



Condominium Project Registration

Reminders Real Estate Commission Memorandum 2017-2 (11/15/17)

The information provided here is intended to provide developers, including where applicable their attorneys and agents, as well as interested others with supplemental information in the form of reminders about the condominium project registration process.*

- At the November 8, 2017 Condominium Review Committee meeting, the Committee heard a request for an informal, non-binding interpretation from the Hawaii Real Estate Commission regarding the Commission's policy requiring the registration of all new units via phase pursuant to its October 29, 2004 opinion.

The parties requesting the informal, non-binding interpretation detailed the existing policy and the excess paperwork and complexity that it created for prospective buyers and requested that the Commission reconsider its position on filing requirements when an existing condominium unit under Chapter 514B is "subdivided."

Chapter 514B requires substantially more disclosures for amendments and amended reports compared to Chapter 514A's supplementary reports. Those disclosures alleviate much of the potential risk to consumers, and thus the Commission ruled that developers may register new Chapter 514B units created by dividing previously existing registered units via amendment or amended report rather than a new registration. This informal, non-binding interpretation only affects Chapter 514B projects.

Should you have any further questions, please contact the Real Estate Branch at (808) 586-2643 or your attorney.

*** The provided information is unofficial, informal, and non-binding on the Real Estate Commission and is being provided pursuant to §16-201-92, Hawaii Administrative Rules. Please contact the Real Estate Commission at (808) 586-2643 between 7:45 AM and 4:30 PM, Monday through Friday and your attorney for more information.**