



## 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?
- And many more questions answered.

## 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.

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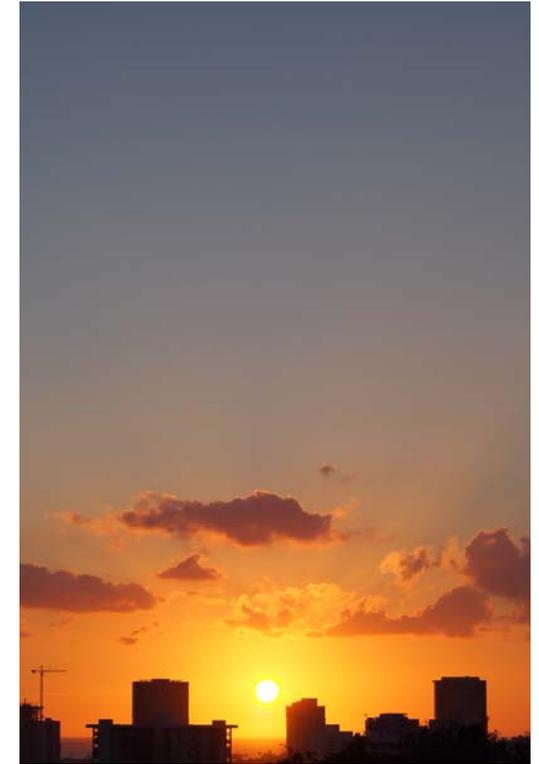
Receive emails on relevant condominium educational materials. Sign up now at <http://cca.hawaii.gov/reb/subscribe/>

### Contact Us

Condominium Hotline: 808-586-2644  
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**CONDOMINIUM:  
THE REPEAL OF  
CHAPTER 514A**  
Real Estate Branch  
335 Merchant Street #333  
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## CONDOMINIUM: THE REPEAL OF CHAPTER 514A

*Real Estate Branch  
Department of Commerce and  
Consumer Affairs*

*November 2017*

## Chapter 514A Repeal

Act 181 of the 2017 Legislative Session repeals Hawaii Revised Statutes Chapter 514A (condominium property regimes), effective January 1, 2019, to reduce confusion about the applicability of Chapters 514A and 514B. Many owners are still misinformed that their condominium projects are entirely governed by Chapter 514A. [Act 181](#) seeks to alleviate some of that confusion.

## Governance



In general, the recodification of the condominium law in 2007 into Chapter 514B **automatically** superseded the governance laws of Chapter 514A.

However, one key section, §514B-32(11), which only requires 67% of the common interest to amend the declaration, does **not** supersede §514A(11), which requires 75% of the common interest to amend the declaration. Projects that wish to adopt

the lower 67% threshold are suggested to amend their declaration to fully adopt Chapter 514B. Unless otherwise indicated, all references are to the Hawaii Revised Statutes.

## Development

As many condominium projects were registered under Chapter 514A, there may be



some projects with remaining developer's inventory. The repeal of Chapter 514A raises questions regarding their future sales.

Act 181 states that Chapter 514A projects with active final or supplemental reports may continue to sell past January 1, 2019, if their developer's public reports are accurate and not misleading. Such active, non-expired Chapter 514A reports on that date will be treated as non-expiring Chapter 514B reports. If any pertinent and/or material changes occur, developers must file an amended Chapter 514B report that supersedes all prior reports. Note that such projects and their subsequent reports are exempt from the

conversion requirements of §514B-84(a)(1) and (2).

Act 181 also states that all Chapter 514A projects that were not issued an effective date and did not file a notice of intent, must amend their documents to adopt Chapter 514B and register under Chapter 514B to legally sell units.

Developers may legally continue to submit Chapter 514A filings up to December 31, 2018, but should be aware that the processing time may take up to six months on complex projects. The Commission strongly urges developers to be timely with extensions, non-expiring applications, and final and supplementary reports to have their developer's public reports active on January 1, 2019. If a developer with remaining inventory misses the January 1, 2019 deadline, they must refile as a new project under Chapter 514B. ***Don't miss the boat!***

