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DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
250 SOUTH KING STREET ROOM 702
HONOLULU, HAWAII 96813

January 28, 1994

MEMORANDUM

TO: CONDOMINIUM DEVELOPERS, ATTORNEYS AND INTERESTED PARTIES
FROM: REAL ESTATE COMMISSION
SUBJECT: §514A-40(b)(1), HRS - COUNTY STATEMENT REQUIREMENTS

After a review of the information presented at its January 28, 1994 meeting, and upon review of §514A-40(b)(1), Hawaii Revised Statutes, the Real Estate Commission confirmed that the verified statement from the county required by §514A-40(b)(1), Hawaii Revised Statutes ("HRS"), for a final public report for a condominium conversion shall not disclose building code or zoning ordinance violations. Therefore, building code or zoning ordinance violations should be cured prior to receipt of an effective date for a final public report for condominium conversions.

The Real Estate Commission will accept one statement from the following county agencies to satisfy compliance with both the building code and zoning ordinances pursuant to §514A-40(b)(1), HRS:

City and County of Honolulu - Building Department

County of Maui - Land Use and Codes Administration, Department of Public Works and Waste Management

County Of Kauai - Planning Department (verbal agreement to be confirmed in writing)

The Real Estate Commission will accept one statement from the Planning Department, County of Hawaii regarding compliance with the zoning ordinances and a separate statement from the Building Division, Department of Public Works, County of Hawaii, for compliance with the building codes pursuant to §514A-40(b)(1), HRS.