al Guzman <gm@thecollectionhonolulu.com>
Subject: RE: The Collection - Aggressive Dogs

See answers below. Will be off island next week but emails will be monitored by my staff so return answers may be a bit slow.

Aloha,

Sue



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From: Al Guzman [<mailto:gm@thecollectionhonolulu.com>]

Sent: Friday, August 25, 2017 6:10 AM

To: Sue Savio <Sue@insuringhawaii.com>

Subject: The Collection - Aggressive Dogs

Aloha Sue and Happy Friday!

The Collection does not have a weight limit for pets. As such, there are some concern by residents that larger dogs pose a risk. They could cause more damage than a small dog should they become aggressive.

Questions

- Because there is no weight limit, does The Collection pay a higher premium for coverage? **No**
- There are recognized “aggressive” breeds. Does having these breeds live on site affect The Collection’s premiums? **Not unless there is a claim.**
- If there are incidents where dogs cause harm resulting in medical attention, there’s a chance the injured party will include The Collection in a lawsuit. **A)** is The Collection covered for such incidents **yes** and **B)** like water leaks, do our premiums increase with each incident? **yes, they do.**
- Do homeowners HO6 policies cover common area damage or medical bills of the injured party? **Yes, if it is their dog their hjo6 policy should pay.**
- Like contractors’ Certificate of Insurance, is there a COI dog owners can obtain, naming The Collection as additionally insured? **You can get proof of insurance by asking owners for their ho6 policy. Most companies will not name the AOOU as additional insured.**

Thank you Sue – you have a good weekend!

Al Guzman, General Manager


The Collection


600 Ala Moana Blvd.

Honolulu, HI. 96813

Phone: 808-548-4555



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DN  WRITE YOUR NAME BELOW

Top 10 Most Dangerous Dog Breeds

22 reported dog bite related human fatalities in the United States in 2004. 2005 - 29 human fatalities. 2006 - 26. In 2007, there were 33 human fatalities. 45% of the attacks occurred to adults over the age of 18, and 55% occurred to ages below. Pit bull type dogs were responsible for 67% of fatalities, the next closest breed was the rottweiler at 12%. But **all dog breeds are potentially dangerous**. In 2000, the Centers for Disease Control (CDC) reported that **25 breeds** of dogs were involved in 238 fatal dog bites from 1979-1998. Here it is the compiled list of the most dangerous dog breeds:

1. Pit Bulls (Weight: 55-65 lbs.)



Pit bull is one of the most brave and dauntless dogs that usually takes on any opponent. Therefore they take part in dog fighting. It is common knowledge that this dog breed can even mangle the human to death as pit bull locks its jaws onto the booty until it is dead.

2. Rottweilers (Weight: 100-130 lbs.)

Due to their intense territorial instinct these dogs are very aggressive. Rottweilers are commonly used as guard dogs.



3. German Shepherds (Weight: 70-100 lbs.)



This breed of dogs is known as a smart and vigilant one. As German Shepherds proved to be confident and fearless local authorities such as the police K-9 unit use German Shepherds as a police dog.

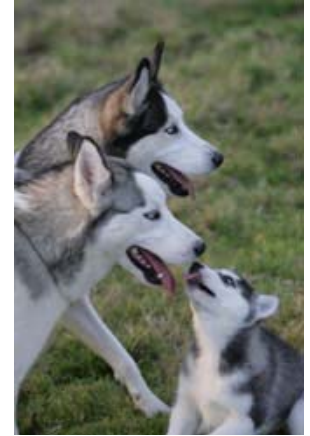
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4. Huskies (Weight: 44-66 lbs.)

Despite of their energy and intelligence this breed is not regarded a good guard dog. It is caused by its kind temperament and personality characteristics. However it should be marked that between 1979 and 1997 fifteen fatal cases were caused by huskies.



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5. Alaskan Malamutes (Weight: 75-100 lbs.)



This breed requires a lot of exercises to be happy as being bored they become disobedient. On the whole their characteristic features are energy and activity.

6. Doberman Pinschers (Weight: 65-90 lbs.)

Doberman Pinschers are famed by such features as alertness, intelligence and loyalty. Therefore they are considered to be one of the best guard dog breeds. The dog usually attacks only in case its family is in danger or when being provoked.



7. Chow Chow (Weight: 50-70 lbs.)



The Chow Chow seems to be distant and independent, however they require staunch attention. If badly bred they can become aggressive dogs.

8. Presa Canario (Weight: 80-115 lbs.)

It is well known that an attack of this guard dog can bring to the death any prey. One of the main features of this dog is fearlessness, huge power and man-stopping ability.



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9. Boxer (Weight: 50-70 lbs.)

These dogs are intelligent, frisky and full of energy. It is not so easy to train them as they are self-willed breed. In addition, boxers are not typically aggressive by nature.

10. Dalmatian (Weight: 40-70 lbs.)

This breed is distinguished by intelligence and perfect memory, independence and survival instincts. Sometimes Dalmatians can be aggressive towards people.



- For each US dog bite fatality there are about 670 hospitalizations and 16,000 emergency room visits, 21,000 other medical visits (office and clinic), and 187,000 non-medically treated bites
- 46.1% (nearly half) of dog bite injuries were triaged in emergency rooms as "urgent-emergent"
- Dog bites are the second highest reason why children seek emergency treatment

That's about 60,000 bites per fatality and that information is dated. It is reported today that a US citizen is bitten by a dog every 75 seconds.

From: Carleton Ching
To: [Al Guzman](#); "[Jon Mckenna](#)"
Cc: "[Howard Kam](#)"
Subject: FW: Dog Weight Limit Survey (update)
Date: Friday, May 25, 2018 10:35:21 AM
Attachments: [The Collection Dog Weight Limit Survey 11-30-17.pdf](#)

Aloha,

Per my previous email, please help us assemble the information for this RFA – Dog Weight survey. Also provide management comments to questions raised below

This is the email string on the Dog Weight issue:

- Comments by Committee members:

On Mar 15, 2018, at 2:26 PM, **Kathy Davey** <kathymaui@outlook.com> wrote:

Aloha,

After re-reading the RFA I think another consideration is to find out (from the insurance carrier since they keep statistics on this issue) what dogs are considered 'dangerous' or 'aggressive'. There is a presumption in the RFA that 'large/over 40 lbs' equates with 'dangerous/aggressive' and if The Collection bans dogs over 40 lbs that the size issue automatically addresses 'dangerous/aggressive'. However, it does not. For example, (and just as an example) a google search shows that a male Pit Bull Terrier ranges in weight from 35-65 lbs, and a female from 30-60 lbs. Also very large dogs such as Newfoundland and Labradors are some of the most gentle breeds and some of the largest. So if the issue is fear, size is not necessarily what matters. If the issue is fitting into the elevator then size becomes a larger (no pun intended) consideration.

I also googled "which dogs bit the most?" <https://www.caninejournal.com/dog-bite-statistics/>

Interestingly, here is the list:

[Dogs that bite the most:](#)

- Chihuahua
- [Bulldog](#)
- Pit Bull
- [German Shepherd](#)
- Australian Shepherd
- Lhasa Apso
- [Jack Russell Terrier](#)
- Cocker Spaniel

- Bull Terrier
- Pekingese
- Papillion

So size is not the issue entirely...

In summary I concur that more information is needed. Mahalo, Kathy

From: Kevin <kevink5496@yahoo.com>
Sent: Wednesday, March 21, 2018 10:06 AM
To: Carleton Ching <ccipuka@gmail.com>
Subject: Re: parking appeal

Thanks Carleton, hopefully we can knock out the dog weight limit at the next meeting.

Discussion from our March committee meeting:

From: Carleton Ching <ccipuka@gmail.com>
Sent: Thursday, March 15, 2018 12:30 PM
To: kathymaui@outlook.com; hlim371292@aol.com; kevink5496@yahoo.com; 'Joe Krahulik' <joekrahulik@gmail.com>
Cc: 'Al Guzman' <gm@thecollectionhonolulu.com>
Subject: FW: Dog Weight Limit Survey (update)

Aloha Governance Committee,

As it relates to this RFA, it was my understanding that that we agreed to suspend the "dog weight survey" until we have had a chance to gather and analyze more data as it relates to The Collections. The comments I recall were:

- How many animal owners in the building? About 40
- What is the metric for a big dog? Height, weight? Other? From an online article, "the large breed category includes dog breeds that weigh more than 50 - 60lbs but less than 90 pounds at full size. Dogs weighing greater than 90 are considered giant breed dogs.
- How many "big dog" owners in the building. Less than 5.
- How many incidents relating to big dogs? 1 for a 35lb dog.
- What type of incidents? Dog bite.
- Can reminders be placed on The Collections website or newsletter to remind Pet owners about our rules and ask for their considerations as not all owners appreciate pets? Yes
- What would be an appropriate weight limit to consider.
- Will a weight limit rule affect our "pet friendly" image? Our market

value? Hard to say.

- Is a survey for a one issue item a good method to get owners input? We prefer to include multiple items in an email blast.
- What is cost to amend our documents? It would be best to compile multiple ammendments and ammend all at once.

We will defer this item to our next committee meeting. However, in the meantime, please provide your comments and insights so AI can help us gather some on the data to guide us in our next step.

Mahalo for you consideration and cooperation.

Carleton

From: Joe Krahulik [<mailto:joekrahulik@gmail.com>]

Sent: Thursday, March 08, 2018 7:30 PM

To: Carleton Ching <ccipuka@gmail.com>; Carin Lim <hlim371292@aol.com>; Kathy Davey <kathymaui@outlook.com>; Kevin Kwan <kevink5496@yahoo.com>

Subject: Dog Weight Limit Survey (update)

Dear Folks,

I am attaching an update to the Dog Weight Limit Survey.

From: John Hall
To: [Sue Savio](#)
Subject: Dogs
Date: Wednesday, June 29, 2011 11:30:12 PM

**PROPOSED AMENDMENT TO BYLAWS NO. 4:
REQUIREMENT PETS BE CARRIED WHILE IN TRANSIT IN COMMON AREAS**

Section 8.3(e)(vi) on Page 35 of the Bylaws currently provides:

‘Except when in transit, pets (other than specially trained animals) shall not be allowed on any common area other than the “Pet Park” on the recreation deck level which may be designated on the Condominium Map. Any pet (other than a specially trained animal) in transit through the common areas must be carried whenever practicable or on a leash which keeps the pet within three feet (3’) of its handler’s feet. Pets shall not be allowed to come into contact with persons other than the handlers thereof, except as permitted by such other persons.

Section 8.3(e)(vi) proposed revision:

*Except when in transit, pets (other than specially trained animals) shall not be allowed on any common area other than the “Pet Park” on the recreation deck level which may be designated on the Condominium Map. Any pet (other than a specially trained animal) **in transit anywhere on or about the common areas (other than the Pet Park) must be carried at all times.** Pets shall not be allowed to come into contact with persons other than the handlers thereof, except as permitted by such other persons. **The Board shall be authorized to adopt such additional rules and regulations for the use of the Pet Park which are not inconsistent with the Declaration and/or these Bylaws.***

RATIONALE. The current language of the Bylaws permits owners to either carry their pets or have them on leashes not to exceed three feet in length while in transit through the common areas. The proposed revision eliminates the leash option, and requires pets be carried by owners while in transit through the common area potentially preventing damage caused by scratching, clawing, digging and/or chewing of doors, flooring, elevators, and/or walls. The proposed revision also expressly grants the Board authority to adopt rules for use of the Pet Park, although this is probably also encompassed by Section 12.1 on Page 44 of the Bylaws.