

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?

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



MAINTAINING THE BASIC STRUCTURE & OPERATION OF A CONDOMINIUM ASSOCIATION

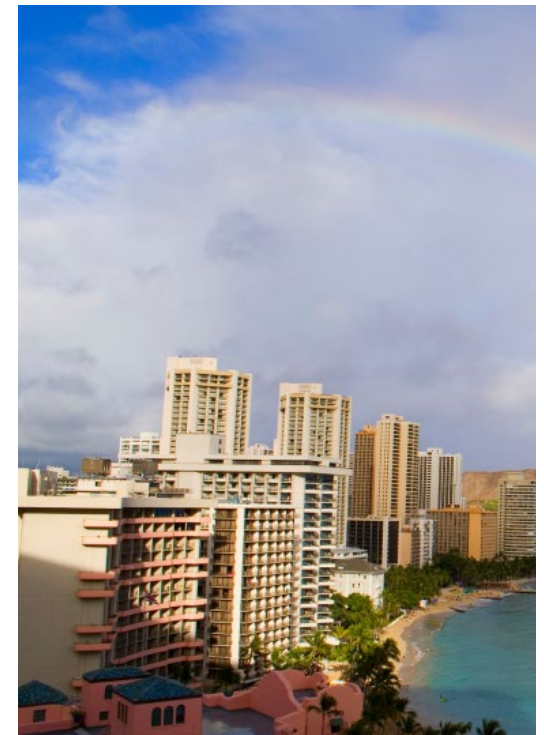
Real Estate Branch
335 Merchant Street #333
Honolulu, HI 96813

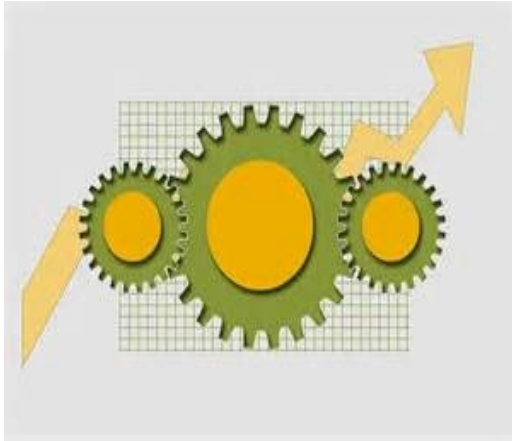
CONDOMINIUM:

MAINTAINING THE BASIC STRUCTURE AND OPERATION OF A CONDOMINIUM ASSOCIATION

*Real Estate Branch
Department of Commerce and
Consumer Affairs*

Revised December 2020





Operation of a condominium

The operation of a condominium is carried out through its “association”, made up of all persons owning units in the condominium project. (Older condominium projects may refer to the association as an “association of **apartment** owners” – the term “apartment” has been replaced by “unit” with the implementation of HRS Chapter 514B.) Condominium associations have legally established authority or duties to preserve and maintain common property; create and enforce rules affecting association living; and provide other services, such as security, trash pickup and the like.

Powers and responsibilities

The association has powers and responsibilities which are similar to those of local governments. Included in these powers is the power to create “laws” (provisions governing the project and its owners) through the association’s bylaws and house rules; to “tax” through the collection of maintenance fees and assessments; and to impose penalties through late fees and interest for late payment of assessments, and fines for violations of the declaration, bylaws, and house rules (HRS § 514B-104 (a)).

[Excerpt from Condominium Property Regimes: Owner Rights and Responsibilities. The full document may be found at the REB website \[www.hawaii.gov/hirec\]\(http://www.hawaii.gov/hirec\)](#)

The declaration, bylaws, condominium map, and HRS Chapter 514B form the legal basis for the “mini-government” of homeowners that is created. These documents are used to establish the framework for the operation of the association. Most associations delegate their powers for the day-to-day operation of the association to a board of directors.



Membership

Membership in the association is mandatory. When you take title to a condominium unit, you automatically become a voting member of the association and are responsible for your share of the common expenses of the association. Each member’s share is determined by the percentage ownership of the common elements stated in the declaration, i.e. the owner’s percentage of “common interest”. Membership automatically terminates when title is transferred. Only owners (including lessees under recorded leases) can be association members, and all owners must be members (HRS §§ 514B-3, -95, and -107 (a)).