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DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

P. O. BOX 3469
HONOLULU, HAWAII 96801

July 11, 1990

To: Condominium Project Developers

From: Real Estate Commission

Re: Changes To Owner-Occupant Pre-Sale Notice Requirements;
Design and Construction Requirements For Persons
With Disabilities

Act 283, SLH. 1990 (House Bill 3308), amended Section 514A-102(a), Hawaii Revised Statutes to require that an owner-occupant pre-sale notice contain:

"A Statement of the availability and number of residential units in the project that are "accessible" and "adaptable," as those terms are defined and interpreted in 24 C.F.R. Section 100 et seq., for persons with disabilities."

Act 283 became effective on June 25, 1990, so all pre-sale notices published after that date should contain the required information.

The amendment to Section 514A-102(a) refers to the requirements of the Federal Fair Housing Amendments Act of 1988. The Act imposes certain construction requirements on condominium projects with four or more dwelling units if: (1) the project will be ready for first occupancy on or after March 13, 1991; or (2) if the project's last building permit is issued on or after January 13, 1990. The construction requirements apply to all covered condominium projects, regardless of whether federal funds are used in their construction. Essentially, the Act requires that a covered project be constructed to allow disabled persons access to and use of public and common areas. Certain apartment units in the project must also be designed to be adaptable for use by disabled persons. Please see the attached sheet for more information on the new construction requirements.