

# Notice #: 0001470200-01

## Public Hearings

### NOTICE OF PUBLIC HEARING

Pursuant to Hawai'i Revised Statutes ("HRS") section 514B-61 and Chapter 91, notice is hereby given that the Hawai'i Real Estate Commission ("Commission") will hold a public hearing on Friday, November 29, 2024 at 9:30 a.m. in the Queen Liliuokalani Conference Room, 1st Floor, King Kalakaua Building, Department of Commerce and Consumer Affairs, 335 Merchant Street, Honolulu, Hawai'i, 96813, to hear all persons interested in the proposed simultaneous repeal of one (1) chapter and adoption of eight (8) chapters of the Hawai'i Administrative Rules ("HAR"), as follows:

Repeal: Chapter 16-107, entitled "Horizontal Property Regimes"  
Adopt: Chapter 16-119.1, entitled "Condominiums – General Provisions"  
Adopt: Chapter 16-119.2, entitled "Condominiums – Advertisement"  
Adopt: Chapter 16-119.3, entitled "Condominiums – Project Registration"  
Adopt: Chapter 16-119.4, entitled "Condominiums – Developer's Public Reports"  
Adopt: Chapter 16-119.5, entitled "Condominiums – Sales to Owner-Occupant"  
Adopt: Chapter 16-119.6, entitled "Condominiums – Requirements for Replacement Reserves"  
Adopt: Chapter 16-119.7, entitled "Condominiums – Managing Agent"  
Adopt: Chapter 16-119.8, entitled "Condominiums – Association Registration"

The purposes of the proposed rulemaking actions are intended to: (1) eliminate the administrative rules promulgated under chapter 514A, HRS; and (2) effectuate and supplement the provisions of chapter 514B, HRS.

Chapters 514A and 514B, HRS, are two State laws that govern condominium projects in their registration and governance. Chapter 16-107, HAR, was promulgated to effectuate chapter 514A, HRS; however, chapter 514A, HRS, was formally repealed through Act 181, Session Laws of Hawai'i 2017. Chapter 514B, HRS, cited as the Condominium Property Act, was enacted to apply to all condominiums created in Hawai'i after July 1, 2006. As this chapter has no administrative rules, the Commission formed a "Blue Ribbon Committee" comprised of various stakeholders who may be impacted by the adoption of administrative rules. The primary objectives of the Blue Ribbon Committee were to discuss and recommend proposed rule language to implement chapter 514B, HRS. The Blue Ribbon Committee compiled the proposed administrative rules, which were presented to and approved by the Commission to proceed through the rulemaking process.

All interested persons shall be afforded the opportunity to submit data, views, or arguments, orally or in writing, at the time of hearing. All persons wishing to submit written testimony are requested to email their written testimony to [hirec@dcca.hawaii.gov](mailto:hirec@dcca.hawaii.gov), or if mailing in hard copy, please ensure that your testimony is received by November 22, 2024, to the Hawai'i Real Estate Commission at the address printed below so that your testimony can be included as part of the record.

A copy of the proposed rules will be mailed to any person who requests a hard copy upon receipt of \$8.61 for the copy and postage. Please submit your request to the Hawai'i Real Estate Commission at the address noted below or contact the Commission's office by email at: [hirec@dcca.hawaii.gov](mailto:hirec@dcca.hawaii.gov).

Copies may be picked up at the following address between 7:45 a.m. and 4:30 p.m., Monday through Friday, excluding holidays:

Department of Commerce and Consumer Affairs  
PVL – Hawai'i Real Estate Commission  
335 Merchant Street, Room 333  
Honolulu, Hawai'i 96813

The cost of a copy, \$4.90, is due and payable at the time of pick up. Further, the proposed rules may be reviewed in person, free of charge, at the address and hours of operation of the Hawai'i Real Estate Commission printed above. The full text of the proposed rules is also available and can be downloaded, free of charge, via the Commission's website at:

<https://cca.hawaii.gov/reb/reb-proposed-administrative-rules-har/>.

Individuals who require special needs accommodations are invited to call Kedin Kleinhans at (808) 586-2644 at least four (4) working days prior to the hearing.

Derrick Yamane, Chair  
Hawai'i Real Estate Commission  
State of Hawai'i  
(SA1470200 10/24/24)