

Relevant Laws

(Partial list – to be updated throughout recodification process)
 (“Point and click” hyperlinks to websites are available on electronic versions of this document.)

Hawaii Laws – State

Chapter 514A, Hawaii Revised Statutes – Condominium Property Regimes
(<http://www.capitol.hawaii.gov/hrscurrent/Vol12/hrs514a/>)

Chapter 415B, Hawaii Revised Statutes – Nonprofit Corporation Act
(<http://www.capitol.hawaii.gov/hrscurrent/Vol08/hrs415b/>)

Chapter 421I, Hawaii Revised Statutes – Cooperative Housing Corporations
(<http://www.capitol.hawaii.gov/hrscurrent/Vol08/hrs421j/>)

Chapter 421J, Hawaii Revised Statutes – Planned Community Associations
(<http://www.capitol.hawaii.gov/hrscurrent/Vol08/hrs421j/>)

Chapter 508D, Hawaii Revised Statutes – Mandatory Seller Disclosures in Real Estate Transactions (<http://www.capitol.hawaii.gov/hrscurrent/Vol12/hrs508d/>)

Act 180 (Session Laws of Hawaii, 1961) – (condominium enabling law, Chapter 170A, Revised Laws of Hawaii)

Act 101 (Session Laws of Hawaii, 1963) – (incorporated into Hawaii’s Horizontal Property Act provisions recommended by the Federal Housing Administration condominium model state statute and recommendations from New York legislation)

Act 16 (Session Laws of Hawaii, 1968) – (condominium law renumbered to Chapter 514)

Act 98 (Session Laws of Hawaii, 1977) – (condominium law restatement without substantive change to Chapter 514; renumbered to Chapter 514A)

Act 116 (Session Laws of Hawaii, 1979) – (amended definition of “apartment owner”)

Act 213 (Session Laws of Hawaii, 1984) – (added section regarding “managing agents”)

Act 65 (Session Laws of Hawaii, 1988) – (condominium law renamed “Condominium Property Act”)

Act 185 (Session Laws of Hawaii, 1995) – (Legislature directs Hawaii Real Estate Commission to establish a plan for recodifying condominium law to make it easier to understand and follow)

Act 303 (Session Laws of Hawaii, 1996) – (prohibiting restrictions on the use of residential property as family child care homes; exempts condominiums, coops, certain townhouses, etc.; directs Attorney General to submit report to 1997 Legislature discussing tort liability, Americans with Disabilities Act, and any constitutional concerns regarding exemptions)

Act 132 (Session Laws of Hawaii, 1997) – (establishing Hawaii’s planned community associations law)

Act 135 (Session Laws of Hawaii, 1997) – (allowing for contingent final public reports)

Act 251 (Session Laws of Hawaii, 2000) – (requiring condominiums to conform to county land use laws)

Act 105 (Session Laws of Hawaii, 2001) – (adopting new Hawaii Nonprofit Corporations Act, effective 7/1/2002)

Act 232 (Session Laws of Hawaii, 2001) – (requiring mediation of certain condominium disputes)

Act 265 (Session Laws of Hawaii, 2001) – (adopting Uniform Arbitration Act)

Hawaii Laws – Counties

City & County of Honolulu

Revised Ordinances of the City & County of Honolulu 1990 (ROH) (Note that 1990 does not represent the frequency of update; it refers to the last time the ordinances were reorganized and reformatted.) –

(<http://www.co.honolulu.hi.us/refs/roh/index.htm>)

ROH Chapter 21 – Land Use Ordinance

(http://www.co.honolulu.hi.us/refs/roh/21_990.htm)

ROH Chapter 22 – Subdivision of Land

(<http://www.co.honolulu.hi.us/refs/roh/22.htm>)

ROH Chapter 38 – Residential Condominium, Cooperative Housing and Residential Planned Development Leasehold

(<http://www.co.honolulu.hi.us/refs/roh/38.htm>)

Hawaii County

1983 Hawaii County Code – Revised and Republished 1995 –

(<http://www.co.hawaii.hi.us/countycode/haw-toc.html>) (website current through October 1999)

Kauai County

Kauai County Code 1987, as amended

Maui County

Maui County Code – (<http://ordlink.com/codes/maui/index.htm>) (website current through August 2000)

Uniform Laws

Uniform Common Interest Ownership Act –

(<http://www.law.upenn.edu/bll/ulc/fnact99/1990s/ucioa94.htm>)

Uniform Condominium Act –

(<http://www.law.upenn.edu/bll/ulc/fnact99/1980s/uca80.htm>)

Uniform Planned Community Act –

(<http://www.law.upenn.edu/bll/ulc/fnact99/1980s/upca80.htm>)

Hawaii Caselaw

Aquarian Foundation v. AOA of Waikiki Park Heights, 2001 Haw. LEXIS 97 (2001)

Arbitration of the Board of Directors of the AOA of Tropicana Manor v. Jeffers, 73 Haw. 201, 830 P.2d 503 (1992)

Arthur v. Sorensen, 80 Haw. 159, 907 P.2d 745 (1995)

AOAO of the Magellan v. Sequito, 6 Haw.App. 284, 719 P.2d 746 (1986)

Association of Owners of Kukui Plaza v. City and County of Honolulu, 7 Haw. App. 60, 742 P.2d 974 (1987)

Board of Directors of the AOAO of the Discovery Bay Condominium v. United Pacific Insurance Co., et al., 77 Haw. 358, 884 P.2d 1134 (1994)

Dilsaver v. AOAO of Kona Coffee Villas, 92 Haw. 206, 990 P.2d 104 (1999)

DiSandro v. Makahuena Corp., 588 F.Supp. 889 (D.Hawaii 1984)

Fong v. Hashimoto, 92 Haw. 637, 994 P.2d 569 (Haw. Ct. App. 1998)

Fong v. Hashimoto, 92 Haw. 568, 994 P.2d 500 (2000)

Hiner v. Hoffman, 90 Haw. 188, 977 P.2d 878 (1999)

Kole v. Amfac, Inc., 69 Haw. 530, 750 P.2d 929 (1988)

Nakamura v. Kalapaki Assocs., 68 Haw. 488, 718 P.2d 1092 (1986) [Note: Based on HRS §514A-66, which was repealed by Act 58 (SLH, 1984)]

Pelosi v. Wailea Ranch Estates, 91 Haw. 522, 985 P.2d 1089 (Haw. Ct. App. 1999)

Penny v. AOAO of Hale Kaanapali, 70 Haw. 469, 776 P.2d 393 (1989)

Reefshare, Ltd., and AOAO of Kona Reef v. Nagata, et al., 70 Haw. 93, 762 P.2d 169 (1988)

Sandstrom v. Larson, 59 Haw. 491, 583 P.2d 971 (1978)

Schmidt v. The Board of Directors of the AOAO of the Marco Polo Apartments, et al., 73 Haw. 526, 836 P.2d 479 (1992)

State Savings & Loan Association, A Corporation v. Kauaian Development Company, Inc., Kauaian Land Company, Inc., et al., 50 Haw. 540, 445 P.2d. 109 (1968)

State Savings & Loan Association, A Corporation v. Kauaian Development Company, Inc., Kauaian Land Company, Inc., et al., 62 Haw. 188, 613 P.2d 1315 (1980)

Other Jurisdictions' Laws

Arizona

Generally, *see* Title 33, Arizona Revised Statutes – Property
(<http://www.azleg.state.az.us/ars/33/title33.htm>)

Title 33, Chapter 9, Arizona Revised Statutes – Condominiums

Title 33, Chapter 16, Arizona Revised Statutes – Planned Communities

California

Generally, *search* California Codes – (<http://www.leginfo.ca.gov/calaw.html>)

(Note: The full text of all 29 California codes is available at this site. The primary statutes governing common interest developments in California are the Davis-Stirling Act (Civil Code §§1350-1376), the Nonprofit Corporation Law, and the Subdivided Lands Act. Do keyword searches to find other laws related to condominiums. In order to download the entire code, you would retrieve groupings of code sections based on the table of contents code structure.)

Florida

Generally, *see* Title XL, The 2000 Florida Statutes – Real and Personal Property (http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Index&Title_Request=XL#TitleXL)

Chapter 718, The 2000 Florida Statutes – Condominium Act (http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=Ch0718/titl0718.htm)

Chapter 719, The 2000 Florida Statutes – Cooperatives (http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=Ch0719/titl0719.htm&StatuteYear=2000&Title=%2D%3E2000%2D%3EChapter%20719)

Chapter 720, The 2000 Florida Statutes – Homeowners' Associations (http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=Ch0720/titl0720.htm&StatuteYear=2000&Title=%2D%3E2000%2D%3EChapter%20720)

Illinois

Generally, *see* Chapter 765, Illinois Compiled Statutes – Property (<http://www.legis.state.il.us/ilcs/ch765/ch765actstoc.htm>)

Chapter 765, ILCS 605, Illinois Compiled Statutes – Condominium Property Act (<http://www.legis.state.il.us/ilcs/ch765/ch765act605.htm>)

Maryland

Generally, *search* Maryland Code – (http://mlis.state.md.us/cgi-win/web_statutes.exe)

(Note: The full text of the Maryland Code is available at this site. Do keyword searches to find laws related to condominiums.)

Nevada

Generally, *see* Title 10, Nevada Revised Statutes – Property Rights and Transactions

Chapter 116, Nevada Revised Statutes – Common-Interest Ownership (Uniform Act) (<http://www.leg.state.nv.us/NRS/NRS-116.html>)

Chapter 117, Nevada Revised Statutes – Condominiums (<http://www.leg.state.nv.us/NRS/NRS-117.html>)

New York

Generally, *see* Chapter 50, New York State Consolidated Laws – Real Property Law (<http://assembly.state.ny.us/cgi-bin/claws?law=99&art=1>)

Article 9-B, New York State Consolidated Laws – Condominium Act (<http://assembly.state.ny.us/cgi-bin/claws?law=99&art=12>)

Virginia

Generally, *see* Title 55, Code of Virginia – Property and Conveyances (<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+TOC5500000>)

Also, *search* Code of Virginia – (<http://leg1.state.va.us/000/src.htm>) (Results of “condominium” word search: <http://leg1.state.va.us/000/lst/LS102369.HTM>)

(Note: Virginia’s condominium law served as a model law for UCIOA)

Title 55, Chapter 4.1, Code of Virginia – Horizontal Property Act
(<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+TOC5500000004000010000000>)

Title 55, Chapter 4.2, Code of Virginia – Condominium Act (<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+TOC5500000004000020000000>)

Title 55, Chapter 26, Code of Virginia – Property Owners’ Association Act
(<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+TOC550000000260000000000000>)

Title 55, Chapter 27, Code of Virginia – Virginia Residential Property Disclosure Act
(<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+TOC550000000270000000000000>)

Title 55, Chapter 29, Code of Virginia – Common Interest Community Management Information Fund (<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+TOC550000000290000000000000>)

Washington

(Note: You will probably need to copy and paste the links to Title 64, Chapters 64.32, 64.34, and 64.38 into the address line of your web browser. The website address’ use of certain characters caused problems establishing a hyperlink in this document. It may be easier simply to click on the link to the entire Revised Code of Washington at: <http://www.leg.wa.gov/pub/rcw/> and navigate your way to Title 64, Chapters 64.32 et seq.)

Generally, *see* Title 64, Revised Code of Washington – Real Property and Conveyances
(<http://www.leg.wa.gov/pub/rcw/rcw%20%2064%20%20TITLE/rcw%20%2064%20%20%20TITLE/rcw%20%2064%20%20%20TITLE.htm>)

Chapter 64.32, Revised Code of Washington – Horizontal Property Regimes Act
(<http://search.leg.wa.gov/wslrcw/RCW%20%2064%20%20TITLE/RCW%20%2064%20.%2032%20%20CHAPTER/RCW%20%2064%20.%2032%20%20chapter.htm>)

Chapter 64.34, Revised Code of Washington – Condominium Act
(<http://search.leg.wa.gov/wslrcw/RCW%20%2064%20%20TITLE/RCW%20%2064%20.%2034%20%20CHAPTER/RCW%20%2064%20.%2034%20%20chapter.htm>)

Chapter 64.38, Revised Code of Washington – Homeowners’ Associations
(<http://search.leg.wa.gov/wslrcw/RCW%20%2064%20%20TITLE/RCW%20%2064%20.%2038%20%20CHAPTER/RCW%20%2064%20.%2038%20%20chapter.htm>)