

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: ASSOCIATION REGISTRATION

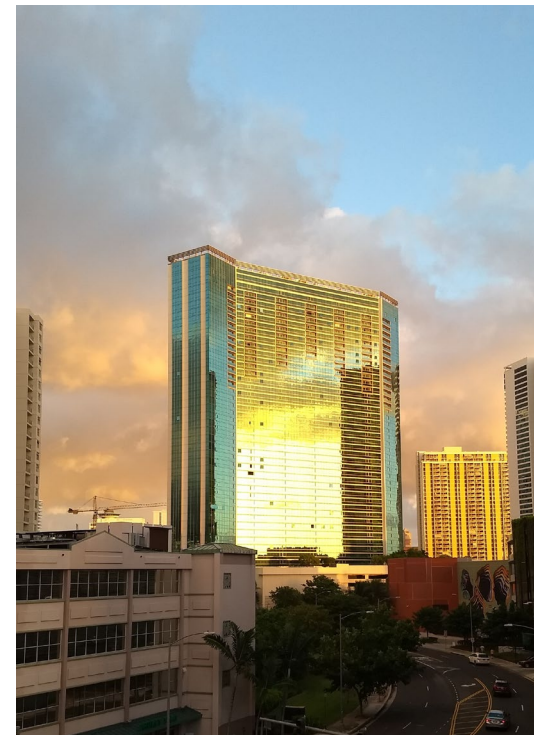
Real Estate Branch
335 Merchant Street #333
Honolulu, HI 96813

CONDOMINIUM:

ASSOCIATION REGISTRATION

*Real Estate Branch
Department of Commerce and
Consumer Affairs*

September 2022



Why Are Associations Required to Register?

Chapter 514B, HRS, the condominium law requires condominium projects that have more than five units to register with the Hawaii Real Estate Commission ("Commission") every two years pursuant to §514B-103(a), HRS.

This registration occurs every other May in odd-numbered years and is unrelated to the registration with the Business Registration Division of DCCA for those associations that may have incorporated. §514B-103(a)2), HRS, **requires** new projects to register with the Commission within thirty days of their first association meeting.

Registration provides benefits as well as allows the Commission updated contact information to provide news on programs, law changes, and educational events to associations, owners, and board members.

What Benefits Come with Registration?

Board members and owners in registered condominium associations are eligible for subsidized mediation and voluntary

binding arbitration as an option for resolving community



disputes. Pursuant to §514B-72(1), HRS, a statewide fund to subsidize dispute resolution programs is available to all owners in every registered condominium. Without registration, owners and board members must pay the full cost of mediation or arbitration themselves.

Legally, an association only has standing in court to maintain or bring an action if it is registered pursuant to §514B-103(b), HRS. Unregistered associations "shall not have standing to maintain any action or proceeding in the courts of this State until it registers." An unregistered association can defend itself but is halted from bringing or maintaining any court actions.

My Association Isn't Registered, What Now?

Sometimes an association will let its registration lapse between biennial periods. During any period of non-registration, several issues arise.

An unregistered association loses standing in court resulting in halting

actions and proceedings it may have brought. Not registering ends eligibility for subsidized mediation and voluntary binding arbitration. The condominium law imposes penalties for negligent associations; these penalties must be paid, along with the registration fee for each delinquent registration period for an association to achieve registered status.

Associations can alleviate these issues, and save their money, by maintaining their



online biennial registrations. Associations that have let their registrations lapse or never registered should contact the Hawaii Real Estate Branch as soon as possible for assistance in manually registering.

For more information, please visit the Hawaii Real Estate Branch's website at www.hawaii.gov/hirec. Or call us at 808-586-2644.

You may also find additional resources, the association information update form, and certification statement of insurance form to accompany a registration at: <https://cca.hawaii.gov/reb/resources-for-condominium-owners/>.