

AOAO FOSTER TOWER
PROCESS SERVER POLICY AND PROCEDURE
Adopted: October 10, 2011

Act 158 passed on June 26, 2009, requiring the Association to establish a policy to provide reasonable access to the building to persons authorized to serve process in compliance with HRS §634. Pursuant to HRS §634, the Board of Directors of AOAO FOSTER TOWER adopts the following policy:

1. The Security Guard on duty is designated to assist with request for access. If the Security Guard is not available and the Site Manager is on premises, the Site Manager shall respond to the request for access.
2. The hours of access to the building area as follows:

Monday through Friday: 8:00 a.m. to 18:00 p.m.

3. The person seeking access must provide photo identification, and business card with the person's name and contact information. Under State law, a person can service process if they are at least 18 years old and not a part to the action. If the person does not present a business card showing that they are authorized to serve process, the person will be asked if they are related to any of the parties, and if so, access will be denied. The person seeking access must produce the document that is to be served on a resident of Foster Tower and the name and address of the resident being served. The security service personnel or Site Manager will not verify whether a person is a resident nor will it disclose apartment numbers of residents. Site Manager and Security may deny access if any person does not comply with this section.
4. In the case of petitions for temporary restraining orders (TROs), access to Foster Tower will not be provided to anyone who is a party to the served document or any relative to any party to the served document or any boyfriend/girlfriend/family member of anyone who is a party to the served document.
5. A person seeking access will be escorted by Security or the Site Manager to the apartment described in the papers presented. The process server must ask the person answering the door if the person is the resident or a person who resides in the apartment with the resident. The process server will hand the documents to the person whose name is on the documents and explain that they are being served legal papers.
6. The process server is permitted access to the common areas adjacent to a principal entry to the residence solely for the purpose of serving the process.
7. If no one answers the door, the person seeking access shall not slip the documents under the door or place in the door jamb.
8. Process server shall be (a) appropriately attired (shirt, no slippers), (b) respectful and courteous, (c) cooperative with Security and Management as well as to the resident being served. Foster Tower will not tolerate intimidation, threats, threatening gestures or profanity. Foster Tower reserves the right, in its sole discretion to deny access to the building to persons who do not comply with this requirement.
9. The AOAO Foster Tower is not liable to the person served if process is effectuated, or to any person if process is not effectuated.