



## Real Estate Branch

### About Us

The Real Estate Branch, as part of the Professional and Vocational Licensing Division, assists the Real Estate Commission in carrying out its responsibility for the education, licensure and discipline of real estate licensees; registration of condominium projects, condominium associations, condominium managing agents, and condominium hotel operators; and intervening in court cases involving the real estate recovery fund.

### Subscribe

Receive emails on relevant condominium educational materials. Sign up now at <http://cca.hawaii.gov/reb/subscribe/>

### Contact Us

Condominium Hotline: 808-586-2644  
Hours: 9:00 AM – 3:00 PM  
Email: [hirec@dcca.hawaii.gov](mailto:hirec@dcca.hawaii.gov)  
Web: [www.hawaii.gov/hirec](http://www.hawaii.gov/hirec)

Learn more about the Real Estate Branch (REB) of the Department of Commerce and Consumer Affairs

Check out the REB website [www.hawaii.gov/hirec](http://www.hawaii.gov/hirec) for more information and some frequently asked questions.

- What services does the REB provide to the condominium community?
- Where do I file a complaint against my association?
- What laws apply to my condominium association?
- How do I get a copy of my association documents?



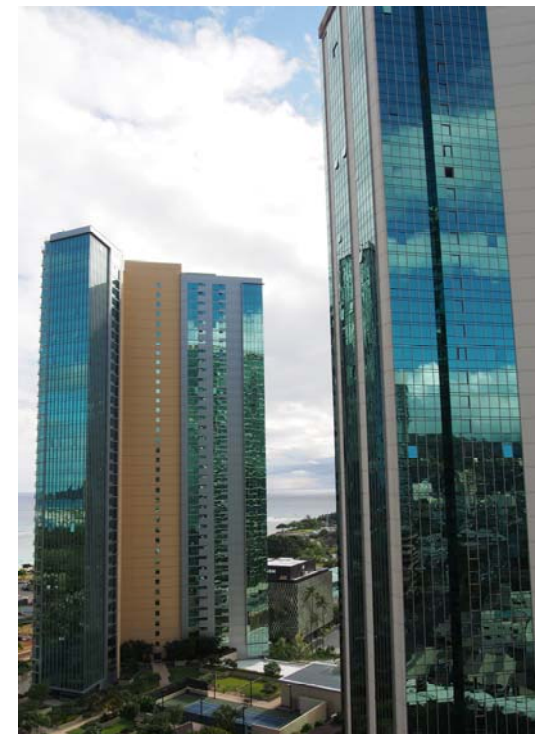
**CONDOMINIUM:  
BOARD MEMBERS'  
RIGHTS & RESPONSIBILITIES  
FOR BETTER ASSOCIATIONS**  
Real Estate Branch  
335 Merchant Street #333  
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## CONDOMINIUM:

# BOARD MEMBERS' RIGHTS AND RESPONSIBILITIES FOR BETTER ASSOCIATIONS

*Real Estate Branch  
Department of Commerce and  
Consumer Affairs*

*May 2016*



## Condominium Board Members: Rights and Responsibilities for Better Associations



All owners are automatically members of the association of the condominium project they own units in.

The board of directors makes decisions with the input of owners as to how the association is to be run. In order to create better associations, both owners and board members must be aware of their respective rights and responsibilities.

Here are **some** of the key rights and responsibilities for board members:

### Board Members Have A Right To:

- Expect unit owners will pay their financial obligations promptly.
- Expect all residents to understand and comply with the rules.
- Respectful, honest and fair treatment by all residents.
- An engaged and informed association membership.

- Educational opportunities regarding their responsibilities to the association.
- Conduct open and transparent meetings without undue disruption.



### Board Members Have A Responsibility To:

- Meet their fiduciary duty to the association in exercising their best judgement for the benefit of all owners and residents.
- Wisely budget, spend and save association monies for the benefit of all owners and residents.
- Be responsive to an owner's requests for documents and records and fully comply with §§514B-152, 153, 154, and 154.5, HRS.
- Conduct respectful, open, fair, and honest meetings with proper notice to allow all owners a chance to voice their concerns.
- Excuse themselves from any vote in which they have a conflict of interest.
- Conduct open and fair elections with proper notice.
- Provide an open and fair fining process and collect fees and fines promptly.
- Practice fair and consistent application of the bylaws and rules.
- Provide an appeals process and participate in mediation in good faith.
- Regularly review the bylaws, house rules and any board resolutions to improve governance with the input of owners.
- Understand their governing documents and become educated on the relevant sections of Hawaii's condominium law.
- Educate new owners and residents on the governing documents and keep all owners and residents informed.
- Follow Federal and State laws regarding foreclosure proceedings and accept a cure or reasonable payment plan pursuant to §667-19, HRS, during a foreclosure.