DOCUMENTS FOR ISSUANCE OF AN EFFECTIVE DATE FOR
CHAPTER 514B, HRS
DEVELOPER'S PUBLIC REPORT
(Not A Complete List)

PROJECT NAME _____

ATTORNEY/AGENT _____

DEVELOPER(S) _____

Reviewed by: _____

Registration Number: _____

*(For Official Use Only)*

_____ ☐ This is the first public report for this Project.

_____ ☐ A prior public report was issued for this Project.

_____ ☐ This is an amendment to the prior public report.

_____ ☐ This is an amended public report to replace the prior public report.

☐ Documents Checklist

☐ Application and project questionnaire [§514B-52, 54(a)(9), HRS]

- ☐ Executed
- ☐ Original and 1 copy

☐ Filing Fee [§514B-52(a)(1) and 54(a)(1), HRS]

- ☐ $250 (filing fee) + $1000 (consultant's fee) + $5 per unit CMEF [§514B-72, HRS]

  _____ units x $5 = $ _____

- ☐ $75 (amendment fee) + $150 (consultant review fee for non-complex amended Developer's Public Report)
- ☐ $75 (amendment fee) + $1000 (consultant review fee for any complex amended Developer's Public Report)
- ☐ Payable to Commerce and Consumer Affairs
- ☐ Date current (6 months for checks, unless otherwise stated)
- ☐ Amount in numbers = Amount in words
- ☐ Signed

☐ Developer's Public Report Draft [§514B-54(a)(2), HRS]

- ☐ Signed by Developers' duly authorized signatory

_____ ☐ Declaration of Condominium Property Regime [§§514B-31 and 514B-54(a)(4), HRS] (copy)

- ☐ Signed by **all** fee owners and **all** developers
- ☐ Signed by any persons having rights subordinated to Declaration
- ☐ Persons having rights have not subordinated to Declaration
- ☐ Recorded

_____ ☐ By-laws of the Association of Unit Owners [§514B-54(a)(4), HRS] (copy)

- ☐ Signed by **all** fee owners and **all** developers.
- ☐ Signed by any persons having rights subordinated to Bylaws
- ☐ Persons having rights have not subordinated to Bylaws
- ☐ Recorded

*This material can be made available for individuals with special needs. Please call the Senior Condominium Specialist at 586-2643 to submit your request.*

- ☐ Condominium Map [§514B-34 and 54(a)(4), HRS] (copy)
  - ☐ If buildings not built, statement by licensed architect, engineer or surveyor certifying that map is "consistent with the plans of the condominium's building or buildings filed or to be filed" with county
  - ☐ If buildings built, statement certifying that to the best of architect's, engineer's or surveyor's knowledge, map depicts the layout, location dimensions and numbers of the units "substantially as built"
  - ☐ If a conversion and county is unable to locate original permitted construction plans, certification need only state that map depicts the layout, location, boundaries, dimensions and numbers of units substantially "as built"
  - ☐ If buildings are completed after map is recorded, amendment of declaration recorded within 30 days after completion of construction, with certification that map fully and accurately depicts layout location boundaries, dimensions and numbers of units substantially as built.
  - ☐ Notarized

_____ ☐ House Rules [§§514B-104(a)(1) and 514B-105(b), HRS]
  - ☐ Proposed
  - ☐ Adopted
  - ☐ None proposed or adopted

_____ ☐ Escrow Agreement [§514B-54(a)(6), 91, 92 and 93, HRS]
  - ☐ Executed by escrow company
  - ☐ Executed by developer
  - ☐ Provides for use of purchaser deposits to pay for construction costs or repairs
  - ☐ Provides for release of all blanket mortgages and liens prior to disbursing purchaser's deposits at closing
  - _____ ☐ Summary of escrow agreement

_____ ☐ SPECIMEN Sales Contract for proposed sale of units [§514B-54(a)(5), HRS]
  - ☐ Summary of sales contracts provisions, including any rights reserved by developer
  - ☐ Completion deadline included and in developer's public report

_____ ☐ SPECIMEN Unit Conveyance [§514B-54(a)(9), HRS]

_____ ☐ Management Contract [§§514B-54(a)(9) and 514B-134, HRS]
  - ☐ Executed by management company
  - ☐ Executed by developer

    **OR**
  - ☐ Self-managed by Association

_____ ☐ Schedule of Annual Maintenance Fees and monthly estimated maintenance fees for each unit [§514B-83(a)(3)]
  - ☐ Certified to be based on generally accepted accounting principles
  - ☐ Statement regarding when a purchaser becomes obligated to start paying maintenance fees

_____ ☐ Title Report [§514B-54(a)(9), HRS] (dated not more than 60 days prior to date of filing)

_____ ☐ Recorded deed, master lease or agreement of sale or contract evidencing that developer owns fee or leasehold or has right to acquire the property [§514B-54(a)(3), HRS] (copies)

_____ ☐ Letter to County transmitting Application and other documents required by county, except for City and County of Honolulu [§514B-54(a)(9), HRS]

_____ ☐ Owner-Occupant Sales [§514B-95, HRS]

- ☐ Applicable - (if applicable, documentation required) [§514B-96, HRS]
- ☐ Not applicable

Exemption Claimed

- ☐ Project does not contain residential units [§514B-95, HRS]
- ☐ Project built pursuant to sections cited in §514B-99.5, HRS
- ☐ All units will be conveyed to a spouse or family members of developer [§514B-99.5(a)(2), HRS]
- ☐ Project consists of 2 or fewer units [§514B-99.5, HRS]
- ☐ Project is located in a County-zoned/designated hotel or resort area (except Waikiki) [§514B-99.5, HRS] [§16-107-28, HAR]
- ☐ Letter from County [§514B-99.5, HRS]
- ☐ Owner-Occupant Affidavit form [§514B-96.5 and 97, HRS] (Commission does not review)
- ☐ Chronological system to be used
- ☐ Lottery system to be used

_____ ☐ Organizational Documents (if developer is not an individual) [§514B-54(a)(9), HRS]

- ☐ Articles of Incorporation, Partnership Statement, Certificate of Limited Liability Partnership (LLP), Articles of Organization of Limited Liability Company (LLC), etc.
- ☐ Entity Registration Statement
- ☐ Certificate of Good Standing from DCCA
- ☐ Evidence of authority person signing the public report

_____ ☐ Sales Broker Listing Agreement [§514B-54(a)(9), HRS]

- ☐ Executed by real estate broker
- ☐ Executed by developer

**OR**

- ☐ None selected

_____ ☐ Purchaser Deposits to be used [§514B-92 and 93, HRS] ☐ Yes ☐ No

If Yes:

- ☐ To complete construction (new construction)
- ☐ To make required repairs (conversion)

If Yes, submit the following:

☐ Recorded declaration, bylaws and condominium map

☐ Project budget showing all costs required to complete project [§514B-92(b)(3)(A), HRS]

☐ Statement of program of financing evidencing availability of sufficient funds to complete the Project [514B-92(b)(3)(B), HRS]

- ☐ Purchaser funds
- ☐ Equity funds
- ☐ Interim loan commitment
- ☐ Permanent loan commitment/mortgage; or
- ☐ Construction mortgage; or
- ☐ Other sources of funds

☐ Copy of executed construction contract [§514B-92(b)(3)(C)(i), HRS]

- ☐ Executed by contractor
- ☐ Executed by developer

☐ Copy of building permit [§514B-92(b)(3)(C)(ii), HRS]

☐ Copy of affidavit of publication of notice of completion

☐ Evidence of security for completion of construction [§514B(b)(3)(C)(iii), HRS]:

- ☐ Completion or Performance Bond issued by a licensed surety equal to 100% of cost of construction; or
- ☐ Completion or Performance Bond issued by material house equal to 100% of cost of construction; or
- ☐ Irrevocable Letter of Credit; or
- ☐ Other substantially similar instrument or security approved by the Commission

☐ Name of project lender or qualified financially disinterested person who will approve payments for construction costs [§514B-92(c)]

_____ ☐ Conversion (project contains units submitted to CPR more than 12 months after completion of construction):

☐ Verified statement by an appropriate county official [§514B-84(a)(2), HRS]

- ☐ City & County of Honolulu (Building Dept.)
- ☐ County of Maui (Dept. of Public Works & Waste Management, Land Use & Codes Admin.)
- ☐ County of Hawaii (**2**-Planning Dept. **&** Department of Public Works, Building Div.)
- ☐ County of Kauai (Planning Dept.)
  - ☐ Alternative internet certification

☐ Developer's declaration that project is in compliance with all county zoning and building ordinances and codes and all other permitting requirements [§514B-54(a)(8) and 514B-83(a)(7)]

If units may be occupied for residential use and have been in existence for 5 years or more [514B-84(a)(1), HRS] :

☐ A report by a Hawaii-licensed architect or engineer, describing the present condition of all structural components and mechanical and electrical installations material to the use and enjoyment of the units; and

☐ A statement by the developer:

(1) describing the present condition of all structural components and mechanical and electrical installations material to the use and enjoyment of the units;
(2) covering the useful life of each item reported on in the report or that no representations are made in that regard; and
(3) a list of any outstanding notices of uncured violations of building code or other regulations, with the estimated cost of curing these violations.

☐ One Hundred Twenty Day Notice to existing tenants [§521-38 and 71, HRS]

_____ ☐ Project is in an Agricultural district under Chapter 205 [§514B-84(b), HRS]

☐ Statement whether structures and uses anticipated by developer's promotional plan are in compliance with all applicable state and county land use laws

☐ Statement whether structures and uses anticipated by developer's promotional plan are in compliance with all applicable county real property tax laws

☐ Disclosure of requirements in order to build farm dwelling units

☐ Other disclosures

_____ ☐ Project contains Assisted Living Facility Units [§514B-84(c), HRS]

☐ Disclosure of licensing requirements, impact of requirements on costs, operations, management and governance of the project, nature and scope of services provided, additional costs directly attributable to the services, duration of the provision of the services, etc.

☐ Other disclosures

_____ ☐ Other information developer deems appropriate to describe re possible impacts on the project resulting from the provision of the services

_____ ☐ If a Preregistration Solicitation form other than the Commission approved form was used, submit a sample of the form [§514B-85, HRS]

_____ ☐ Other information which Commission may require