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STATE PARKS

**Testimony of
DAWN N.S. CHANG
Chairperson**

**Before the Senate Committees on
JUDICIARY**

**Tuesday, February 27, 2024
10:00 AM
State Capitol, Conference Room 016**

**In consideration of
SENATE BILL 2859, SENATE DRAFT 1
RELATING TO LAND COURT**

Senate Bill 2859, Senate Draft 1 proposes to amend Hawaii Revised Statutes (HRS) Chapter 501 by authorizing the use of a “master certificate of title” for common interest communities. **The Department of Land and Natural Resources (Department) acknowledges the intent of this bill is to simplify and streamline the Land Court process and offers the following comments and concerns.**

This bill has the potential to streamline one part of the Land Court process for any new common interest communities. This “master certificate of title” (master TCT) would abbreviate the current procedure of notating repetitive entries on individual transfer certificate of titles (TCT) that are created for each conveyance by referencing the master TCT that would have these repetitive entries. It should be noted that the Bureau of Conveyance (BOC) already has some automation in place with our Land Records Management System (LRMS) that supports a very similar process that is being proposed with this master TCT. With this capability already in place, this bill’s mandate to apply this process to existing common interest units would be a duplication of effort and require extensive staff resources that are already challenged with maintaining the day-to-day operations.

This bill also proposes to have the assistant registrar establish a new unit number in the case of identical unit numbers. Due to unit numbers being a key identifier in legal property descriptions

on affected deeds, the assistant registrar should work together with the developer of the common interest community to resolve this duplication.

The Department is confident that the current automated process available would essentially achieve the same results as the master TCT.

Mahalo for this opportunity to present our comment and concerns on this measure.