

STAND. COM. REP. NO. 1684

Honolulu, Hawaii

Ajz , 2007

RE: S.B. No. 1654  
S.D. 1  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1654, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT DISPUTE RESOLUTION,"

begs leave to report as follows:

The purpose of this bill is to provide a less-expensive, quicker means of resolving condominium disputes by reinstating the Condominium Dispute Resolution Pilot Project in Chapter 514A, Hawaii Revised Statutes (HRS).

The Department of Commerce and Consumer Affairs, Hawaii Council of Associations of Apartment Owners, and Hawaii Independent Condominium Cooperative Owners supported this bill.

Your Committee finds that the recodified condominium law in Chapter 514B, HRS, provides for the mediation of disputes. In 2006, the same year that the condominium law became effective, Act 277 established, in Chapter 514B, a pilot administrative hearing dispute resolution program as a follow-up to any unsuccessful mediation under that chapter.



Your Committee finds that there is some confusion as to the applicability of Chapter 514B to condominiums existing before July 1, 2006. However, section 514B-22, HRS, expressly applies the condominium management provisions of part VI of Chapter 514B, including its mediation procedure, to these existing condominiums.

Accordingly, your Committee has made technical, nonsubstantive amendments to this bill by, among other things:

- (1) Removing references to Chapter 514A, the old condominium law, and also mediation provisions that would have duplicated those in Chapter 514B; and
- (2) Clarifying that the existing pilot administrative hearing dispute resolution program in Act 277 does apply to condominiums created before July 1, 2006.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1654, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1654, S.D. 1, H.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



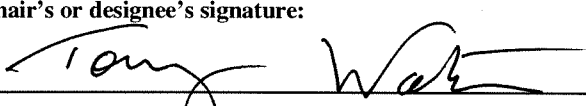
TOMMY WATERS, Chair



State of Hawaii  
House of Representatives  
The Twenty-fourth Legislature

HSCR 1684

Record of Votes of the Committee on Judiciary

<b>Bill/Resolution No.:</b> SB 1654, SD1 (HSCR 1373)		<b>Date:</b> 3/27/07		
<b>Committee Referral:</b> CR, JUD		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended <input type="checkbox"/> Hold <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Pass, with amendments, for recommitment for further consideration				
<b>JUD Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. WATERS, Tommy (C)	/			
2. OSHIRO, Blake K. (VC)	/			
3. CALDWELL, Kirk	/			
4. EVANS, Cindy				/
5. GREEN, Josh, M.D.	/			
6. ITO, Ken	/			
7. LUKE, Sylvia				/
8. McKELVEY, Angus L.K.	/			
9. MORITA, Hermina M.	/			
10. SONSON, Alex M.				/
11. SOUKI, Joseph M.				/
12. TSUJI, Clift	/			
13. YAMANE, Ryan I.	/			
14. YAMASHITA, Kyle T.	/			
15. MARUMOTO, Barbara C.	/			
16. PINE, Kymberly Marcos	/			
17. THIELEN, Cynthia				/
<b>TOTAL</b>	12			5
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
<b>Vice Chair's or designee's signature:</b> 				
<b>Distribution:</b> Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office				