

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.



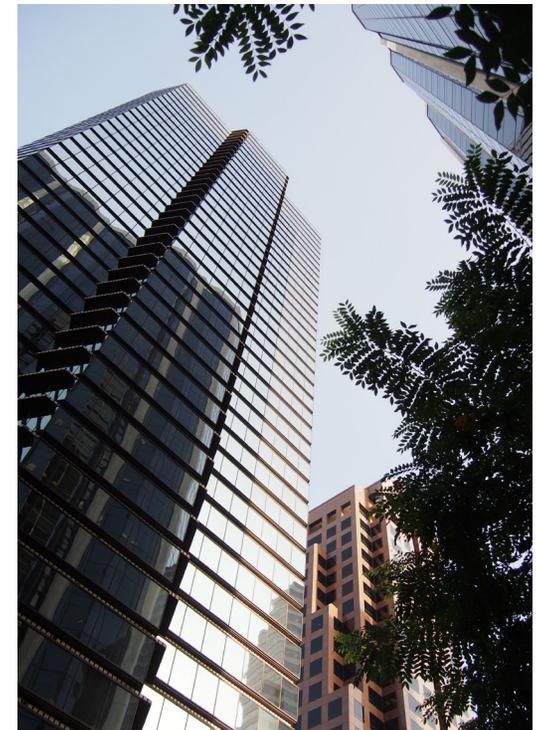
CONDOMINIUM: POWERS AND DUTIES OF AGENTS OF THE ASSOCIATION
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POWERS & DUTIES OF AGENTS OF THE ASSOCIATION

*Real Estate Branch
Department of Commerce and
Consumer Affairs*

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Agents of the Association

An association of unit owners may be a complex organization with varying needs and available resources. Associations will often hire various employees, vendors, and agents to help manage the property.

There is confusion in the condominium community as to the varying responsibilities and obligations of agents.

Insurance Agent

Condominiums of certain sizes are generally required to have insurance. The board is also granted power under chapter 514B, HRS, to buy home owners' insurance and charge owners who neglect to purchase their own. The private insurance agent is the point of contact for the insurance contracts that cover the association, directors and officers, and any individual home insurance policy purchased on behalf of owners.

Condominium Managing Agent



Condominium managing agents (“CMA”) are third-party licensed real estate brokers or authorized trust

corporations contracted by the association to perform certain tasks for the association. These tasks can range from simple accounting to complete management depending on the contract. Typical responsibilities often include overseeing repairs and projects, finances and accounting, and insurance and registration renewals. Check with your board to see what services the association has contracted for with the CMA. Owners may request copies and examination of the contract pursuant to §514B-154(b), HRS.

CMAs will assign an employee to be the liaison between the management company and the board of directors. This is generally the person who is present during association board and regular meetings. The management company takes directions from the board of directors. Common titles for this employee are “account executive,” “management executive,” “community manager,” or “property manager” but companies may have their own titles.

There is no requirement that an association must hire a third-party CMA, and many associations of varying sizes self-manage without a CMA.

Resident/On-Site Manager



Resident or on-site managers can either be hired directly by the association or as part of a contract with a CMA. Typically, they are on-site workers physically maintaining common elements and conducting day-to-day non-board operations. Some live on-site in a unit provided to them by the association.

Association Attorney

Associations may retain or periodically hire attorneys for various legal questions, concerns, litigation, and proposals.

The attorney works for the association, not for individual owners and thus takes direction from the board.

Parliamentarian

Parliamentarians are experts trained in Robert’s Rules of Order. Associations employ them to facilitate certain meetings. Parliamentarians are also available for hire by owners to represent their interests in meetings.