

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 for more information and some frequently asked questions.

- What services does the REB provide to the condominium community?
- Where can I get help with association disputes?
- What laws apply to my condominium association?
- How do I get a copy of my association documents?
- How do I obtain a real estate license?
- What are the laws and rules for real estate licensees?

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
Web: www.hawaii.gov/hirec

This brochure is for informational purposes only and not intended for the purpose of providing legal advice. Information provided is subject to change.



CONDOMINIUM: 2019 LEGISLATIVE SESSION UPDATE

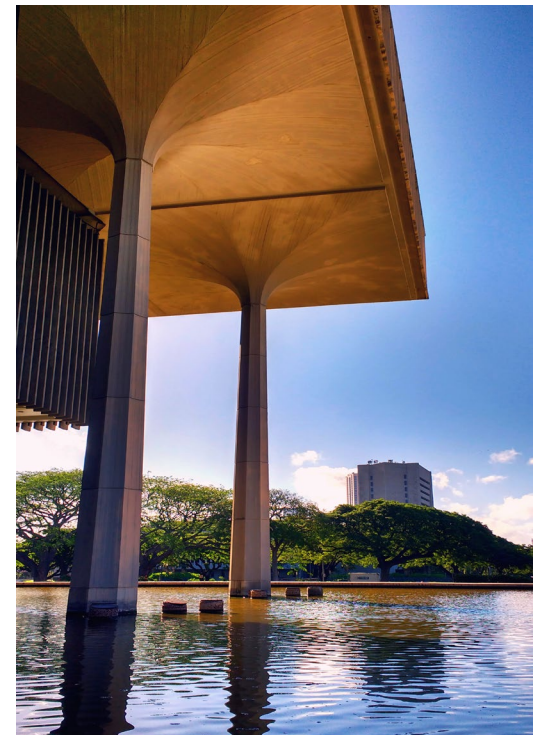
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CONDOMINIUM:

CONDOMINIUM 2019 LEGISLATIVE SESSION UPDATE

*Real Estate Branch
Department of Commerce and
Consumer Affairs*

July 2019



2019 Legislative Session Update

The 2019 legislative session adjourned with several condominium bills enacted into law. Please consult with legal professionals regarding these new laws. The following descriptions are summarizations of a few Acts meant to provide only general information.



House Bill:

[Act 192, SLH 2019](#) clarifies the order in which excess amounts in payments over maintenance fees can be applied to any additional fees, fines, interest, or amounts an owner may owe.

Senate Bills:

[Act 243, SLH 2019](#) amends the condominium law to allow for single family and townhomes, with the written consent of the board, to install certain skylight and window-based photovoltaics.



[Act 282, SLH 2019](#) confirms that associations have the authority to engage in non-judicial foreclosures regardless of the presence or absence of the power of sale language in the association's governing documents. The

Act also provided additional consumer protection by requiring the foreclosing association to offer notice and mediation.

Should mediation not be requested, an association may proceed with foreclosure. If an owner requests mediation, the association must participate and stop the foreclosure proceeding until the mediation is complete or sixty days since the request has passed.

The Act further prohibits foreclosure on liens arising solely from fines, penalties, and legal or late fees, as well as less than a year-old lien on units owned by a person on military deployment outside of the state or a submission of a reasonable payment plan pursuant to §667-92(c), HRS.

[Act 223, SLH 2019](#) gives developers of chapter 514A, HRS, projects another year (until July 1, 2020) to transfer into the newer condominium law. This will ensure that they may continue to engage in legal sales. The Act impacts developers who still have unsold units in projects created under chapter 514A, HRS. It also clarifies when a project's report is transferred into chapter 514B, HRS, and future reporting obligations. Please contact your attorney or this office for more information.

[Act 7, SLH 2019](#) extends from thirty days to ninety days the retention period of proxies, tally sheets, ballots, owners' check in lists, and certificates of election after an association meeting. In the event of a contested election, those documents shall be retained until the contested election is resolved.



[Act 14, SLH 2019](#) allows for associations to use non-networked electronic voting devices in association meetings. These devices shall not be connected for any external network, have reasonable procedures for paper audits, and maintain secrecy and integrity of ballots.

[Act 27, SLH 2019](#) clarifies that associations may invest in government money market funds.

Legislative Process:

Are you interested in the legislative process? Check out the Hawaii State Legislature website here: <http://www.capitol.hawaii.gov/> for the legislative calendar, legislator contact information, citizen's guide to the legislative process, broadcasts of hearings, bill information, online bill testimony submission, and much more!