

## 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 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](mailto:hirec@dcca.hawaii.gov)  
Web: [www.hawaii.gov/hirec](http://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.*



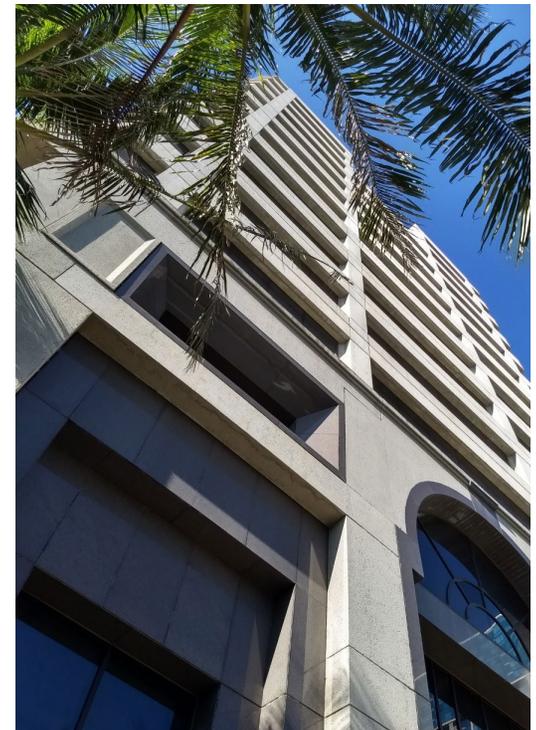
### CONDOMINIUM: ACCESS TO CONDOMINIUM DOCUMENTS

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*Real Estate Branch  
Department of Commerce and  
Consumer Affairs*

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## **Access to Condominium Documents**

Condominium law provides for owner access to a wide variety of association documents. Owners, boards, and managing agents should be aware of the requirements in §§514B-152, 153, 154, and 154.5, HRS – a real laundry list of what records must be maintained, available, or provided.

## **Association Records**

An association must keep financial and other records which are sufficiently detailed to enable it to comply with requests for information and disclosures related to unit resales. Association records or copies thereof must be maintained on the island on which the project is located.

## **Association Records Which Must be Maintained**

An association must maintain an accurate copy of the declaration, bylaws, house rules and master lease (if any), sample original conveyance document, and public reports and amendments. Detailed and accurate records of common expense receipts and expenditures and other expenses must also be maintained and the written managing contract; in addition, an

accurate and current list of owners and their current (mailing) addresses a copy of which must be available at cost to any owner as provided in the governing documents and subject to an executed affidavit regarding how the list will be used. The list may only be used by an owner and for the purpose of soliciting votes or proxies or providing information to owners about association matters.

## **Association Records Which Must be Made Available**

The association's most current financial statement must be provided to an owner at no cost or on 24-hour loan. The board approved meeting minutes for the prior and current year must be available or transmitted upon request within 15 days. No cost can be charged without notice. Financial documents, insurance policies, contracts, invoices, and election materials must also be available for examination for which an affidavit may be required and may incur costs.

## **Association Documents Which Must be Provided**

Other documents which must be available to owners and their agents include managing contracts, association minutes, an

on-site managing contract (redacted for personal information) including job description and compensation, election electronic voting audit (§514B-121(b)), and financial information subject to specified time limits, affidavit, and cost requirements (duplication cannot exceed \$1 per standard page) depending upon the requested document. The information may be made available electronically or cost-free download.

## **How to Request Documents**

Owner requests should be made to the managing agent, resident manager, board, or association's representative. It is best practice to make a written request and keep a record. As an alternative, the Regulated Industries Complaints Office ("RICO") of DCCA has an online form to request records, as well as sample affidavits and response forms. RICO also accepts complaints from owners who are refused access to association documents which are required to be made available. Forms are available on-line at: <https://cca.hawaii.gov/rico/materials/got-records/>. Complaints may also be resolved through [Commission-subsidized alternative dispute resolution](https://cca.hawaii.gov/reb/resources-for-condominium-owners/#mediation): <https://cca.hawaii.gov/reb/resources-for-condominium-owners/#mediation>