

Condominium Developer & Developer Attorney Email Bulletin—July 2025

Maui— Chapter 668, HRS

In **Robinson vs Zarko**, February 19, 2025, SCAP-23-0000297, the Supreme Court of Hawaii vacated a Circuit Court’s ruling to use the condominium law to fulfill a Chapter 668, HRS, partition, noting “it is not lawful for a circuit court to order a partition by CPR.”

The Circuit Court was ordered to reverse the CPR, partition the property by sale, and hold further proceedings consistent with the Supreme Court’s Opinion.

2025 Legislative Session

Act 224, SLH 2025, effective 6/25/2025, limits individual wastewater systems to service at most five bedrooms regardless of dwellings or accessory units.

Required County Letters

Although counties lack direct authority in the condominium process, Chapter 514B, HRS, requires the submission of up to two county verified letters.

Agriculturally zoned projects must submit a county section 205-4.6, HRS, letter verifying that the governing documents do not restrict or limit agricultural uses and activities.

Projects containing converted structures must submit a conversion letter. This letter verifies from the county that the structures were in compliance at time of construction, noting variances, permits, non-conforming uses, and violations with conditions to cure said violations.

This information has been provided to you pursuant to §16-201-92, Hawaii Administrative Rules. The information provided herein is for informational updates, educational purposes, and is informal and non-binding on the Real Estate Commission and the Department of Commerce and Consumer Affairs.

