

THE CONDOMINIUM
DISPUTE RESOLUTION
PILOT PROGRAM

**Report to the
2005 Legislature**

Submitted by

**The Department of Commerce & Consumer Affairs
State of Hawai'i**

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I. INTRODUCTION

Pursuant to Act 164, 2004 Session Laws of Hawai'i, the Office of Administrative Hearings (OAH), Department of Commerce and Consumer Affairs, State of Hawai'i was given the responsibility of conducting the Condominium Dispute Resolution Pilot Program ("CDR Pilot Program"), as of July 1, 2004.

The *CDR Pilot Program Report to the 2005 Legislature* covers the period of July 1, 2004, through November 30, 2004.

II. OVERVIEW

A. Utilization of the CDR Pilot Program

From July 1, 2004, to November 30, 2004, there have been two (2) requests for informational materials regarding the CDR Pilot Program; however, there have been no requests for hearing filed with the CDR Pilot Program.

B. Publicizing the CDR Pilot Program

From July 1, 2004, to November 30, 2004, DCCA issued two (2) separate press releases regarding the CDR Pilot Program. Additionally, the Real Estate Commission ("REC"), State of Hawai'i, also included information regarding the CDR Pilot Program in the REC's newsletter.

Additionally, the OAH web site has extensive information and materials regarding the CDR Pilot Program. The web site can be accessed at the following URL: <http://www.hawaii.gov/dcca/oah/other.html>

III. RECOMMENDATIONS

Because the CDR Pilot Program has only been operational since July 1, 2004, there has not been sufficient time in which to appropriately evaluate the efficacy of the CDR Pilot Program, particularly in light of the requirement

that before a request for hearing can be filed with the CDR Pilot Program, that the matter must first be submitted to mediation.

However, DCCA is willing to consider expanding the areas of jurisdiction of the CDR Pilot Program if there is a demonstrable need for such expansion.