



STATE OF HAWAII  
**REAL ESTATE BRANCH**  
PROFESSIONAL & VOCATIONAL LICENSING DIVISION  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
250 SOUTH KING STREET, ROOM 702  
HONOLULU, HAWAII 96813

August 30, 1991

MEMORANDUM

TO: Condominium Property Regime Developers and Attorneys

FROM: Real Estate Commission

SUBJECT: Misleading "Subdivision"-Type References

After a review of the information presented at its monthly meeting, the Real Estates Commission has reiterated and clarified its previous position. In that, unless approved as a "subdivision" by the county government, condominium property regime documents, advertising, public reports and any document either provided to a prospective purchaser or made part of a public record shall not have references or illustrations that may give the impression or representation that the project is an approved "subdivision" or subdivided lots. In addition and not exclusive, the following guidelines shall be utilized:

1. That the terminology should be consistent with Chapter 514A, HRS;
2. That words such as lot, parcel, single family, etc. shall not be used to describe individual apartments and appurtenant limited common elements;
3. That any metes and bounds descriptions or square footage figures of land areas shall be clearly and specifically identified as either the condominium project's total land area, common element land area, or limited common element land area;
4. That solid lines shall not be utilized to delineate limited common elements or common elements; and
5. That if dotted or dashed lines are utilized in drawings, illustrations, maps or plans to delineate limited common elements or common elements, a caveat disclosure shall appear on the page with the dotted or dash lines that such lines do not represent subdivided lots and that they represent either a limited common element or common element.