

**CONDOMINIUM PROPERTY REGIME TASK FORCE**  
Department of Commerce and Consumer Affairs  
State of Hawaii

**MINUTES OF MEETING**

Date: December 14, 2023

Time: 1:30 p.m.

In-Person Meeting Location: Hawaii State Capitol, Conference Room 430  
415 South Beretania St.  
Honolulu, Hawaii 96813

Virtual Virtual Videoconference Meeting – Zoom Webinar

Participation: <https://dcca-hawaii-gov.zoom.us/j/81670970587>

Present: Philip Nerney (Chair)  
Lila Mower (V. Chair)  
Senator Carol Fukunaga (Member)  
Representative Sean Quinlan (Member)  
Keali'i Lopez (Member)  
Elaine Panlilio (Member)  
Raelene Tenno (Member)  
Pattie Thiele (Member)  
Andrew Kim, Deputy Attorney General  
Dathan Choy (Administrative Staff)

Guests: Antonio Vierra  
Dale Head  
Karin Lynn  
Lourdes Scheibert  
Greg Misakian  
Colonel Mark Brown

Agenda: The agenda for this meeting was posted to the State electronic calendar and filed with the Office of the Lieutenant Governor, as required by Hawaii Revised Statutes ("HRS") section 92-7(b).

Call to Order: The meeting was called to order at 1:30 p.m., at which time quorum was established.

Old Business: Approval of Minutes  
The approval of minutes from October 27, 2023, and November 30, 2023,

was discussed. It was noted that the draft of the October 27, 2023, minutes was incomplete and had not been posted; there was uncertainty regarding automatic acceptance if no action is taken after thirty days, an issue the Chair agreed to research. The November 30, 2023, minutes were also not available. As a result, approval of the minutes for both meetings was deferred to a future session.

a. Proposed Discussion of Draft Interim Report Tasking Items for the Legislative Auditor. The primary focus of new business was a comprehensive discussion of the proposed interim report for submission to the legislature, specifically the items for the Legislative Reference Bureau (LRB) to study. The task force members considered and refined a list of topics, reaching consensus on requesting the LRB to investigate best practices and effective processes regarding:

- Ombudsman programs relating to condominiums
- Licensing of persons involved in the management of condominiums
- Alternative dispute resolution processes for condominium disputes
- The government's role in regulating and enforcing condominium governance (apart from ombudsman structures)
- Homeowner education at the point of sale
- Owner access to association documents

Jurisdictions selected for comparison included Nevada, Massachusetts, Florida, California, Delaware, and other jurisdictions at the LRB's discretion. The discussion emphasized a focus on what models best serve unit owners' interests, effective preventive mechanisms, transparent regulatory frameworks, and efficient, equitable enforcement and educational strategies. Public testimony underscored the chronic issues in condominium governance and supported the need for these areas of study.

After deliberation, the task force authorized Chair Phil Nerney and Vice Chair Lila Mower to prepare and submit the interim report incorporating these priorities, with the report due by December 28, 2023

The task force recognized the need to convene once more before

submitting the interim legislative report, given impending deadlines. Members agreed that all recommendations and agenda items for the next meeting should be submitted to Kyle Ladao in advance. The group discussed logistical challenges related to scheduling and location, especially to ensure public accessibility. It was agreed that the administrative team would follow up promptly to finalize the date, aiming for a meeting before December 27, 2023.

Next Meeting:

The date for the next meeting was left to be determined and will be announced once scheduling can be confirmed.

Adjournment:

With no further business, the meeting was adjourned by the Chair at 4:21 p.m

Reviewed and approved by:

/s/ Philip Nerney

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(Mr.) Philip Nerney  
Task Force Chairman

KNL  
12/27/2023

( ) Minutes approved as is.

( ) Minutes approved with changes:

Taken and recorded by:

/s/ Kyle-Lee Ladao

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(Mr.) Kyle-Lee Ladao  
Administrative Assistant