



STATE OF HAWAII
REAL ESTATE BRANCH
PROFESSIONAL & VOCATIONAL LICENSING
DIVISION DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
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August 29, 1997

MEMORANDUM

To: Condominium Project Developers and Their Agents

From: Real Estate Commission

Re: New Owner-Occupant Announcement Requirements
Act 135, SLH 1997

Effective July 1, 1997, pursuant to Act 135, Session Laws of Hawaii, the Real Estate Commission will no longer accept for review proposed owner-occupant announcements. Following publication, developers may simply file a statement that publication was made in conformity with §514A-102, Hawaii Revised Statutes.* Among other requirements, Act 135 provides that:

1. Developers now must publish an owner-occupant announcement at least once in each of two successive weeks after the effective date of the first public report for the condominium project;
2. The developer must file proof of publication within 30 days of an effective date for the first public report;
3. The announcement must state that the residential units designated by the developer for owner-occupants must initially be offered for 30 days after the first publication of the announcement.

This memorandum does not fully set forth all of the new information required to be included in the announcement. You are encouraged to review the full text of the amendments to Chapter 514A made by Act 135, Session Laws of Hawaii 1997, and consult with your legal advisors for clarification of changes made to the law.

This is an informal, non-binding interpretation pursuant to Subchapter 5, Hawaii Administrative Rules, Title 16, Chapter 201, provided for informational and explanatory purposes only, is not an official opinion or decision and therefore is not to be viewed as binding on the Commission.

If a formal opinion or decision is desired as to the applicability of any statutory provision to a particular factual situation, application for declaratory relief may be filed under Subchapter 3, Hawaii Administrative Rules, Title 16, Chapter 201.

*It is unlawful to file any statement required by the Commission that is false or contains a material misstatement of fact. Any violator shall be a misdemeanor subject to a fine not to exceed \$2000, or imprisonment under §514A-107.6, HRS.