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MEMORANDUM

To: All Interested Individuals and Organizations Date: April 16, 2001

From: Mitchell A. Imanaka *M.A.I.*
Real Estate Commission Condominium Review Committee Chair
Gordon M. Arakaki *G.M.A.*
Condominium Recodification Attorney

Subject: Recodification of Hawaii's Condominium Law (HRS Chapter 514A) – Community Input

The Real Estate Commission has embarked on an ambitious effort to rewrite Hawaii's Condominium Property Act – Chapter 514A of the Hawaii Revised Statutes (HRS). Pursuant to Act 213, Session Laws of Hawaii, 2000, the Commission is conducting a review of Hawaii's nearly 40-year old condominium law to “update, clarify, organize, deregulate, and provide for consistency and ease of use” of the law. Act 213 further requires the Commission to make findings and recommendations for recodification of Chapter 514A and to develop draft legislation consistent with its review and recommendations for submission to the 2003 Legislature.

As organizations and individuals who deal with or are affected by HRS Chapter 514A, we would like to find out what *you* believe needs to be fixed in Hawaii's condominium property law. How can the law be improved? What do you think needs clarification? What parts of the law do we need to keep? What parts of the law should be deleted? What should we be trying to accomplish in each part of the condominium law (e.g., consumer protection through appropriate disclosure, self-governance by the condominium community, etc.)?

We welcome comments and suggestions for improvement of HRS Chapter 514A from all of you. However, with a little over 1,400 registered condominium projects in Hawaii comprised of 118,000 units, plus attorneys, real estate salespersons, bankers, insurers, and more, we recommend that you work through larger groups and organizations if at all possible.

The Commission's recodification work plan may be found on our website, www.state.hi.us/hirec. We will be using the website as our primary means of keeping the public informed of our progress. We are currently in our initial phase researching and trying to gain an understanding of relevant issues and various approaches to condominium property regulation.

To help give us a context for our ongoing discussions, we have developed a section by section comparison of the Uniform Common Interest Ownership Act (1994), the Uniform Condominium Act (1980), and HRS Chapter 514A. This will be our base working document and is also available on our website. (Accessing the document online makes the most sense since it is 160 pages long.) It provides a useful structure and context for our discussions and for input from the various interested parties.

With everyone's help and cooperation, we look forward to crafting a condominium property law that we can all live with for the next 40 years! Please send us your comments by **May 31, 2001**. We can be contacted via e-mail (Gordon_M_Arakaki/DCCA@dcca.state.hi.us) or regular mail at the address listed above.